



GANNAWARRA

Shire Council

Wednesday, 18 March 2020

6:30pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

Order Of Business

1	Welcome to Country.....	3
2	Opening Declaration.....	3
3	Apologies and Leave of Absence	3
4	Confirmation of Minutes	3
5	Declaration of Conflict of Interest	3
6	Assembly of Councillors.....	5
6.1	Assembly of Councillors 19 February to 17 March, 2020	5
7	Business Reports for Decision	8
7.1	Recording of Oath of Office.....	8
7.2	Welcome to Country Video Clip Protocol	14
7.3	Reviewed Acknowledgement of Country Statement.....	18
7.4	Preventing Family Violence Statement of Commitment	21
7.5	Healthy Food and Drink Policy	26
7.6	Domestic Wastewater Management Plan	31
7.7	Council Delegation to the Chief Executive Officer	91
7.8	Delegation Update - Council to Members of Council Staff	97
7.9	Proposed Scheduled Fees and Charges 2020/2021	165
8	Information Reports	187
	Nil	
9	Urgent Items	187
10	Notices of Motion.....	187
	Nil	
11	Question Time.....	187
12	Delegates Reports	188
12.1	Delegates Reports - 19 February to 17 March, 2020	188
13	Confidential Items	190
	Nil	

Phil Higgins
ACTING CHIEF EXECUTIVE OFFICER

1 WELCOME TO COUNTRY

Playing of the Welcome to Country video clip.

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 19 February, 2020

5 DECLARATION OF CONFLICT OF INTEREST

A Councillor, member of a special committee, or member of Council staff has a conflict of interest in a matter if he or she has a *direct interest* or an *indirect interest* in that matter.

A person has a direct interest in a matter if there is a likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way. This includes where there is a likelihood that the person will receive a direct benefit or loss that can be measured in financial terms or 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 in a matter if the person has:

- a close association in the matter because a family member, a relative or a member of their household has a direct or indirect interest in the matter
- an indirect financial interest in the matter
- a conflicting duty – although there are circumstances where a person does not have an indirect interest because of a conflicting duty
- received an ‘applicable gift’
- become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter.
- Because their residential amenity is likely to be altered if the matter is decided in a particular way.

Disclosure of conflict of interest

If a Councillor or member of a special committee has a conflict of interest in a matter which is to be or is likely to be considered at a meeting of the Council or special committee, the Councillor or member must:

- if he or she will be present at the meeting, make a full disclosure of that interest by advising of the class and nature of the interest to either –
- the Council or special committee immediately before the matter is considered at the meeting, *or*

- in writing to the Chief Executive Officer (CEO). Where the disclosure is made to the CEO in writing, the Councillor or member need only disclose the class of interest to the meeting, immediately before the matter is considered.
- if he or she will not be present at the meeting, make a full disclosure to the CEO or Chairperson of the meeting, in writing, of the class and nature of the interest. If a Chairperson is given a written disclosure, he or she must give the written disclosure to the CEO.
- The CEO must keep written disclosures in a secure place for three years after the date the Councillor or member of the special committee who made the disclosure ceases to be a Councillor or member, and destroy the written disclosure when the three year period expires.
- While the matter is being considered or any vote taken, the Councillor or member of a special committee with the conflict of interest must leave the room and notify the Mayor or Chairperson of the special committee he or she is doing so. The Mayor or Chairperson must notify the Councillor or member that he or she may return to the room after consideration of the matter and all votes have been cast.
- A CEO or Chairperson of a special committee must record in the minutes of the meeting the declaration of the conflict of interest, the class of the interest and, if the Councillor or member has disclosed the nature of the interest to the meeting, the nature of the interest.
- A failure by a Councillor or member to comply with Section 79 of the Act may result in a penalty of up to 120 penalty units and disqualification under Section 29(2) of the Act.

6 ASSEMBLY OF COUNCILLORS

6.1 ASSEMBLY OF COUNCILLORS 19 FEBRUARY TO 17 MARCH, 2020

Author: Mel Scott, Executive Assistant - Chief Executive Office

Authoriser: Phil Higgins, Acting Chief Executive Officer

Attachments: 1 Assembly of Councillors - 10 March 2020 [↓](#)

RECOMMENDATION

That Council note the records of Assembly of Councillors from 19 February to 17 March, 2020.

EXECUTIVE SUMMARY

This report presents to Council written records of Assembly of Councillors in accordance with Section 80A of the *Local Government Act 1989*.

DECLARATIONS OF CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2017-2021: Good Governance and a Healthy Organisation.

BACKGROUND INFORMATION

In accordance with Section 80A of the *Local Government Act 1989* a written record of assembly of councillors must be reported at an Ordinary Council meeting and minuted as soon as practicable.

The record must include:

1. The names of all Councillors and members of Council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a councillor attending
4. Whether a councillor who has disclosed a conflict of interest left the assembly.

CONSULTATION

Consultation with Councillors and staff has occurred to ensure the accuracy of the Assemblies of Councillors records.

CONCLUSION

To ensure compliance with Section 80A of the *Local Government Act 1989*, it is recommended that Council note the Assembly of Councillors records as outlined in this report.



Assembly of Councillors Record Form

Date:	Tuesday, 10 March, 2020
Time:	9:15am – 4:30pm
Location:	Kerang Council Chambers
In Attendance: (Councillors)	Cr Lorraine Learmonth – present for entire meeting Cr Charlie Gillingham – present for entire meeting Cr Brian Gibson – left at 3:05pm Cr Steve Tasker – present for entire meeting Cr Jenny Fawcett – left at 1:50pm, re-joined at 2:05pm to 4:30pm Cr Andrew Gibbs – left at 12:30pm
Apologies:	Cr Jodie Basile
In Attendance: (Officers)	Tom O'Reilly, Stacy Williams, Geoff Rollinson, Phil Higgins, Narelle O'Donoghue, Wade Williams, Mel Scott, Roger Griffiths, Lisa Clue, Brent Heitbaum, Sid Hutchinson, Carole Wandin, Kerri Sidorow
In Attendance: (Other)	Mark Francis – Murray Regional Tourism
Matters Discussed:	<p>Councillor Updates:</p> <ul style="list-style-type: none"> • Councillor Induction Refresher • Question Time <p>Presentations:</p> <ul style="list-style-type: none"> • Murray Regional Tourism – Mark Francis <p>Council Reports:</p> <ul style="list-style-type: none"> • Recording of Oath of Office • Welcome to Country Video Clip Protocol • Reviewed Acknowledgement of Country Statement • Preventing Family Violence Statement of Commitment • Healthy Food and Drink Policy • Domestic Wastewater Management Plan • Council Delegation to the Chief Executive Officer • Delegation Update – Council to Members of Council Staff • Proposed Scheduled Fees and Charges 2020/2021 <p>Councillor Updates:</p> <ul style="list-style-type: none"> • Donations, Sponsorship and Community Grants Funding Allocation • Subscriptions and Memberships • NDIS Update • Reconciliation Action Plan • Funded 3 Year Old Kindergarten • 2020/2021 Draft Operational Budget • Library Update

	<ul style="list-style-type: none">• Cohuna Aerodrome• Koondrook Caravan Park – Lease Options <p>Councillor Strategic Briefing Update:</p> <ul style="list-style-type: none">• 2019/2020 Capital Works Program Update• Strategic Projects – Towards 2025• Victoria to New South Wales Interconnector West (VNI West) Update <p>Councillor Issues Raised</p>	
Conflict of Interest Disclosures		
Matter No.	Councillor/Officer making disclosure	Councillor/Officer left meeting Yes/No
4.5 – Funded 3 Year Old Kindergarten	Cr Jenny Fawcett	Yes
4.8 – Cohuna Aerodrome	Cr Andrew Gibbs	Yes
Completed By:	Tom O'Reilly – Chief Executive Officer	

7 BUSINESS REPORTS FOR DECISION

7.1 RECORDING OF OATH OF OFFICE

Author: Lisa Clue, Acting Director Corporate Services

Authoriser: Phil Higgins, Acting Chief Executive Officer

Attachments:

- 1 Oath of Office - Cr Jenny Fawcett [↓](#)
- 2 Code of Conduct Declaration - Cr Jenny Fawcett [↓](#)
- 3 Oath of Office - Cr Andrew Gibbs [↓](#)
- 4 Code of Conduct Declaration - Cr Andrew Gibbs [↓](#)

RECOMMENDATION

That Council:

1. Acknowledges that in the presence of the Chief Executive Officer on Tuesday, 18 February 2020, Councillor Jenny Fawcett has taken, signed and dated the Oath of Office, and made a declaration that she has read and will abide by the Councillor Code of Conduct.
2. Acknowledges that in the presence of the Chief Executive Officer on Tuesday, 10 March 2020, Councillor Andrew Gibbs has taken, signed and dated the Oath of Office, and made a declaration that he has read and will abide by the Councillor Code of Conduct.

EXECUTIVE SUMMARY

In accordance with the *Local Government Act 1989* (the Act), a person elected to be a councillor is not capable of acting as a councillor until the person has taken the Oath of Office, or an Affirmation as the case may be, as specified in the Act and read, signed and dated a declaration to abide by the Councillor Code of Conduct.

In the presence of the Chief Executive Officer on Tuesday, 18 February, 2020, Jenny Fawcett, Councillor-Elect took the Oath of Office and made a declaration that she has read and will abide by the Councillor Code of Conduct in accordance with Section 63(1) of the Act.

In the presence of the Chief Executive Officer on Tuesday, 10 March 2020, Andrew Gibbs, Councillor-Elect took the Oath of Office and made a declaration that he has read and will abide by the Councillor Code of Conduct in accordance with Section 63(1) of the Act.

It is a requirement of the Act that the taking of the Oath of Office, or affirmation, be recorded in the minutes of the Council.

BACKGROUND

In accordance with the Act, a person elected to be a councillor is not capable of acting as a councillor until the person has taken the Oath of Office, or an Affirmation as the case may be, as specified in the Act and read, signed and dated a declaration to abide by the Councillor Code of Conduct.

Section 63(2) of the Act requires the Oath (or Affirmation) of Office to be:

- (a) made before the Chief Executive Officer; and
- (b) dated and signed before the Chief Executive Officer; and
- (c) recorded in the minutes of the Council.

Section 63(3) of the Act requires the councillors' declaration to abide by the Councillor Code of Conduct must be:

- (a) in writing; and
- (b) witnessed by the Chief Executive Officer.

POLICY CONTEXT

Local Government Act 1989.

DISCUSSION

The February resignations of former councillors Arians and Wright created extraordinary vacancies in the Patchell and Yarran wards.

In relation to the Patchell Ward vacancy, as the only unsuccessful 2016 general election candidate, Jenny Fawcett was declared elected by the Victorian Electoral Commission on 14 February, 2020.

On Tuesday, 18 February, 2020, as Councillor-Elect, Jenny Fawcett took the Oath of Office and made a declaration that she has read and will abide by the Councillor Code of Conduct.

In accordance with Section 63(2) of the Act, the oath was taken before the Chief Executive Officer, and was signed and dated in his presence. In accordance with Section 63(3) of the Act, the Councillor Code of Conduct declaration was made in writing and witnessed by the Chief Executive Officer.

In relation to the Yarran Ward extraordinary vacancy, on 2 March, 2020 the Victorian Electoral Commission conducted a countback of former councillor Wright's votes from the October 2016 general election, and on 3 March, 2020 Andrew Gibbs was declared elected by the Victorian Electoral Commission.

On Tuesday, 10 March, 2020, Andrew Gibbs, Councillor-Elect took the Oath of Office.

In accordance with Section 63(2) of the Act, the oath was taken before the Chief Executive Officer, and was signed and dated in his presence. In accordance with Section 63(3) of the Act, the Councillor Code of Conduct declaration was made in writing and witnessed by the Chief Executive Officer.

Section 63(2)(c) of the Act states that the action of taking the Oath of Office, or an Affirmation, must be recorded in the minutes of the Council.

CONSULTATION

Taking of the Oath of Office occurred following consultation with Councillor-Elect, Jenny Fawcett, Councillor-Elect Andrew Gibbs, the Mayor, CEO and Manager Governance.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Recently elected councillors Fawcett and Gibbs have each taken the oath of office and made declarations that they have read and will abide by Council's Code of Conduct before the Chief Executive Officer. This report enables these actions to be recorded in the minutes of Council in accordance with Section 63(2)(c) of the Act.



Oath of Office

I, Jenny Fawcett, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Gannawarra Shire Council and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.


Jenny Fawcett Date 18/02/2020
Jenny Fawcett

Tom O'Reilly Date 18/02/2020
Tom O'Reilly – Chief Executive Officer



Councillor Code of Conduct

I, Jenny Fawcett, Councillor of the Gannawarra Shire, have read and hereby agree to uphold and abide by Policy No. 078 – Code of Conduct and Values for Elected Members as adopted by the Council on 18 July 2018.

 Date 18/02/2020
Jenny Fawcett

 Date 18/02/2020
Tom O'Reilly – Chief Executive Officer



Oath of Office

I, Andrew Gibbs, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Gannawarra Shire Council and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

A handwritten signature in blue ink, appearing to read "Andrew Gibbs", is written over a horizontal line.

Date 10-3-20

Andrew Gibbs

A handwritten signature in blue ink, appearing to read "Tom O'Reilly", is written over a horizontal line.

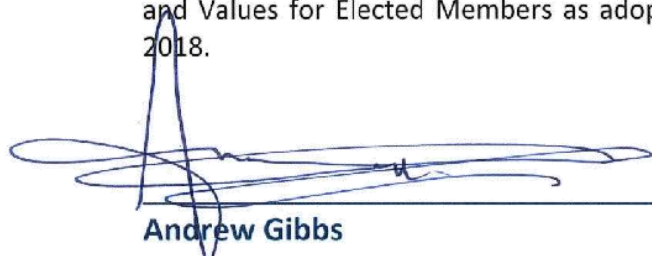
Date 10-3-2020

Tom O'Reilly – Chief Executive Officer



Councillor Code of Conduct

I, Andrew Gibbs, Councillor of the Gannawarra Shire, have read and hereby agree to uphold and abide by Policy No. 078 – Code of Conduct and Values for Elected Members as adopted by the Council on 18 July 2018.

 Date 10-3-2020
Andrew Gibbs

 Date 10-3-2020
Tom O'Reilly – Chief Executive Officer

7.2 WELCOME TO COUNTRY VIDEO CLIP PROTOCOL

Author: Narelle O'Donoghue, Manager Community Health and Partnerships

Authoriser: Stacy Williams, Director Community Wellbeing

Attachments: 1 Gannawarra Welcome to Country Video Clip Protocol [↓](#)

RECOMMENDATION

That Council adopt the Welcome to Country Video Clip Protocol.

EXECUTIVE SUMMARY

A Welcome to Country video clip was launched in December, 2019. The development of this video clip was a partnership project between Council, the Kerang Elders Group, Northern District Community Health and the Mallee District Aboriginal Services.

As a Welcome to Country is an official Aboriginal custom that is carried out by an Aboriginal Elder, a Welcome to Country Video Clip Protocol has been developed in partnership with the Kerang Elders Group. The Protocol authorises the wider use of the video clip, where an Elder is not available to conduct a Welcome to Country.

The same Protocol will be adopted by Northern District Community Health and Mallee District Aboriginal Services to ensure that the use of the Gannawarra Welcome to Country video clip recognises and pays respect to the Welcome to Country custom of Aboriginal and Torres Strait Islander People as well as acknowledging their ongoing connection to Country.

BACKGROUND

In December 2019, Council in partnership with the Kerang Elders Group, Northern District Community Health and Mallee District Aboriginal Services premiered a Welcome to Country video clip.

Developed over a three-year period, the 85-second video recognises the Barapa Barapa, Wamba Wamba and Yorta Yorta Nations as the Traditional Owners of the land the Gannawarra Shire now covers.

Using imagery of the Gannawarra's waterways and floodplains, the Welcome to Country video clip positively promotes Gannawarra's vast environment and the rich cultural connection local Aboriginal people have with Country.

Multiple generations of community members – ranging from Elders to children who are a part of Typen Kwe, Northern District Community Health's indigenous children's group – feature in the video. The video clip raises awareness and understanding of the importance of Aboriginal and Torres Strait culture to the Gannawarra Shire.

The two days of filming – held at two locations within the Shire, Sandhill Lake and Lake Meran – enabled Elders to pass down their culture and knowledge to the children that took part in the initiative. This included the meaning of body painting, specific dances and materials used in a smoking ceremony.

The video was launched on 19 December 2019 with the launch including a Welcome to Country, Smoking Ceremony and the premiere of the video clip to the wider Aboriginal and non-Aboriginal community.

POLICY CONTEXT

The Council Plan 2017-2021 contains a number of strategies and priority actions relevant to the development of the Gannawarra Welcome to Country video clip and associated Protocol:

1. Celebrate our aboriginal heritage and Ramsar sites.
2. Develop and Implement a Reconciliation Action Plan.
3. Host Kerang Elders group to promote a partnership approach to improve outcomes for our community.

DISCUSSION

Council officers worked with the Kerang Elders Group and partner agencies over a three year period to develop the Gannawarra Welcome to Country video clip.

Each aspect of the video clip has been developed in partnership and this has resulted in a great sense of pride and strong ownership of the final video clip by local Aboriginal Elders and the wider Gannawarra Aboriginal community.

The video clip has been nominated by Council for a 2020 National Award for Local Government in the category of 'Promoting Indigenous Recognition'.

The cost of production of the video clip was approximately \$3,000. This was met by Council through community resilience funding Council received from the Victorian State Government.

Elders were pleased to work with Council, Northern District Community Health and Mallee District Aboriginal Services to develop a Protocol to enable the wider use of the Gannawarra Welcome to Country video clip while maintaining the custom of respect and acknowledgement of the meaning of a Welcome to Country for Aboriginal and Torres Strait Islander People.

It should be noted that the Gannawarra Welcome to Country video clip does not take the place of an Aboriginal Elder conducting a Welcome to Country at official functions or events held by Council. It can however be used where an Elder is not available to conduct a Welcome to Country at such official events or functions. The Protocol enables Council to use the video clip at meetings, such as monthly Council meetings, where it would be impractical for an Elder to conduct a Welcome to Country.

CONSULTATION

The Welcome to Country Video Clip Protocol was developed in partnership with the Kerang Elders Group. The Kerang Elders Group includes membership of Aboriginal Elders and other Aboriginal community members, Council, Mallee District Aboriginal Services, Northern District Community Health, Victoria Police, North Central Catchment Management Authority, Regional Arts Victoria, Kerang District Health and Cohuna District Hospital.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The Gannawarra Welcome to Country video clip and Protocol provides an important platform to pay respect and acknowledgement to Gannawarra's Aboriginal and Torres Strait Islander people. It provides Council and its partners with a unique opportunity to lead the way in promoting genuine respect of the traditional customs of Aboriginal and Torres Strait Islander people who call

Gannawarra home. Gannawarra is proud of its Aboriginal People and their strong connection to Country. The development of the Welcome to Country video clip and Protocol recognises the strong partnership Council has with local Aboriginal and Torres Strait Islander people and its commitment to strengthening this partnership into the future.



Welcome to Country Video Clip

PROTOCOL

A Welcome to Country is a protocol where Aboriginal or Torres Strait Islander Traditional Owners welcome others to the land of their ancestors.

The Welcome to Country ceremony is carried out at significant events, formal functions and meetings. This practice shows respect for the Traditional Owners and Elders of the Country on which the event, formal function or meeting is taking place.

Engaging an Elder to conduct a Welcome to Country is a way of recognising and paying respect to Aboriginal and Torres Strait Islander people as well as acknowledging their ongoing connection to Country.

An Elder will be engaged to perform a formal Welcome to Country whenever possible at events and formal functions held throughout the Gannawarra Shire.

Each Elder's Welcome to Country is unique as it reflects the experiences and beliefs of the attending Elder. A Welcome to Country should occur at the opening of an event or formal function, preferably the first item.

Where an Elder is not available to conduct a Welcome to Country to open an event or formal function, the Gannawarra Welcome to Country Video Clip will be used.

The video clip will also be used in the following ways:

- At monthly Gannawarra Shire Council, Council meetings and other significant meetings.
- By partner organisations at formal events, functions and meetings where a local Elder is unable to attend. The partner organisations are Mallee District Aboriginal Service, Northern District Community Health and the Kerang Elders Group.
- On the Gannawarra Shire Council's website and the websites of partners involved in the development of the video clip, namely Mallee District Aboriginal Service, Northern District Community Health and the Kerang Elders Group.
- At educational sessions within Gannawarra schools and communities.
- At Cultural Awareness Training sessions.
- To open Kerang Elders Group meetings.
- For other purposes that the Kerang Elders authorise.

PROTOCOL REVIEW

Council will review this Protocol as required but always within two years after a general election of the Council.

The wording of this Protocol was developed with permission of the Kerang Elders Group and the same wording will be adopted by Mallee District Aboriginal Service and Northern District Community Health.

At the time of development, this Protocol was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this Protocol should be directed to the Director Community Wellbeing on (03) 5450 9333.

7.3 REVIEWED ACKNOWLEDGEMENT OF COUNTRY STATEMENT

Author: Narelle O'Donoghue, Manager Community Health and Partnerships

Authoriser: Stacy Williams, Director Community Wellbeing

Attachments: 1 Draft Gannawarra Acknowledgement of Country Statement [↓](#)

RECOMMENDATION

That Council adopt the reviewed Acknowledgement of Country Statement

EXECUTIVE SUMMARY

An Acknowledgement of Country is an opportunity for Council to show respect for the Traditional Owners of the land on which the Gannawarra Shire now covers; the Barapa Barapa, Wamba Wamba and Yorta Yorta people.

Council first adopted an Acknowledgement of Country Statement in 2016. This Statement is now due for review.

BACKGROUND

Council adopted an Acknowledgement of Country Statement at its February, 2016 Council meeting. The Statement was due to be reviewed within two years of a General Election of Council.

POLICY CONTEXT

The Council Plan 2017-2021 contains a number of strategies and priority actions relevant to the Acknowledgement of Country Statement:

1. Celebrate our aboriginal heritage and Ramsar sites.
2. Develop and Implement a Reconciliation Action Plan.
3. Host Kerang Elders group to promote a partnership approach to improve outcomes for our community.

Reconciliation Australia is the lead body for Reconciliation across Australia. Reconciliation Australia provides guidance on Welcome to Country and Acknowledgement of Country protocols.

DISCUSSION

An Acknowledgement of Country is an opportunity for anyone to show respect for Traditional Owners and the continuing connection of Aboriginal and Torres Strait Islander peoples to Country. It can be given by both non-Indigenous people and Aboriginal and Torres Strait Islander people.

The Traditional Owners of the land on which the Gannawarra Shire now covers are the Barapa Barapa, Wamba Wamba and Yorta Yorta people.

Reconciliation Australia states that there is no set wording for an Acknowledgement of Country.

CONSULTATION

Council works in partnership with the Kerang Elders Group on matters relating to Aboriginal health and wellbeing, culture and recognition. The Kerang Elders Group includes membership of Aboriginal Elders and other Aboriginal community members, Council, Mallee District Aboriginal

Services, Northern District Community Health, Victoria Police, North Central Catchment Management Authority, Regional Arts Victoria, Kerang District Health and Cohuna District Hospital. The Kerang Elders Group fully supports the adoption of an Acknowledgement of Country by Council and partner agencies.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The adoption of an Acknowledgement of Country Statement provides Council with the opportunity to pay respect to the Traditional Owners of the land on which the Gannawarra Shire now covers. The incorporation of an Acknowledgement of Country into events, functions and meetings demonstrates that Council is proud of its Aboriginal and Torres Strait Islander people and the rich cultural connection they have to Gannawarra's Country. It also recognises the strong partnership Council has with local Aboriginal and Torres Strait Islander people and Council's commitment to strengthening this partnership into the future.



Acknowledgement of Country

STATEMENT

Gannawarra Shire Council acknowledges Aboriginal and Torres Strait Islander people as the Traditional Owners of our land – Australia.

As a mark of respect to the Traditional Owners, Gannawarra Shire Council events, functions, meetings or other special occasions will begin with an Acknowledgement of Country.

Such an Acknowledgement of Country can be used exclusively where an Elder or another authorised member of the Aboriginal or Torres Strait Islander community is not available to conduct a Welcome to Country.

An Acknowledgement of Country is an opportunity for anyone to show respect for Traditional Owners and the continuing connection of Aboriginal and Torres Strait Islander people to Country. It can be given by both non-indigenous people and Aboriginal and Torres Strait Islander people.

There are no set protocols or wording for an Acknowledgement of Country.

At Gannawarra Shire Council events, functions, meetings or other special occasions, the first speaker should give the Acknowledgement of Country in the following way:

I would like to acknowledge the Traditional Owners of the land on which we meet today, their rich culture and connection to Country. I pay my respects to Elders past, present and emerging and acknowledge Elders from other communities who may be meeting with us today.

It is not necessary for subsequent speakers to give an Acknowledgement.

TRADITIONAL OWNERS

Traditional Owners is the term used to describe the original Aboriginal or Torres Strait Islander people that inhabited an area. Today, Traditional Owners are descendants of the original inhabitants who have continuing connection with particular land where their ancestors lived.

The Traditional Owners of the Gannawarra area are the Barapa Barapa, Wamba Wamba and Yorta Yorta people.

PROTOCOL REVIEW

Council will review this Statement as required but always within two years after a general election of the Council.

At the time of review, this Statement was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this Statement should be directed to the Director Community Wellbeing on (03) 5450 9333.

7.4 PREVENTING FAMILY VIOLENCE STATEMENT OF COMMITMENT

Author: Narelle O'Donoghue, Manager Community Health and Partnerships

Authoriser: Stacy Williams, Director Community Wellbeing

Attachments: 1 Draft Gannawarra Preventing Family Violence Policy [↓](#)

RECOMMENDATION

That Council adopt the Preventing Family Violence Statement of Commitment.

EXECUTIVE SUMMARY

Council is required by law to identify measures to reduce family violence and respond to the needs of victims. Council has taken a strong leadership role on family violence and works in close partnership locally and regionally to increase understanding and recognition of family violence, improve responses and ensure appropriate referral of women and children.

The draft Preventing Family Violence Statement of Commitment reflects the wording of a plaque on display in the customer service foyer of Council's Kerang Office.

The Statement of Commitment acknowledges that family violence is prevalent across the Gannawarra Shire. It articulates Council's commitment to working in its own organisation and in partnership with others to end violence against women. It also provides a commitment that the underlying drivers of violence against women will be addressed so as to create a safer community for all.

BACKGROUND

A Royal Commission into Family Violence handed down its report to the Victorian Government in February 2015. The Victorian Government accepted all 227 recommendations and committed to implementation as outlined in the report *Ending Family Violence: Victoria's Plan for Change*. This 10 year plan details the outcomes of key family violence reforms including:

- Family violence and gender inequality are not tolerated.
- Victim survivors, vulnerable children and families, are safe and supported to recover and thrive.
- Perpetrators are held to account, engaged and connected.
- Preventing and responding to family violence is systemic and enduring.

Recommendation 94 relates to local government:

"report on the measures they [councils] propose to take to reduce family violence and respond to the needs of victims in preparing their municipal public health and wellbeing plans 2017-2021".

For Gannawarra Shire Council, the statutory Municipal Public Health and Wellbeing Plan is incorporated into the Council Plan 2017-2021 as part of a formal exemption Council has in place. The Council Plan 2017-2021 identifies the need to develop a Preventing Family Violence Policy that identifies opportunities for Council to influence a reduction in the incidents of family violence across Gannawarra.

In March 2016, Loddon Mallee Women's Health presented to Council a plaque to display in the customer service foyer of the Kerang Office as a pledge to addressing violence against women at a local level.

The wording from this plaque is reflected in the Draft Preventing Family Violence Statement of Commitment.

POLICY CONTEXT

The Council Plan 2017-2021 contains a number of strategies and priority actions relevant to a Preventing Family Violence Statement of Commitment:

- Ensure our communities are welcoming, inclusive and safe for all.
- Provide leadership by developing a Gender Equity Policy.
- 100% of 4 week Maternal and Child Health visits include a Family Violence assessment, where safe to do so.
- Increase the percentage of community members who feel safe walking alone during the day or night.
- In partnership investigate measures to increase community safety perceptions.

The Council Plan has a Strategic Indicator under Strong Healthy Communities to develop a preventing family violence policy that identifies opportunities for Council to influence a reduction in the incidents of family violence across Gannawarra.

There is a significant policy alignment at national and state level including the National Plan to Reduce Violence against Women and their Children 2010-2022, Our Watch Change The Story – A Shared Framework for the Prevention of Violence Against Women, Free From Violence: Victoria's Prevention Strategy, 10 year plan Ending Violence: Victoria's plan for change, Safe and Strong: A Victorian Gender Equality Strategy - Preventing violence against women through gender equality.

DISCUSSION

Research from the 2016 Australian Bureau of Statistics Personal Safety Survey and Australian Institute of Criminology provides evidence that both men and women in Australia experience substantial levels of violence.

Both men and women are more likely to experience violence at the hands of men, with around 95% of all victims of violence in Australia reporting a male perpetrator (2015 ABS Personal Safety Survey). While men are more likely to experience violence by other men in public places, women are more likely to experience violence from men they know, often in the home (2017 ABS Personal Safety, Australia).

While all violence is unacceptable regardless of the sex of the victim or perpetrator, family violence is a gendered issue, overwhelmingly committed by men against women. Family violence is the single greatest contributor to death, disability, and illness in Victorian women aged 18-44. On average, one woman is murdered every week in Australia at the hands of a current or former partner. The statistics around family violence continue to increase, in part due to an increase in reporting.

Family Violence is prevalent in the Gannawarra Shire. Over the past five years there has been a substantial increase in the rate of family incidents (per 100,000 population) recorded by VicPolice – 1,385.7 incidents in 2014/2015 compared to 2,564.4 incidents in 2018/2019. This equates to a 54 per cent increase.

Promoting gender equality and respectful and non-violent relationships benefits the whole community, including men.

Council has taken a strong leadership position on Preventing Family Violence since 2013, and through provision of direct services has responded to violence against women over many years.

This work aligns with the Victorian Government and Municipal Association of Victoria's implementation guide for local government to proactively address family violence in local communities through the following:

- *Local leadership and healthy public policy*: including participating in the National Stop it at the Start Campaign and the Victoria against Violence Campaign, celebrating International Women's Day, ensuring a gender lens is applied to strategic documents and endorsing the Victorian Local Government Women's Charter.
- *Developing facilities and safe public environments*: promoting and supporting the participation of girls and women in sport and recreation and considering urban planning and design of public buildings and spaces to create safe public environments and community facilities.
- *Service provision*: such as through Maternal and Child Health, Children Services, Community Care, Local Laws, and Libraries and ensuring a trained workforce to identify and respond appropriately.
- *As an employer and procurer*: in promoting a culture of non-violence, respect and gender equity across the organisation.

CONSULTATION

At a local level, family violence is an identified focus area for the Gannawarra Local Agency Meeting (GLAM). This group consists of Council, Northern District Community Health, Kerang District Health, Cohuna District Hospital, Victoria Police, Mallee District Aboriginal Services, Mallee Family Care, the Southern Mallee Primary Care Partnership and Murray Primary Health Network.

Council is also represented on the Mallee Child and Youth Area Partnership, where family violence is a priority and the Mallee Family Violence Executive. This includes a number of state and regional partners including the Department of Health and Human Services, Family Safety Victoria, Mallee Sexual Assault and Mallee Domestic Violence Services, the Orange Door and Women's Health Loddon Mallee.

All partners support the leadership role of local government in clearly articulating that family violence is a prevalent issue within every community and for local government to take a lead role in the prevention of family violence and working in partnership to strengthen the service system to better support women and their children.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The Preventing Family Violence Statement of Commitment acknowledges that family violence is prevalent across the Gannawarra Shire. It articulates Council's commitment to working in its own organisation and in partnership with others to end violence against women. It also provides a

commitment that the underlying drivers of violence against women will be addressed so as to create a safer community for all.



Preventing Family Violence

STATEMENT OF COMMITMENT

Gannawarra Shire Council acknowledges that violence against women is prevalent in the Gannawarra Shire.

Council recognises that while any person can be a victim or perpetrator of violence, violence is predominately perpetrated by men, and in family violence situations, women are predominately the victims.

Council understands that the underlying drivers of violence against women are gender inequality, rigid gender stereotypes and cultures that accept or excuse men's violence.

Council commits to working in our own organisation and in partnership with others to end violence against women.

This will be done by creating communities, organisations and cultures that are non-violent, gender equitable, non-discriminatory, and that promote respectful relationships.

In this way we will address the underlying drivers of violence against women and create a safer community.

STATEMENT REVIEW

Council will review this Statement as required but always within two years after a general election of the Council.

At the time of review, this Statement was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this Statement should be directed to the Director Community Wellbeing on (03) 5450 9333.

7.5 HEALTHY FOOD AND DRINK POLICY

Author: Narelle O'Donoghue, Manager Community Health and Partnerships

Authoriser: Stacy Williams, Director Community Wellbeing

Attachments: 1 Draft Healthy Food and Drink Policy [↓](#)

RECOMMENDATION

That Council endorse the Healthy Food and Drink Policy.

EXECUTIVE SUMMARY

Protecting and promoting improved health and wellbeing outcomes across the community is a key responsibility for local government. The development of a Healthy Food and Drink Policy supports Council's leadership role in ensuring that healthy food and drink choices are promoted and encouraged across the community and that Council increases access to healthy food and drinks at Council owned and operated facilities, events, functions and meetings. The development of such a policy was identified in the Council Plan 2017-2021 and supports the direction of the Victorian Health and Wellbeing Plan 2019-2023. More importantly the policy provides the opportunity for Council to continue to promote and encourage healthy eating and drinking across the Gannawarra community and support ongoing partnership work aimed at reducing risk factors for chronic diseases.

BACKGROUND

Healthy Eating is one of the priorities of the Victorian Health and Wellbeing Plan with Council required under the *Public Health and Wellbeing Act 2008* to develop partnerships at a local level to support the achievement of the priority areas contained within the Victorian Health and Wellbeing Plan.

At a local level, Council works in partnership with the Gannawarra Local Agency Meeting (GLAM). GLAM consists of representatives from Council, Northern District Community Health, Kerang District Health, Cohuna District Hospital, Mallee District Aboriginal Services, Victoria Police, Mallee Family Care, the Southern Mallee Primary Care Partnership and Murray Primary Health Network.

GLAM operates under a formal Memorandum of Understanding on collaborative work to improve health and wellbeing outcomes across the Gannawarra community. The priority areas of GLAM are documented in the Council Plan 2017-2021 and include encouraging healthier eating and active living (including oral health). Council is the lead partner for the implementation of this priority area.

Some of the key Healthy Eating priority area achievements:

- All pre-schools and the Gannawarra Children's Centre are accredited in the Smiles4Miles statewide program which includes healthy eating and oral health.
- Leitchville Pre-School has been formally awarded in the Healthy Eating/Oral Health priority area of the statewide Achievement Program.
- Australian Breastfeeding Association *Breastfeeding Welcome Here* signage is on display at all Maternal and Child Health buildings across the Shire and the Gannawarra Children's Service. Partnership work occurred with Northern District Community Health and the

- Cohuna Neighbourhood House to provide designated private space for breastfeeding within the central business districts of Kerang and Cohuna.
- VicHealth Healthy Fridge program implemented at Council's Kerang and Cohuna swimming pool canteens.
 - Traffic Light Food system introduced at Kerang and Cohuna swimming pool canteens.
 - Fresh Fruit Friday introduced at Kerang and Cohuna Swimming Pools and salad rolls trialled.
 - Healthy Snack Boxes trialled over a six month period across Council worksites and survey results supported a Healthy Snack Box permanently in the Kerang Office which is cost neutral to Council.
 - Drinking water fountains are considered in new park, streetscape and recreational facility upgrades with fountains installed into Victoria Street, Kerang and at the Cohuna Swimming Pool. A partnership with Grampians Wimmera Mallee Water has also seen a drinking water fountain installed at Quambatook.
 - Drinking water fountains have been made available in Council buildings and facilities such as the Kerang Library and Kerang Exercise Pool.
 - Policies around alcohol have been strengthened including formalise that no reimbursement of alcohol can be claimed as a work related expense.
 - Healthy Eating and Oral Health messages have been incorporated into the Gannawarra VicHealth Walk to School Program over the past seven years. This program is rolled out annually across all 10 Gannawarra primary schools. Council's four pre-schools and the Gannawarra Children's Centre are also involved.
 - Council supports the development of community gardens to increase access to fresh fruit and vegetables across the Gannawarra Shire.

The new Victorian Health and Wellbeing Plan 2019-2023 confirms the importance of increasing healthy eating by encouraging an increase in foods and drinks required to maintain health (such as vegetables, fruit and wholegrain cereals) and reducing the consumption of discretionary foods and drinks high in energy, saturated fat, added sugar, salt or alcohol.

The purpose of focusing on healthy eating is to curb the increase in obesity, and chronic diseases such as heart disease, type 2 diabetes and some cancers.

The latest statistics show that Gannawarra's residents are more likely to record that they participate in no physical activity, do not meet the dietary guidelines for fruit and vegetable consumption and consume alcohol at risky levels for short term harm. Gannawarra's residents also have a high level of overweight or obesity and are more likely to suffer from a range of chronic illnesses such as diabetes, heart disease and certain cancers. The rate of admission to hospital for preventable dental conditions is almost twice the Victorian average. Dental conditions are almost entirely preventable through the consumption of healthy food and drinks.

Council can use its influence to create healthy public policy to support improved health and wellbeing outcomes for the community into the future.

POLICY CONTEXT

The Council Plan 2017-2021 incorporates the Statutory Municipal Public Health and Wellbeing Plan 2017-2021. The Council Plan identified as a priority action the development of a Healthy Eating Policy across Council, which included increasing access to public drinking water.

In Victoria, the *Public Health and Wellbeing Act 2008* gives state and local government specific responsibilities to plan for and contribute to protecting and improving health and wellbeing. The Act requires a State public health and wellbeing plan and municipal public health and wellbeing

plans to be prepared sequentially every four years. These plans inform each other and provide the basis for an integrated planning approach across Victoria.

DISCUSSION

The Victorian Health and Wellbeing Plan sets down strategic actions relating to Healthy Eating to be worked on across Victoria:

- Accelerating the implementation of healthy food (and drink) supply policies in all key public settings (including health services, schools and early childhood services, sport and recreation settings, events and workplaces).
- Implementing initiatives and approaches to support healthier lifestyles and habits.
- Investing in collaborative place-based approaches to healthy eating and increasing access to healthy food in communities.

Furthermore, the Victorian Health and Wellbeing Plan documents a set of outcomes to work towards:

- Increase access to healthier food and drinks, and decrease access to discretionary foods and drinks.
- Increase capacity to breastfeed, and prepare and consume healthier foods and drinks.
- Increase capacity to not consume discretionary food and drinks.
- Increase socio-cultural norms reinforcing healthier eating, drinking and breastfeeding.
- Decrease sodium, saturated fat and added sugar, and increase fruit, vegetables, wholegrains and dairy/alternatives in processed and ready-to-eat foods.
- Increase purchase of healthier food and drinks, and decrease purchase of discretionary food and drinks.
- Decrease the quantity of discretionary food and drinks served eating out and at home.
- Decrease exposure to marketing of discretionary food and drink and increase exposure to marketing of healthier food and drinks.

The Healthy Food and Drink Policy will support the achievement of additional goals set down in the Council Plan 2017-2021. The adoption of the policy will enable Council to apply to be awarded in the last two priority areas yet to be achieved as part of Council's commitment to achieving recognition in the statewide Workplace Achievement Program. The final two priority areas to be achieved are Healthy Eating and Alcohol.

The Healthy Food and Drink Policy also provides the direction across Council to meet the requirements of the Victorian Health and Wellbeing Plan and more importantly to continue to provide and encourage a supportive environment that promotes healthy eating and drinking across the Gannawarra community.

An action plan will be developed to support the implementation of the Healthy Food and Drink Policy across Council.

CONSULTATION

The policy reflects and supports the partnership priorities of GLAM and the direction of the Victorian Government as outlined in the Victorian Health and Wellbeing Plan 2019-2023. Council's Occupational Health and Safety Committee and Council's management team have inputted into the development of the draft policy.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The Healthy Food and Drink Policy provides Council with the opportunity to provide leadership on promoting and encouraging healthy food and drink choices across the community. The endorsement of the policy will support the direction of the Victorian Health and Wellbeing Plan 2019-2023 and more importantly enable Council to continue to provide and encourage a supportive environment that promotes healthy eating and drinking across the Gannawarra community.



Healthy Food and Drink

POLICY NO. 139

1. POLICY PURPOSE

To promote and encourage healthy food and drink choices across the community and increase the availability of healthy food and drink at Council owned and operated facilities, events, functions and meetings.

2. DEFINITION

Healthy foods and drinks are generally low in unhealthy fats, salt and sugar, excluding alcohol, and which provide the nutrients needed to maintain health, wellbeing and energy for daily living.

3. POLICY

- Provide healthy food and drink choices at Council run events, functions and meetings and at Council owned facilities where food and drinks are sold to the public, such as swimming pools.
- Promote water as the drink of choice and provide drinking water fountains in public areas.
- Minimise as far as practical alcohol being provided or consumed at Council events and functions.
- Encourage alternative fundraising ideas to replace fundraising based on unhealthy foods (such as chocolates) in Council operated facilities, such as pre-schools and children centres.
- Encourage healthy eating within the workplace.
- Positively promote the benefits of healthy eating and healthy drinking to all ages and stages across the community including creating an environment that welcomes and supports breastfeeding at Council facilities.
- Nutrition Australia's Healthy Eating Pyramid, the Victorian Healthy Eating and Advisory Service's traffic light food system and the Victorian Government's Healthy Eating Catering Guide titled *Healthy choices: healthy eating policy and catering guide for workplaces* will be used to guide decision making around healthy food and drinks.
- A partnership approach will be engaged with external agencies to support policy implementation.

4. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

5. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this Policy should be directed to the Chief Executive Officer on (03) 5450 9333.

7.6 DOMESTIC WASTEWATER MANAGEMENT PLAN

Author: Narelle O'Donoghue, Manager Community Health and Partnerships

Authoriser: Stacy Williams, Director Community Wellbeing

Attachments: 1 Draft Revised Domestic Wastewater Management Plan [↓](#)

RECOMMENDATION

That Council endorse the Draft Gannawarra Domestic Wastewater Management Plan 2020-2024 for public comment for 28 days commencing Thursday, 19 March and closing Friday, 17 April, 2020.

EXECUTIVE SUMMARY

A Domestic Wastewater Management Plan forms part of Council's obligations to prevent public health risk and contamination of the environment from the disposal of domestic wastewater.

Council is required by legislation to have such a plan in place and to approve and regulate any onsite wastewater management systems (septic tanks) that generate less than 5,000 litres per day.

Council first developed a Domestic Wastewater Management Plan for the Gannawarra Shire in 2007. The Council Plan 2017-2021 identified as a priority action a review of this plan.

A Domestic Wastewater Management Plan helps guide consistent decision making when Council's delegated officers are assessing applications to install or alter domestic wastewater systems. The plan also supports planning decisions to reduce or minimise future impacts from domestic wastewater.

Implementation of the reviewed Domestic Wastewater Management Plan will be undertaken through the use of existing resources and is not expected to have any direct operational costs or other budget implications to Council.

BACKGROUND

Under the *Environment Protection Act 1970*, Council is responsible for onsite wastewater management systems (septic Tanks) in both private and commercial settings where the wastewater generated is less than 5,000 litres per day. This includes household septic tanks in operation across the Gannawarra Shire plus some systems operating on commercial premises such as businesses, schools, caravan parks, recreation reserves, sporting facilities, RV camp sites, and public toilets in rural areas where access to a reticulated sewerage system is not available.

It is estimated that there are approximately 2,000 to 2,500 domestic wastewater systems in the Gannawarra Shire. Council has records for 630 of these systems.

As the regulatory body, Council issues permits to install or alter onsite wastewater management systems and investigates and resolves any issues associated with such systems either under the authority of the *Environment Protection Act 1970* and/or the Nuisance provisions of the *Public Health and Wellbeing Act 2008*.

A Domestic Wastewater Management Plan helps guide consistent decision making when Council's delegated officers are assessing applications to install or alter domestic wastewater systems. The

plan also supports planning decisions to reduce or minimise future impacts from domestic wastewater.

Council first adopted a Domestic Wastewater Management Plan in 2007. The 2007 Domestic Wastewater Management Plan was developed by consultants experienced in conducting risk assessments associated with wastewater across the Gannawarra Shire. The reviewed document takes into account changes that have occurred since that time.

POLICY CONTEXT

The State Environment Protection Policy (Waters of Victoria) requires Council to develop and implement a Domestic Wastewater Management Plan.

The development of a Domestic Wastewater Management Plan supports Council's priority area of Sustainable Natural and Built Environments within the Council Plan, and more specifically the priority action to review and implement the Domestic Wastewater Management Plan.

A range of other legislation and state policy informs decision making around domestic wastewater management.

DISCUSSION

Council is responsible for onsite wastewater management systems in both private and commercial settings where the wastewater generated is less than 5,000 litres per day. Systems generating greater than 5,000 litres per day of wastewater are regulated by the Victoria Environment Protection Authority (EPA).

The purpose of a Domestic Wastewater Management Plan is to assist Council's Environmental Health Officers to fulfil their delegated responsibilities in the assessment of domestic wastewater systems operating, or intending to be installed, within the municipality and to provide appropriate strategies and actions to manage any issues relating to onsite wastewater management.

Council first adopted a Domestic Wastewater Management Plan in 2007. This plan was developed by RMCG Consultants for Business, Communities & Environment and consisted of a thorough risk assessment of domestic wastewater across the Gannawarra Shire. The original 2007 plan was funded by the then Department of Sustainability and Environment.

The review of the 2007 document has taken into account changes that have occurred since that time.

A number of strategic actions within the 2007 plan have been achieved:

- Extension of town sewage system along Cohuna Island Road, Cohuna to connect the Cohuna Caravan Park, Cohuna Recreation Reserve and associated facilities, Apex Park and the Island Rise estate to reticulated sewerage.
- Installation of a Lower Murray Water Sewerage System at Murrabit.
- Connection of the majority of houses within Koondrook and Leitchville to reticulated sewerage.
- Undertaking a Kangaroo Lake Domestic Septic Tank and Groundwater Impacts Assessment.
- The establishment of processes between Council's Environmental Health, Planning and Building departments to strengthen systems around approval processes.
- Development of educational tools to assist households to understand and manage risks associated with their Onsite Wastewater Management systems.

While much has been achieved, it should be noted that the 2007 Domestic Wastewater Management Plan consisted of a large number of actions. Many have not been achieved due to resource limitations, competing priorities of Council's Environmental Health Officers, a low assessment of risk associated with these proposed actions, and a balancing of risk based and proportionate regulatory oversight of domestic householders across the Gannawarra Shire.

There have also been a number of regulatory changes since 2007 that have strengthened compliance and enforcement relating to domestic wastewater systems. This includes an updated Australia and New Zealand Standards (2008) and a new Environment Protection Authority Code of Practice for Onsite Wastewater Management (2016). The Victorian Government also intends that a new *Environment Protection Amendment Act 2018* will take effect from 1 July, 2020.

CONSULTATION

In reviewing the Domestic Wastewater Management Plan internal consultation with Council's Environmental Health, Planning, Building and Engineering departments has taken place. Information relating to water authorities contained within the plan has also been updated.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Council is required to have a Domestic Wastewater Management Plan to meet its obligations under the State Environment Protection Policy (Waters of Victoria).

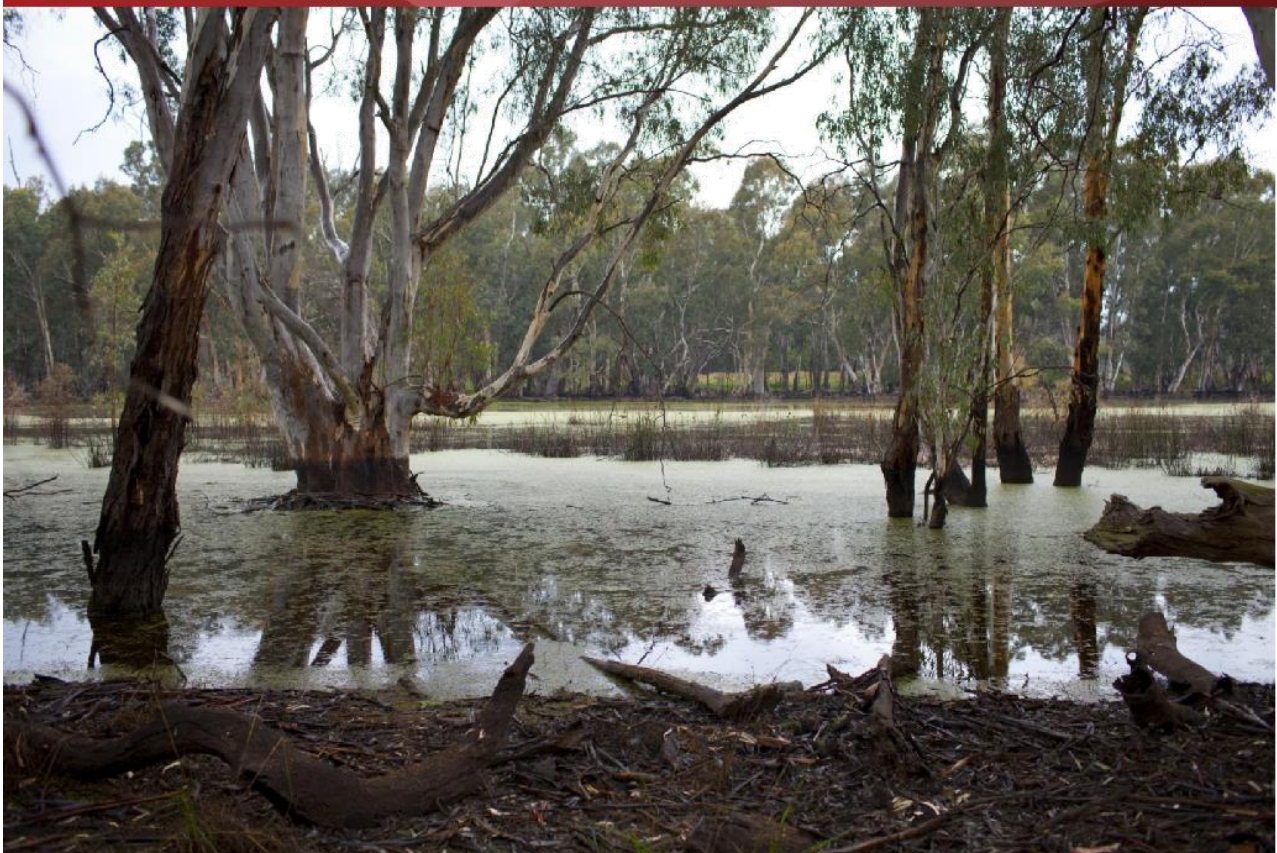
The plan is a document which supports consistent decision making of delegated officers and is used as a supporting document when advocating or seeking external grant opportunities for implementation of projects that reduce environmental and public health risks associated with domestic wastewater.

The revised Gannawarra Domestic Wastewater Management Plan will replace the original 2007 plan. This revised plan will guide future decision making relating to domestic wastewater in conjunction with other legislated obligations Council must meet in minimising environmental and public health risk associated with domestic wastewater.

The revised plan has a review date of 2024.

GANNAWARRA SHIRE

DOMESTIC WASTEWATER MANAGEMENT PLAN



Gannawarra Shire Council acknowledges the traditional custodians of the land and pays our respect to Elders past and present.

Disclaimer

Information contained in this document is based on available information at the time of writing. All figures and diagrams are indicative only and should be referred to as such. This is a strategic document which deals with technical matters in a summary way only. While the Gannawarra Shire Council has exercised reasonable care in preparing this document it does not warrant or represent that it is accurate or complete. Council or its officers accept no responsibility for any loss occasioned to any person acting or refraining from acting in reliance upon any material contained in this document.

CONTENTS

Executive Summary		4
1	Introduction	5
2	Context	6
	2.1 Goals and Objectives	6
	2.2 Risks Associated with Domestic Wastewater	8
	2.3 State Legislation and Policy	9
	2.4 Stakeholder Roles, Responsibilities and Regional Planning	9
	2.5 Linkages to Other Council Plans	11
3	Project Management	
	3.1 Development Process	13
	3.2 Land Capability – Minimum Lot Size Guidelines	13
	3.3 Review	13
4	Regional Profile	
	4.1 Shire Description	14
5	Current Wastewater Situation	
	5.1 Overview	16
	5.2 Wastewater Management Challenges	17
	5.3 Values Requiring Protection	18
	5.4 Septic Tank Approval Process	20
	5.5 Land Capability Assessment	21
	5.6 Monitoring and Compliance Systems	21
	5.7 Auditor General's Report	22
6	Local Wastewater Management Profiles	23
	6.1 Priority Townships and Locations	23
	6.2 Septic Tanks in Sewered Towns	24
	6.3 Septic Tanks in Unsewered Towns	30
	6.4 Septic Tanks in Rural Living Estates	35
7	Action Plan	41
	7.1 Introduction	41
	7.2 Guiding Principles	41
	7.3 Overview of Action Plan	
	Priority 1 Information Management	42
	Priority 2 Monitoring and Compliance	43
	Priority 3 Communication and Education	44
	Priority 4 Strategic Planning	45
8	References	46
Appendix 1	Glossary of Terms	47
Appendix 2	Minimum Lot Size Guidelines	48
Appendix 3	Land Capability for Effluent Disposal Maps	49

Executive Summary

The Shire of Gannawarra is located in northern Victoria and is home to a significant number of environmental assets including the Ramsar listed Kerang Lakes, Gunbower Forest and the Murray River.

Some residential areas of the Shire have been seweraged for a number of years. Other towns and areas rely on septic tanks for onsite wastewater management. It is estimated that there are between 2,000 and 2,500 septic tanks across the Shire.

The development of a Municipal Domestic Wastewater Management Plan (DWMP) provides an opportunity for Council to strategically assess wastewater disposal within the municipality and develop appropriate strategies and actions to prevent or minimise wastewater issues.

The effectiveness of onsite domestic wastewater management varies throughout the Shire. There are instances where domestic wastewater is not managed effectively and others where old systems continue to provide an effective means of disposal.

The prolonged dry conditions have served to mask the more obvious signs of poor wastewater management.

Challenges for wastewater management in the Shire of Gannawarra result from a combination of factors, including:

- Poor land capability for disposal which reduces the ability to dispose treated wastewater to land;
- Small allotments and inadequate space for wastewater disposal;
- Inadequately sized disposal areas;
- Ageing and/or poorly maintained domestic wastewater management systems (septic systems);
- Household behaviour reducing system efficiency including high water use within the home and over-watering of gardens;
- Mosquito breeding in pooled stagnant water; and
- Increased use of grey water due to ongoing dry conditions.

The DWMP addresses potential risks to public health and the environment that result from the treatment and disposal of wastewater from homes and businesses in unsewered areas.

While the scope of a DWMP does not extend to the disposal of sludge from septic tank systems as this is regulated through the Environment Protection Authority (EPA), this has been included in this DWMP due to Council managing an EPA licensed disposal site.

The development of the DWMP is consistent with government policy direction, including the State Environment Protection Policy (Waters of Victoria), which requires Council to develop such a plan.

1 Introduction

Local governments throughout Victoria are required to prepare a Domestic Wastewater Management Plan (DWMP) to address potential risks to public health and the environment that result from treatment and disposal of wastewater from homes and businesses in unsewered areas.

The development of a DWMP is consistent with Government policy direction, including the State Environment Protection Policy (Waters of Victoria) that requires councils to develop such plans.

Improved domestic wastewater management is an important issue for Gannawarra Shire. While some residential areas have been sewerred, a number of small towns and areas surrounding sewerred towns rely on onsite domestic wastewater management systems, commonly known as septic tank systems.

The exact number of septic systems in the Shire is unknown but is thought to total between 2,000 and 2,500. This number is based on the number of lots with dwellings outside of sewerred districts in the Gannawarra Shire. As at the review date for this plan, Council had complete records for 630 of these systems.

While development outside of sewerred areas across the Gannawarra Shire has remained relatively low, there are pressures on land in terms of development in high-amenity areas near lakes and the Murray River and associated tributaries such as the Gunbower Creek.

The initial DWMP was created with funding received from the Department of Environment, Land, Water and Planning (formerly DSE). This plan is based on the initial plan developed for Gannawarra Shire Council by RM Consulting Group in 2007.

The review of this DWMP provided an opportunity for Council to strategically assess the wastewater issues within the municipality. The reviewed plan articulates Council's policy on domestic wastewater and its management into the future.

A further review will be conducted in 2024. The review will take into consideration changes to legislation, local context, actions achieved and what new actions need to be incorporated to drive further improvements in the management of domestic wastewater across the municipality into the future.

2 Context

2.1 Goals and Objectives

The goals of the Gannawarra Shire DWMP are to:

- Protect public health;
- Promote environmental best practice by reducing the impact of domestic wastewater on the local environment; and
- Promote sustainable development across the municipality by ensuring domestic wastewater is managed within the capability of the land.

The objectives of the DWMP are to:

- Develop a policy for management of domestic wastewater to enable consistent decision making;
- Develop a case for the provision of sewerage to urban and township areas where appropriate;
- Identify opportunities for improvement in Council management systems.

2.2 Risks Associated with Domestic Wastewater

The following summary of risks associated with domestic wastewater is drawn from *Domestic Wastewater Management: a planning guide for local government (2005)* prepared by the Municipal Association of Victoria (MAV):

Public Health Risks

- Raw sewage can carry a range of pathogens including bacteria, viruses, protozoa, Helminths (intestinal worms), and inhaled moulds and fungi;
- Human diseases caused from these pathogens range from mild gastroenteritis to cholera, dysentery and hepatitis;
- The public can be exposed to these pathogens via contaminated drinking water, swimming or boating in contaminated water bodies, eating contaminated foodstuffs such as shellfish, or contact with domestic animals that have been exposed; and
- Septic overflows can cause organic rich pooling, increasing mosquito breeding capacity resulting in a public pest and possible disease vector.

Environmental Risks

- Contamination of groundwater by nitrate, ammonia and faecal pathogens;
- Seepage can raise the groundwater table causing salinity in certain areas;
- Surface runoff adds nitrogen and phosphorus to water catchments, stimulating algal and weed growth and causes land degradation, namely erosion;
- Effluent carries suspended solids, ammonia and organic matter, which can affect fish, aquatic plants and micro-organisms;
- Effluent can be carried into other bodies of water and cause further pollution; and
- Risks associated with the inappropriate disposal of raw sewage by unauthorised persons.

Economic Risks

- Indirect perception that the area is unsafe could decrease tourist-generated revenue;
- Tourism capacity could be limited where enforced maximum seasonal septic loads exist;
- Algal blooms or large mosquito outbreaks could impact on tourism potential;
- Poor septic management decreases land amenity and economic value;
- A build-up of salt or soil nutrient concentration decreases land productivity;
- Contaminated water bodies can negatively impact on aquaculture and agriculture using the water;
- For home owners, replacing failing systems or connection to reticulated sewerage can be very expensive; and
- Possibility of increased maintenance to stormwater drains which receive effluent due to excessive weed growth and scouring.

Legal Risks

- Council can be found liable for failure to discharge their statutory responsibilities; and
- Risk of litigation is increasing as law firms become more proactive in seeking cases.

2.3 State Legislation and Policies

The list of legislative requirements regarding domestic wastewater management are summarised below.

Environment Protection Act 1970

The Environment Protection Act 1970 (The Act) is the primary legislation used to regulate onsite wastewater management systems. The Act outlines the need for permits for the installation of new, or the alteration of existing onsite wastewater management systems, as well as the provision to require certain conditions relating to the installation and use of onsite wastewater management systems and their need for ongoing maintenance.

Public Health and Wellbeing Act 2008

The Public Health and Wellbeing Act 2008 provides the legislation for Council to address potential public health nuisances which may arise from inadequately performing or failing septic tank systems. It is also a means to address any public health issues that cannot be addressed by the Environment Protection Act 1970.

Environment Protection Authority Code of Practice Onsite Wastewater Management No 891.4 - July 2016

The Code of Practice Onsite Wastewater Management ("The Code") provides standards and guidance to ensure the management of onsite wastewater (up to 5,000 L/day) protects public health and the environment as well as uses resources efficiently.

The Code has been written to support the wastewater industry, regulators such as local governments and property owners to design, install and/or manage onsite wastewater management systems in accordance with the Environment Protection Act 1970 and the State Environment Protection Policy (Waters of Victoria) and State Environment Protection Policy (Groundwaters of Victoria).

State Environment Protection Policy (Waters of Victoria)

The State Environment Protection Policy (Waters of Victoria) sets a statutory framework for the protection of the uses and values of Victoria's fresh and marine water environments. In relation to onsite domestic wastewater management, this policy ensures that residential developments and subdivisions located outside areas provided with reticulated sewerage are able to adequately contain domestic wastewater within the property boundaries.

State Environment Protection Policy (Groundwaters of Victoria)

The State Environment Protection Policy (Groundwaters of Victoria) was developed to meet the demand for an integrated framework of environment protection goals for groundwater. The framework aims to maintain and improve groundwater quality to a standard that protects existing and potential 'beneficial uses' of groundwater.

Australian and New Zealand Standards

The following standards are relevant to the design, construction and installation of onsite wastewater management systems:

AS/NZS 1546.1:2008 Onsite Domestic Wastewater Treatment Units – Septic Tanks

AS/NZS 1546.2:2008 Onsite Domestic Wastewater Treatment Units – Waterless Composting Toilets

AS/NZS 1546.3:2008 Onsite Domestic Wastewater Treatment Units – Aerated Wastewater

AS/NZS 1547:2000 Onsite Domestic Wastewater Management

AS/NZS 3500 National Plumbing and Drainage – Domestic Installations

2.4 Stakeholder Roles, Responsibilities and Regional Planning

Within Gannawarra Shire, there are a number of stakeholders with direct and indirect roles and responsibilities in domestic wastewater management. These are listed and described below:

- Gannawarra Shire Council;
- Environment Protection Authority;
- Coliban Water;
- Lower Murray Water;
- Grampians Wimmera Mallee Water;
- North Central Catchment Management Authority;
- Goulburn Murray Water; and
- Department of Environment, Land, Water and Planning.

2.4.1 Gannawarra Shire Council

The Gannawarra Shire Council is responsible for the following areas in relation to the treatment and disposal of domestic wastewater:

- Ensure new subdivisions in unsewered areas are provided with reticulated sewerage or that allotments are capable of treating and containing domestic wastewater onsite;
- Issuing permits to install new septic tank systems and issuing certificates to use septic tanks;
- Refusing permits if it is not an EPA approved system, if the site is unsuitable and/or the area for the treatment and disposal of effluent is not sufficient;
- Ensuring that septic systems operate correctly;
- Ensuring that any Nuisance conditions arising from septic tank systems are abated;
- Submitting an annual report to the EPA on septic tank activity; and
- Ensuring that property owners comply with conditions on septic tank permits and certificates.

2.4.2 Environment Protection Authority

The Environment Protection Authority (EPA) is responsible for the protection of the Victorian environment. The EPA's responsibilities for the management of domestic wastewater include:

- Declaration of State Environment Protection Policies (SEPPs) that set environmental objectives to be achieved;
- Establishing standards for discharge to surface water and off-site;
- Approving the design and type of septic tank systems which can be installed for the issue of a permit to install a septic tank system;
- The publication and updating of the Septic Tank Code of Practice;
- Receipt and collation of municipal annual returns to enable the Authority to identify trends impacting on the environment in sensitive areas and to provide a basis for future domestic wastewater planning and research;
- Approving the design of domestic wastewater treatment systems via the Certificate of Approval process;
- Promoting provision of sewerage to unsewered areas;
- Approval of systems discharging more than 5,000 litres per day; and
- Regulating the disposal of raw sewage from the pump out of domestic wastewater management systems by sewage sludge contractors. The Environment Protection Act 1970 includes works approval and licensing requirements administered by EPA Victoria, to ensure appropriate control of such discharges.

2.4.3 Landholders

Landholder's responsibilities include:

- Connecting to a sewerage system where it is available;
- Obtaining a septic tank permit before a building permit is issued and installing the system;
- Obtaining a certificate to use the system once installed;
- Obtaining a permit to make alterations to the existing system; and
- Complying with the conditions of the permit.

2.4.4 Coliban Water, Lower Murray Water and Grampians Wimmera Mallee Water

Water and sewerage services across the municipality are provided and maintained by Coliban Water, Lower Murray Water and Grampians Wimmera Mallee Water.

It is a legislative requirement under the Water Act for water authorities to manage the implementation of all new sewerage schemes. Where a town is identified for connection to reticulated sewer, councils must discuss sewerage provision options with their local water authority. Water authorities are unable to identify the need for sewerage, as their role is restricted to service provision only. They can provide support to councils and the EPA, but they cannot require communities to connect and pay for scheme that they may commercially benefit from.

2.4.5 North Central Catchment Management Authority

The core business of the North Central Catchment Management Authority (CMA) is to coordinate the development and implementation of the North Central Regional Catchment Strategy in partnership with the community. The North Central CMA is a referral authority under the Catchment and Land Protection Act. Key strategies relevant to the DWMP include:

- Regional River Health Strategy;
- River Health Plans;
- Floodplain Management Strategy;
- Nutrient Management Strategies;
- Streamflow Management plans;
- Bulk Water Entitlements;
- Rural Drainage Strategies;
- Groundwater Management Plans;
- Wetland Management Plans;
- Dryland Salinity Management Plans.

2.4.6 Goulburn Murray Water

Goulburn Murray Water (GMW) is a rural water authority and manages water storage, delivery and drainage systems across northern Victoria. The GMW Corporate Plan sets out the strategic direction of the organisation across the following key areas: services, environment, people, assets, finances and relationships. GMW is also a referral authority under the Water Act and Planning and Environment Act.

2.4.7 Department of Environment, Land, Water and Planning

The Department of Environment, Land, Water and Planning (DELWP) is responsible for management of Victoria's natural resources. DELWP is a referral authority under the Planning and Environment Act, Catchment and Land Protection Act and the Water Act

2.4.8 Municipal Association of Victoria

The Municipal Association of Victoria (MAV) is committed to improving and raising the profile of domestic wastewater management in Victoria. The MAV has been working in partnership with Victorian councils, EPA Victoria, DELWP, water authorities and other stake holders to develop a range of planning and management tools to assist council's with the management of domestic wastewater.

The *Model Land Capability Assessment Report* provides an example of an all-encompassing land capability assessment (LCA). It is aimed at providing environmental health officers with a suitable template by which to assess LCA reports, and simultaneously provide LCA assessors with a model that generally provides adequate information to environmental health officers for making a sound judgment on an application. It was updated in 2014 and remains a relevant guide for councils developing DWMPs.

2.5 Linkages to other Council Plans

Council has a number of strategic plans outlining the vision and objectives for the municipality and its communities including the Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) and the Shire of Gannawarra Planning Scheme.

This DWMP also links closely to Council's Environmental Sustainability Strategy and Arbovirus Plan.

2.5.1 Gannawarra Planning Scheme

The Gannawarra Shire Planning Scheme recognises that there are a number of key issues facing the Gannawarra Shire in terms of appropriately managing wastewater. From a land use and development perspective it is recognised that the efficient and effective management of domestic wastewater has a role to play in guiding settlement patterns and safeguarding our natural assets and resources.

The 'key issues' facing the Gannawarra Shire in terms of land use planning and wastewater management are listed in Clause 21.01-3 to Clause 21.10-3 of the Gannawarra Planning Scheme and include:

- Improvements in road access and wastewater management may allow additional land to be considered for development in the future. (Clause 21.01-3)
- Land with water frontage (Murray River, Gunbower Creek, Kerang lakes, water courses and wetlands) is increasingly targeted for residential development. While this type of development can be facilitated, it needs to be managed to ensure environmental values are maintained. (Clause 21.01-3)
- Ensuring that natural assets are maintained and improved as a result of any development. (Clause 21.03-2)
- Promoting consistent planning and management along the river corridor by councils, government agencies and community organisations. (Clause 21.03-3)
- Minimising the impacts of unsewered towns and individual wastewater treatment systems on land in the catchment. (Clause 21.05-2)
- Protecting water quality, environmental and landscape values of nearby waterbodies, including lakes, rivers and streams. (Clause 21.07-2)
- Supplying reticulated sewerage wherever practicable; unless each lot can contain and absorb wastewater without impacting downstream or on nearby land. (Clause 21.07-2)
- Providing services including water supply, sewerage, electricity, telecommunications and reticulated drainage in a cost effective manner. (Clause 21.10-3)
- Providing reticulated sewerage to all residential developments wherever practicable; and where this is not feasible, ensuring that wastewater is contained on the lot or treated through a local treatment system (Clause 21.10-3)

3 Project Management

3.1 Development Process

The Gannawarra DWMP 2007 was prepared using the Municipal Association of Victoria's Model Municipal Domestic Wastewater Management Plan. The process undertaken included:

- Development of a project brief;
- Engagement of a consultant team;
- Field investigation of towns and areas;
- Risk assessment and options evaluation;
- Development of action plans;
- Development of policy and planning tools to assist with implementation of the action plans; and
- Workshops with the Project Advisory Group.

A review of wastewater issues in the Golf Links Estate, Cohuna and the township of Quambatook was undertaken prior to the commencement of this process. A number of community meetings were held to discuss sewerage options at the Golf Links Estate prior to development of the 2007 DWMP.

Paladin White was commissioned by Gannawarra Shire Council in 2006 to provide land capability for effluent disposal assessments of Kangaroo Lake, Lake Charm, Racecourse Lake and Macorna. This information was used as supporting material to the development of the initial DWMP.

3.2 Land Capability – Minimum Lot Size Guidelines

In parallel with the development of the DWMP, Minimum lot Size Guidelines have been prepared based on land capability for effluent disposal.

It should be noted that Clause 32.03-3 (Low Density Residential Zone) of the Victorian Planning Provisions states the following for the subdivision of land:

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.

The Minimum Lot Size Guidelines will provide a tool for Council to use to ensure that future subdivisions are designed to ensure sustainable effluent disposal.

3.3 Review

A review of the original 2007 Gannawarra DWMP was undertaken in 2020. A further review will be conducted in 2024. The review will take into consideration changes to legislation, local context, actions achieved and what new actions need to be incorporated to drive further improvements in the management of domestic wastewater across the municipality into the future.

4 Regional Profile

4.1 Shire Description

The Gannawarra Shire is located in northern Victoria and covers an area of 3,736 square kilometres (Figure 4-1). Primary centres are Kerang, Cohuna and Koondrook. Kerang is approximately a three hour drive north of Melbourne. Smaller outlying communities include Leitchville, Quambatook, Murrabit, Lake Charm, Lalbert, Macorna and Mystic Park.

The Shire has a population of approximately 10,459 (as at the 2016 Census). Gannawarra Shire has an ageing population with 27.6 per cent of the population being aged 65 years and over. The median age is 49.

Population numbers for the primary centres increased slightly at the 2016 Census, however population of smaller outlying towns and districts experienced a decline.

Housing development remains relatively low and centred on the primary centres of Kerang, Cohuna and Koondrook.

With 57 lakes, swamps and marshes, the Gannawarra region forms one of Australian's largest and most important wetlands.

The majority of land within the Gannawarra Shire is land subject to inundation with the Avoca River, Loddon River, Little Murray River, and the Pyramid Creek, plus associated tributaries running through the municipality. Gannawarra is bordered by the Murray River with associated tributaries, such as the Gunbower Creek, running through the shire.

The area is characterised by a warm climate with average summer temperatures of 31°C and average winter temperatures of 14°C. The average annual rainfall is 373 millimetres.

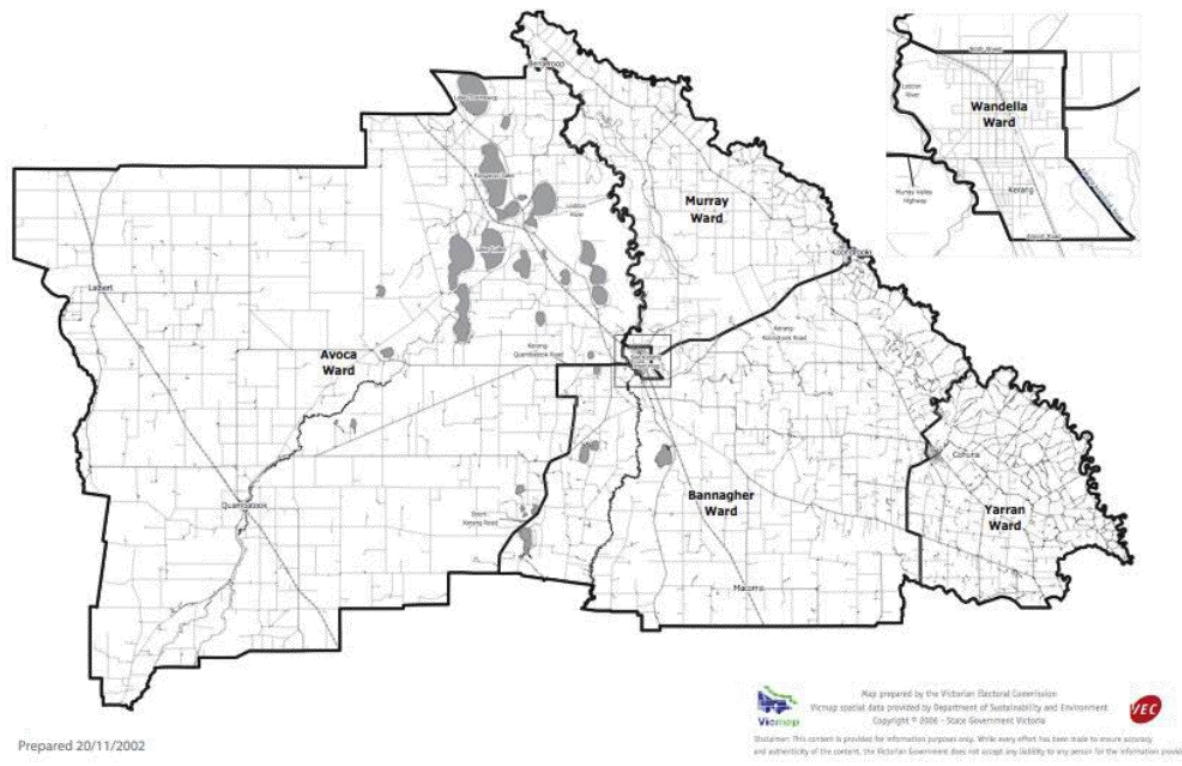
Despite ongoing changes to irrigation and ongoing rural change, the major industry of the region remains agriculture supporting over 20 per cent of local employment.

Tourism is associated with the Murray River, Kerang Lakes and Gunbower Island.

There are no declared water supply catchments located in Gannawarra Shire.

Figure 4-1 Map of Gannawarra Shire

Gannawarra Shire Council



5 Current Wastewater Situation

5.1 Overview

Wastewater in the Shire of Gannawarra is managed by one of the following methods:

- Reticulated sewerage in some towns;
- Combination of reticulated sewerage and septic tanks within towns;
- Septic tanks in unsewered towns; and
- Septic tanks in rural living estates and farming areas.

The Gannawarra Shire Council is responsible for the management of domestic wastewater wherever reticulated sewerage is not provided.

The regional water authorities (Coliban Water, Lower Murray Water and Grampians Wimmera Mallee Water) are responsible for implementing and maintaining reticulated sewerage (and water) systems.

Table 5-1 indicates which towns or areas of the municipality are sewerage and which areas rely on septic tanks systems (or both).

Table 5-1 Current Wastewater Management in Gannawarra Shire

Current wastewater management	Towns/Localities	Major Issues
Reticulated sewerage	Cohuna* Kerang* Koondrook* Leitchville* Murrabit*	Policies and guidelines for future growth
Septic tanks in sewerage towns	Cohuna* Kerang* Koondrook* Leitchville* Murrabit*	Future growth to connect to existing system
Septic tanks in unsewered towns	Lalbert* Macorna* Quambatook*	Options for managing wastewater in unsewered towns Planning for sustainable growth
Septic tanks in rural living estates and farming areas	Golf Links Estate, Cohuna Borough Drive, Kerang* Kangaroo Lake Lake Charm Mystic Park* Farming Land	Management of individual septic systems Policies and guidelines for future growth

*Towns with a reticulated water supply

The number of onsite domestic wastewater systems across the Gannawarra Shire is estimated at between 2,000 and 2,500.

On-site wastewater systems, also commonly referred to as septic tank systems, can comprise one or more of the following:

- All waste tank systems (septic tank and absorption line);
- Aerated wastewater treatment systems - AWTs (aerobic package treatment plants and irrigated effluent disposal area);
- Blackwater (toilet effluent) only septic systems with greywater discharged directly to the ground – commonly referred to as split systems;
- Composting toilets; and
- Greywater re-use systems.

There are also a number of large-scale commercial wastewater treatment plants which are licensed by the EPA and not controlled by local government. EPA licensing applies to properties producing greater than 5,000 litres per day. These properties are not considered within this DWMP.

5.2 Wastewater Management Challenges

Wastewater management challenges in the Gannawarra Shire arise due to a combination of factors, including:

- Poor land capability for wastewater disposal, which reduces the ability to dispose to land;
- Small allotments and inadequate space for wastewater disposal;
- Inadequately sized disposal areas;
- Ageing and/or poorly maintained systems;
- Non-compliant systems.

Many of the septic tanks systems in use throughout the Gannawarra Shire which were approved prior to amalgamation of the Shires of Cohuna, Kerang and Borough of Kerang in 1995, and that have not been altered or upgraded since, will no longer comply with the current EPA Guidelines and Standards.

Wastewater management issues are exacerbated in unsewered towns and areas that have a reticulated water supply or a license to extract water from lakes and waterways. Provision of reticulated water reduces the imperative to conserve water, compared to rainwater-only supply. This tends to result in greater household water use, leading to larger volumes of wastewater being discharged, beyond the intended capacity of the system and disposal area.

Household fittings such as dishwashers, top load washing machines, bath tubs and spas also add load to onsite wastewater systems and disposal areas.

The visible impact of poor on-site wastewater management has been masked in recent years due to ongoing dry conditions and drought. However, in average and higher rainfall years, the impacts of poor wastewater management can be seen in street drains and runoff into neighbouring properties in non-sewered township and rural living estates.

Desludging of Domestic Wastewater Management Systems

Over time, the sludge and scum layers build up and need to be removed for the septic tank to function properly. The sludge and scum needs to be pumped-out with a vacuum suction system by an authorised person. The frequency of desludging depends on a number of variables. A well-functioning septic tank – one that is not overloaded with liquid, organic matter or synthetic material – typically only needs to be desludged once every 3 to 8 years (depending on the size of the tank with most domestic systems that treat ‘all waste’ being 3,200 litre capacity).

The Quambatook Night Soil Depot at the former Quambatook landfill site is the only location within Gannawarra Shire available for the disposal of raw sewage generated from the desludging process of domestic wastewater management systems.

While this is an EPA licensed site for the authorised disposal of sludge from septic tank systems, this site is nearing the end of its life. Council manages this EPA licensed disposal site. This site is required to be upgraded to comply with current standards or replaced by alternative options.

While the scope of a DWMP does not extend to the disposal of sludge from septic tank systems this has been included in this DWMP so as to capture this issue in a Council strategy and work towards a solution.

5.3 Values Requiring Protection

Inappropriately managed domestic wastewater poses a number of risks to public health, environmental and economic values (refer section 2.2 for details). Critical among these is public health, which is important across all towns/areas considered.

Environmental and economic values vary according to the local situation. Some of the key values in the region include:

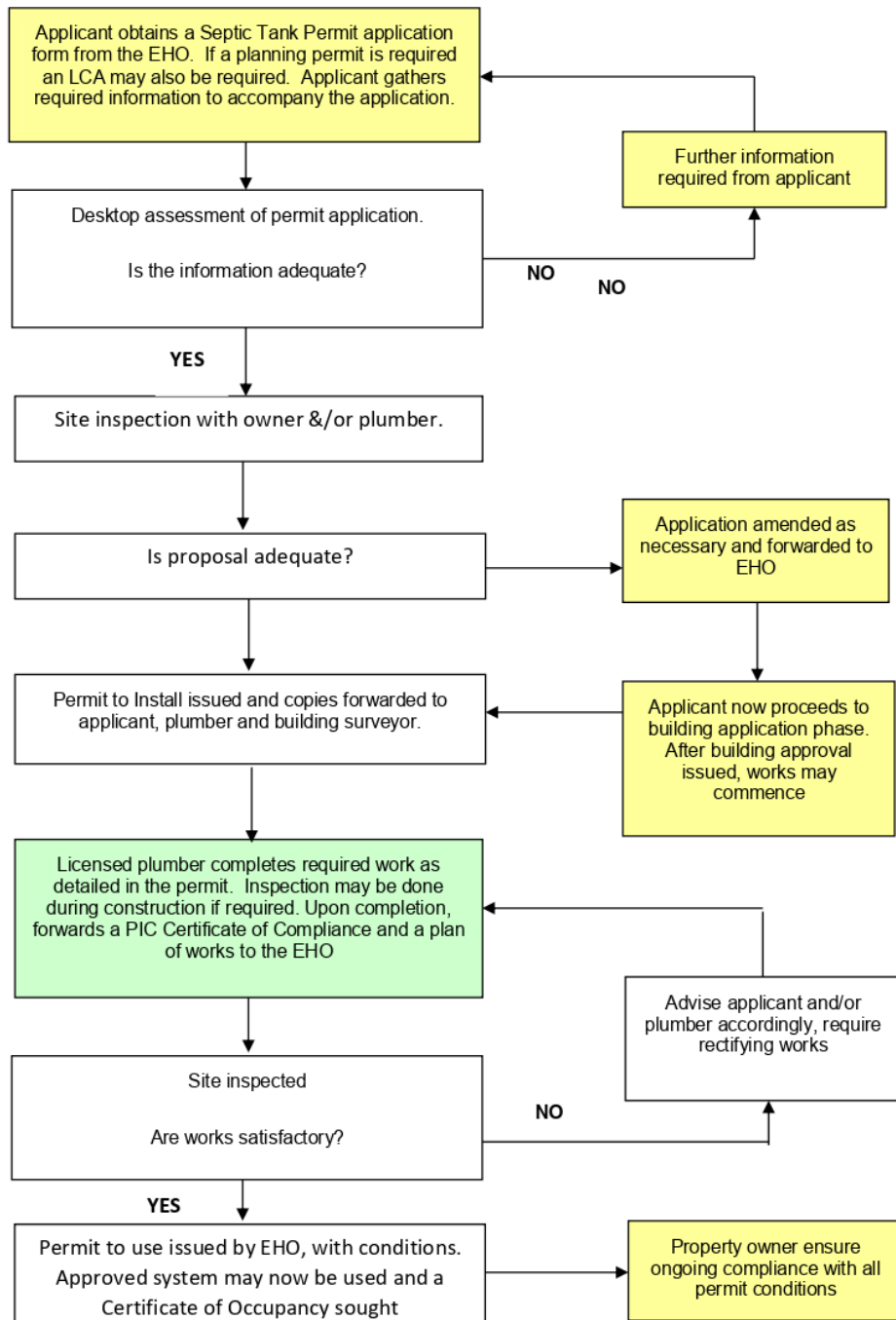
- The Murray River is Australia’s longest river. It provides economic benefits to the region from tourism and agriculture and is also a source of raw water that is used to produce potable water for many towns along the river.
- The Gunbower Forest is part of the Gunbower and Koondrook-Pericoota Forests. The Gunbower Forest covers 19,540 hectares and is designated as a wetland of international importance under the Ramsar convention. It is an important breeding area for colonial waterbirds as well as being visited by migratory birds listed under international treaties; the Japanese Australia Migratory Bird Agreement (JAMBA) and the Chinese Australia Migratory Bird Agreement (CAMBA). The forests also have strong social and cultural meaning for the indigenous communities of the region. (Department of Sustainability and Environment, 2003)
- Kerang Wetlands are designated a wetland of international importance under the Ramsar convention. The site is part of an extensive wetland system comprising 100 wetlands that occur within the Loddon-Murray Region. The site covers an area of 9,419 hectares and comprises permanent and temporary wetlands. It is an important breeding area for colonial waterbirds as well as being visited by migratory birds listed under international treaties; JAMBA and CAMBA. It includes the world’s largest ibis rookery at Middle Reedy Lake. The wetlands are also rich in Aboriginal cultural heritage providing a reliable source of water as well as food, medicines, shelter clothing and food. The Wetlands also provide significant economic benefits around tourism, recreation and most importantly, irrigated agriculture. The wetlands are used for storage and conveyance of irrigation water as well as flood mitigation

- The Torrumbarry Irrigation Area covers 167,000 hectares along the River Murray from Gunbower in the east to Nyah in the west and southwards to include the towns of Cohuna and Kerang. In the past, dairy farms have dominated around Cohuna and Leitchville, while mixed farming is more common around Kerang where fat lambs and beef cattle are raised, and cereal, fodder, lucerne and oil seed crops are also widely produced.
- The Pyramid-Boort Irrigation Area covers 166,215 hectares and extends from the Waranga Western Channel (WWC) in the south, to the Macorna Channel in the north. The township of Macorna is the only Gannawarra Shire town that falls into this irrigation area.

Note that at the time of reviewing this DWMP in 2020 significant changes to the irrigation industry across Gannawarra Shire are underway.

5.4 Septic Tank Approval Process

The following diagram outlines the Shire's process for approving septic tank permit applications.



5.5 Land Capability Assessment

A land capability assessment may be required prior to approval of a septic tank permit. There are however no standard guidelines or criteria required for land capability assessments. As a result, the type, quality and level of detail provided by consultants in Land Capability Assessment reports varies considerably. This variation and uncertainty regarding the technical capabilities of consultant authors introduce an element of risk when determining whether or not to grant approval for domestic wastewater disposal. Guidelines and a Model Land Capability Assessment Report template prepared by the MAV aimed to standardise and improve Land Capability Assessment reports across Victoria however this remains an issue.

Note that at the time of reviewing this DWMP in 2020 a Land Capability Assessment Minimum Standards Guide is being developed by City of Greater Bendigo that is aimed at improving LCAs received by the Gannawarra Shire Council and surrounding councils.

5.6 Monitoring and Compliance Systems

Local government is responsible for ensuring domestic wastewater systems operate effectively and that property owners comply with the condition on Septic Tank Permits and that any Nuisance conditions arising from domestic wastewater systems are abated.

While Council is capable of enforcing compliance for installation of new systems (dating back to April 1995), monitoring and enforcement of older wastewater systems is significantly hampered by poor historic records and unclear legislative powers.

Systematic shire-wide monitoring is not possible due to the lack of knowledge regarding the exact number and type of wastewater systems and location of disposal fields. There are often no records, or incomplete records, pertaining to the original permit conditions of older systems.

Aerated wastewater treatments systems (AWTS) require regular servicing and notification to Council that a service has been completed. Incomplete records for older AWTS installations, and an inadequate reminder system, results in many AWTSs not serviced according to the manufacturer's standards.

It is therefore difficult for Council to implement an adequate compliance regime unless there is an obvious breach resulting in visible off-site discharge of effluent.

A clear non-compliant situation exists in the case of split systems where greywater is discharged directly to street drains. These systems no longer comply with exiting legislative requirements but an old and still valid permit may still exist.

Local government believe that it is inappropriate, though within its legal right, to compel residents to replace these systems due to the significant cost to the landowner.

The legislated power to act on old, now inappropriate permits and to force compliance is through the Nuisance provision of the *Public Health and Wellbeing Act 2008*.

A comprehensive monitoring and compliance program for Gannawarra Shire will require:

- Establishment of a comprehensive database to record details of all domestic wastewater systems; and
- Additional resources (financial and staff) within the Environmental Health Department.

The inadequate level of income generated from septic tank permits exacerbates the lack of financial resources to undertake monitoring and compliance activities.

Note that at the time of reviewing this DWMP in 2020 the Victorian Government intends that a new Environment Protection Amendment Act 2018 will take effect from 1 July 2020. It is expected that this legislation will provide more stringent guidance to councils on monitoring and compliance of septic tank systems. A further assessment will be undertaken at this time.

5.7 Auditor General's Report

The Auditor General of Victoria released a performance audit report on *Protecting our environment and community from failing septic tanks* (June 2006). Its purpose was to act as further stimulus in reducing the number of failing septic tanks in metropolitan and regional Victoria.

The report identifies a number of aspects relating to the management of domestic wastewater that adversely impact on program effectiveness. These are similar to the issues identified in this DWMP and include:

- Incomplete and/or inaccurate location, age and condition of septic tanks in use;
- Statewide data sets, with land capability and catchment health information, which can help to identify high risk areas for septic tanks, are not used;
- Failings within the current septic tank legislative framework, and its interpretation, have compounded local governments ability to fulfil its legislative responsibilities;
- Local governments are reactive rather than proactive in requiring property owners to address failing septic tanks;
- The inconsistent application of planning controls by local governments has resulted in a number of property developments being approved even though it is likely that septic tanks will fail.

Some of the recommendations made in the Auditor General's report are also similar to actions listed in this DWMP and include:

- That local government ensure that property owners and/or tenants understand that they have an existing septic tank system and that the owner has specific maintenance responsibilities for this system;
- That local governments reassess the resourcing levels needed to fulfil their legislative responsibilities for septic tanks;
- That the EPA seeks to establish a mechanism to assure the quality of land capability assessments.

6 Local Wastewater Management Profiles

6.1 Priority Townships and Locations

Information collected by the Gannawarra Shire Council in preparing the Country Towns Water Supply and Sewerage Program – (Paladin White, 2005), together with local knowledge and experience of Environmental Health Officers, has allowed priority townships and localities to be identified for further consideration by this DWMP. These towns and localities are listed below:

By assessing values, threats and wastewater management issues, a numerical ranking has been assigned to the priority towns and localities in the Gannawarra Shire. The outcomes of the risk assessment are summarised in Table 6-1.

Land capability for effluent disposal was classed from existing soil datasets which covers most of the irrigated areas of the Shire. Data was not available for the dryland areas. Maps for towns showing the land capability for effluent disposal are in Appendix 3.

The following sections discuss each town/locality, including the relevant wastewater management issues, the risk assessment results and options for improving the wastewater management.

Table 6-1 Ranking of Priority Towns/Localities in the Gannawarra Shire

Priority Towns	Rank
Cohuna Golf Links	1 – High
Quambatook	2 – High
Kangaroo Lake	3 – High
Cohuna	4 - Moderate
Lake Charm	5 - Moderate
Koondrook	6 - Moderate
Kerang	7 – Moderate
Lalbert	8 – Low
Cohuna Island Road	9 – Low
Macorna	10 – Low

6.2 Septic Tanks in Sewered Towns

6.2.1 Cohuna

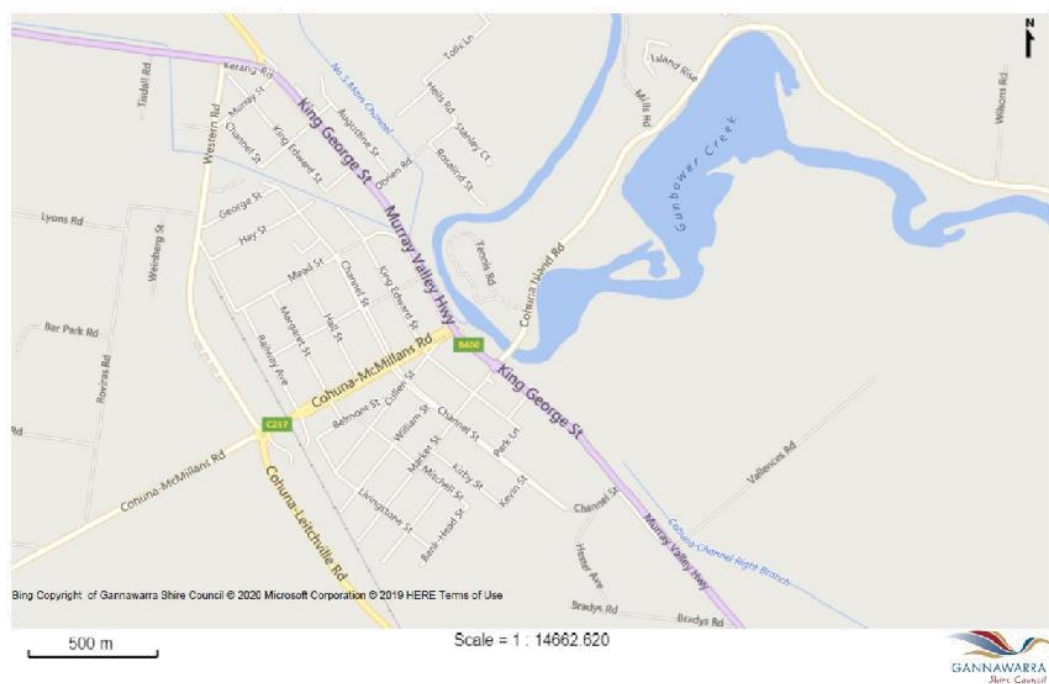
Description

Cohuna is located on the Gunbower Creek in the eastern end of the Shire and has a population of 2,458 (based on the 2016 Census). Cohuna supports the surrounding agricultural areas and tourism associated with the Murray River and its tributary, the Gunbower Creek, as well as Gunbower Island.

The Murray River ecosystem is a high value economic and environmental asset, providing for irrigation of farms surrounding Cohuna as well as recreation and tourism. The river also provides important riparian habitat and supports a diversity of instream fauna.

Most homes in Cohuna were connected to reticulated sewerage in the 1990s. While newer developments have connected to the reticulated sewerage system over recent years, there are homes on the town fringes that still have onsite wastewater disposal systems.

Coliban Water provides water and wastewater service to Cohuna with reticulated water sourced from the Gunbower Creek.



Key Wastewater Management Issues

- Most of the older septs are split systems with sullage disposal untreated to the surface. Inspection of some systems conducted in 2006 indicated that sullage was discharging outside the property into table drains. Sullage water has been found to pool in these drains. Issues identified at this time were resolved.
- A number of AWTS were also inspected and most were found to have poorly maintained disposal areas, again issues identified at this time were addressed;
- Stormwater outfall is to the Gunbower Creek via the Barr Creek;
- Relatively flat topography and variable land capability (ranges from low to very good across the town – Appendix 3) can result in sullage pooling in depressions;
- Septic systems may be in close proximity to irrigation channels which supply water for domestic purposes to rural users and following treatment, for Cohuna's potable water supply.
- A small subdivision north of the town along the Cohuna Island Road was identified as a significant issue in 2006 primarily due to the small block sizes – the Island Rise subdivision has since been connected to the reticulated sewerage system.

Risk Assessment

Cohuna has very high public health values and moderate to high environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Cohuna is the fourth highest priority township in the Gannawarra Shire.

6.2.2 Kerang

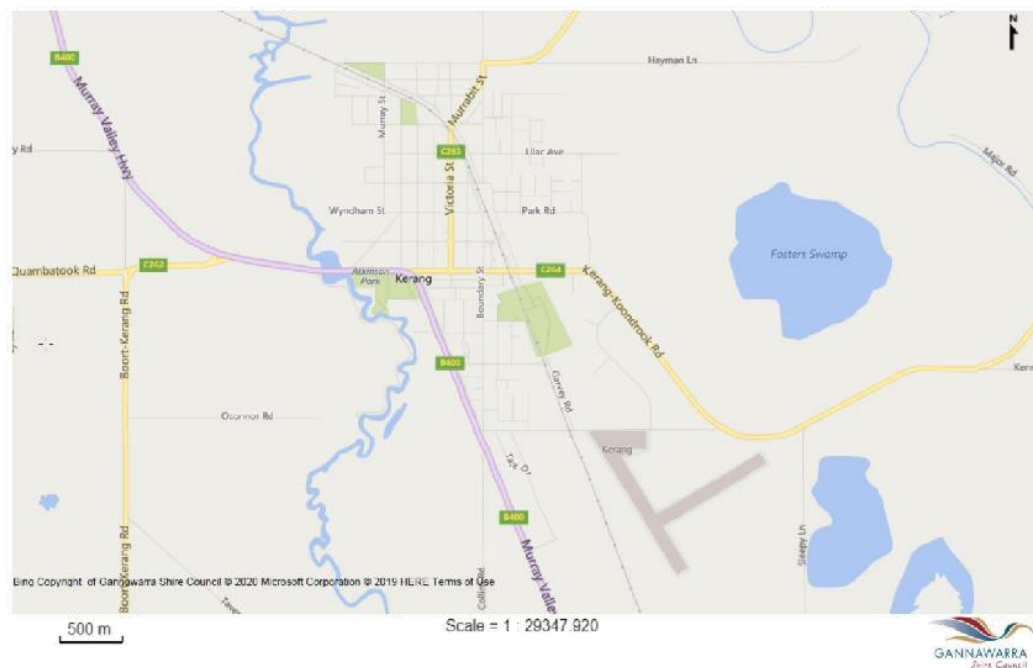
Description

Kerang is the main service centre in Gannawarra, has a population of 3,893 (based on the 2016 Census) and is located in the centre of the Shire on the Loddon River.

The town has been serviced by a reticulated sewerage system since the 1930s. This system has received upgrades and extensions to service most homes within the town.

Lower Murray Water provides water supply and wastewater management services to Kerang and water is sourced from the Goulburn Murray Water channel system, Murray River and the Loddon River. Water for Kerang's potable water supply comes primarily via a pipeline from the Murray River at Koondrook.

Stormwater from Kerang discharges to the Loddon River which is also a source of water for domestic purposes for some downstream users.



Key Wastewater Management Issues

- The all-waste systems have problems being overloaded where there are more than two residents per home;
- Some all-waste systems do not have alarms to warn of pump failure so problems may go unnoticed;
- The transpiration beds are poorly maintained and are of an inadequate size;

- The aerated wastewater treatment systems generally were found to be operating satisfactory though the irrigation areas may not be of sufficient size in wet years;
- Relatively flat topography and low to very low land capability (Appendix 3. Effluent Disposal Maps Area 5 and 6) makes onsite effluent disposal difficult and ponding treated effluent and/or sullage is common, especially in wet seasons;
- Septic systems may be in close proximity to irrigation channels which supply water for domestic purposes to rural users and following treatment, the potable supply for the town.

Risk Assessment

Kerang has a very high public health values and high environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Kerang is the seventh highest priority township in the Gannawarra Shire.

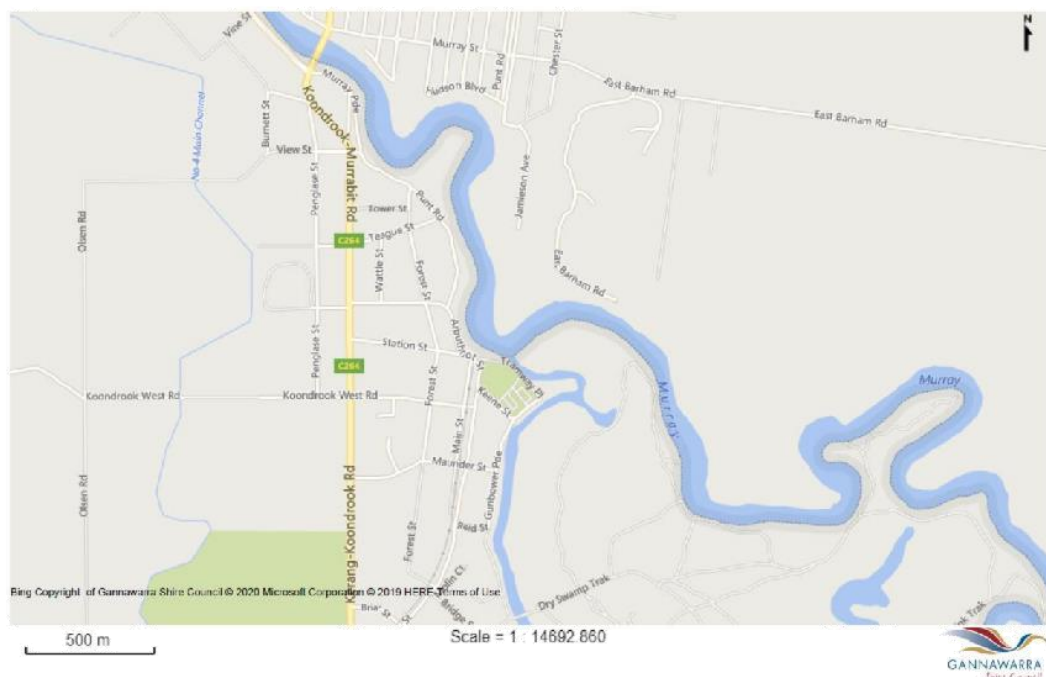
6.2.3 Koondrook

Description

Koondrook is located on the Murray River north-east of Kerang and has a population of 991 (as at the 2016 Census).

The reticulated sewerage system in Koondrook was commissioned in 2000. A number of homes on the fringes of the town are not connected to the system. Most of the septic tanks in use in Koondrook are split systems with sullage disposed directly to the land surface.

Lower Murray Water provides wastewater and water supply services to Koondrook. The water supply is drawn from the Murray River. Council has constructed a wetland to capture and treat stormwater from part of the town prior to discharge to the Murray River.



Key Wastewater Management Issues

- Most of the older septs are split systems with sullage disposal untreated to the surface.
- Most of the land within Koondrook has poor to moderate capability for effluent disposal (Appendix 3. Effluent Disposal Maps Area 7)

Risk Assessment

Koondrook has very high public health values and high environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Koondrook is the sixth highest priority township in the Gannawarra Shire.

6.2.4 Leitchville and Murrabit

Note that the townships of Leitchville and Murrabit are not considered as part of the risk assessment within this DWMP.

While prior to the installation of sewerage systems, both townships experienced significant environmental and public health risk, the installation of sewerage systems means that domestic wastewater is no longer considered a risk.

6.3 Septic Tanks in Unsewered Towns

6.3.1 Macorna

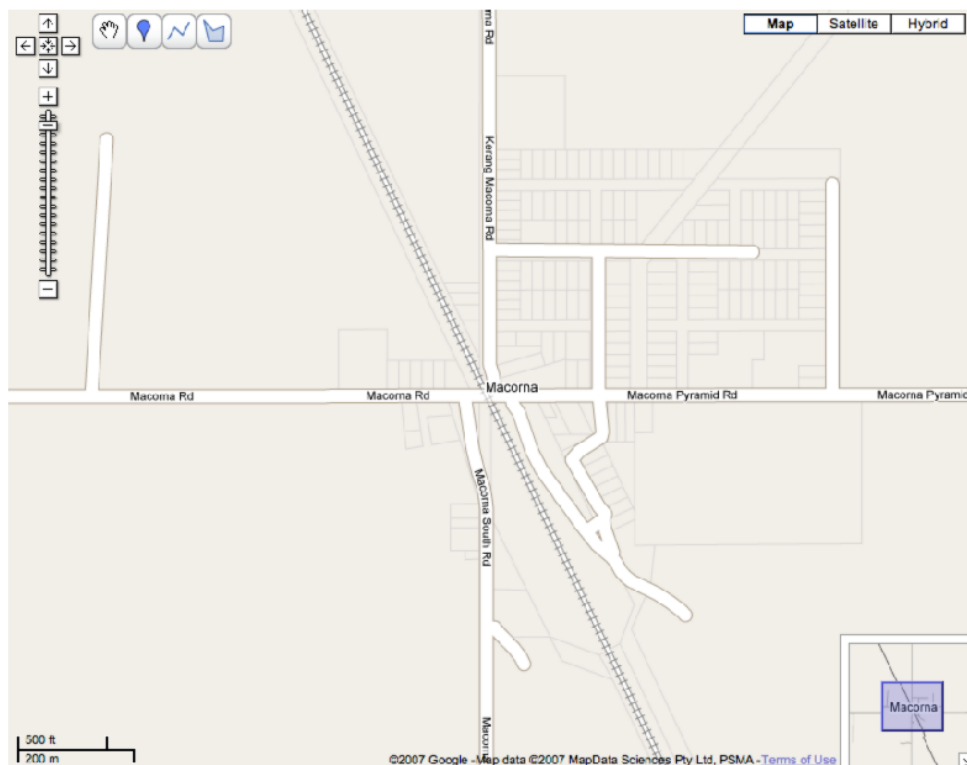
Description

Macorna is a small hamlet, 30km south east of Kerang off the Loddon Valley Highway. The town has a population of less than 90 (as at the 2016 Census).

A major subdivision of land in Macorna took place in 1885. Many blocks are less than 1,000 square metres. The land is flat and has very poor land capability for effluent disposal (land capability class for effluent disposal varies between 6a and 6b). This, together with small block size, has prevented construction of a dwelling on most allotments.

The township has a roughly formed earthen stormwater system. There are no natural waterways through or near the town.

The Macorna Recreation Reserve has an effluent pond for onsite effluent treatment and disposal.



Key Wastewater Management Issues

The key wastewater management issues at Macorna include:

- Small block sizes with insufficient area for sustainable domestic wastewater disposal;
- Heavy soils with slow infiltrations resulting in a poor land capability for effluent disposal.

Macorna is a low priority, unsewered town.

An Urban and Rural Strategy (Parsons Brinckerhoff, 2007) recommended that land currently zoned Township within Macorna should be zoned Farming to indicate that the town is not suited to further urban development. This re-zoning has not occurred to date.

The land within the "township" of Macorna is zoned Township Zone (TZ) and the surrounding land is Farming Zone (FZ). Whilst the township boundary contains the TZ blocks, some land around the boundary contains small FZ lots.

Within the TZ a planning permit is not required for a dwelling.

A minimum lot size of 4,000m² is required to build.

Risk Assessment

Risk Assessment tables show that Macorna has very high public health values and low environmental values threatened by a range of poor wastewater management practices.

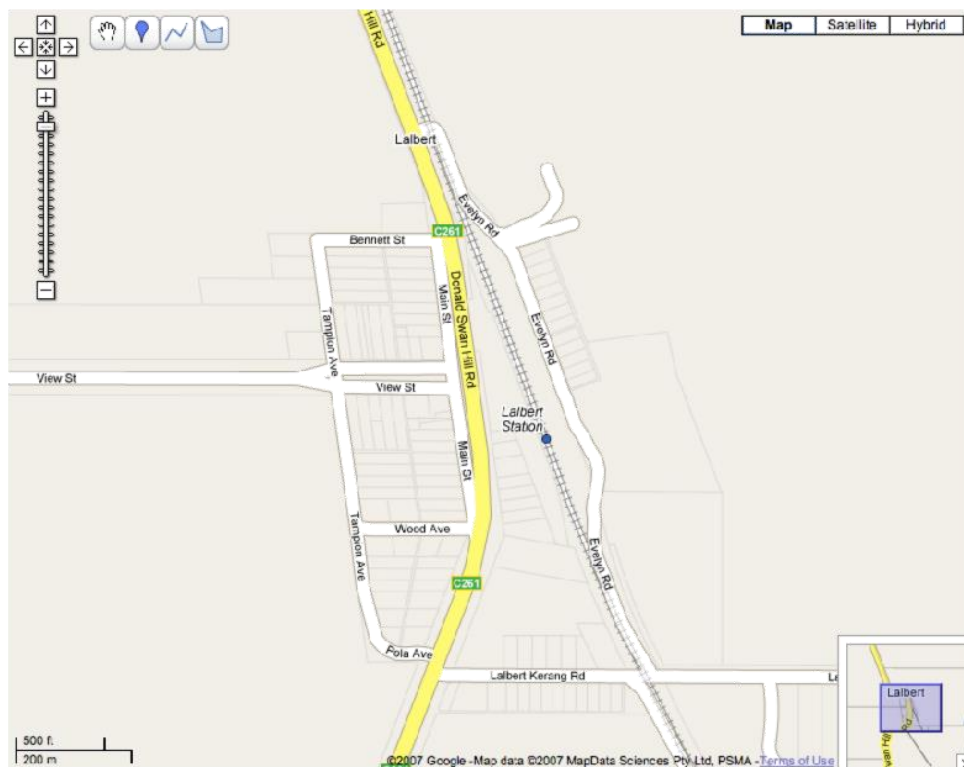
Based on the risk assessment, Macorna is the lowest priority township in the Gannawarra Shire.

6.3.2 Lalbert

Description

Lalbert is located on the western fringe of the Shire on the Donald Swan Hill Rd approximately 75 kilometres west of Kerang. The town has a population of 151 (as at the 2016 Census).

Lalbert has a water supply managed by Grampians Wimmera Mallee Water sourced from storages in the Grampians or from Murray River via the Wimmera Mallee Pipeline.



Key Wastewater Management Issues

- Some split systems are discharging to the surface;
- Systems are poorly maintained;
- Upgrades to toilet facilities at the recreation reserve have been carried out.

Risk Assessment

Risk Assessment show that Lalbert has a very high public health values and low environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Lalbert is the eighth highest priority township in the Gannawarra Shire.

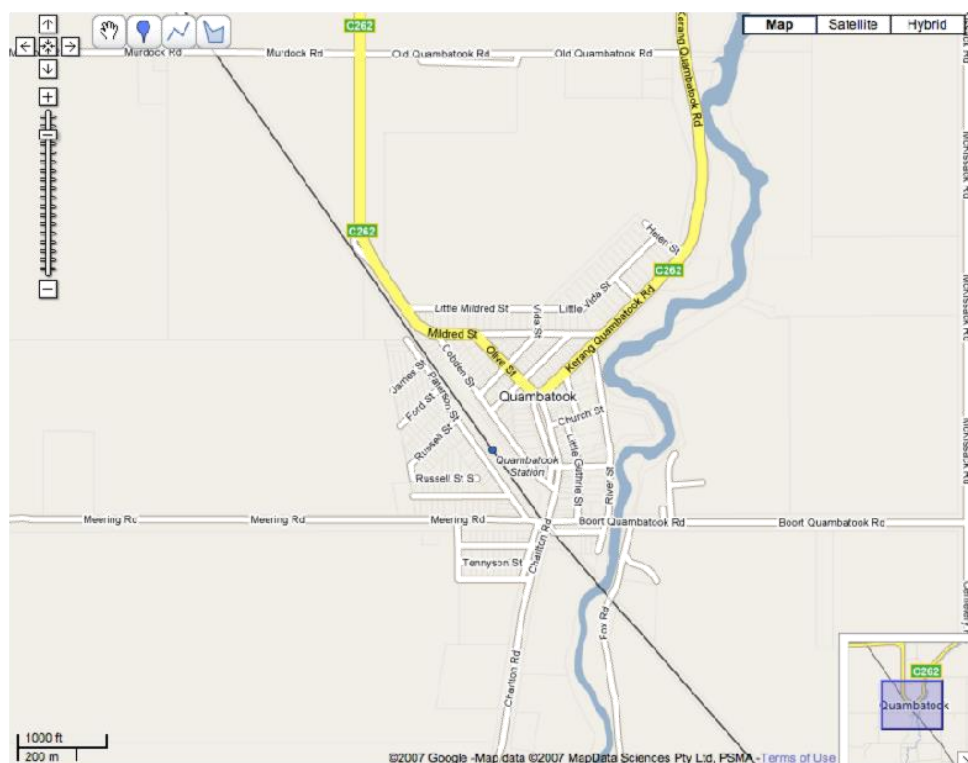
6.3.3 Quambatook

Quambatook is located 40 kilometres west of Kerang on the Avoca River. It has an ageing population of 250 (as at the 2016 Census).

Quambatook has a reticulated water supply from the Normanville Pipeline, managed by Grampians Wimmera Mallee Water.

The stormwater is collected in table drains and discharged to the Avoca River. A scheme to collect and treat the stormwater from the town and grains silos for use on the local recreation reserve has been completed.

The caravan park, golf club and football club combined have an effluent pond for onsite effluent treatment and disposal.



Key Wastewater Management Issues

A review of the wastewater issues at Quambatook in 2005 (Paladin White) noted the following wastewater problems:

- Old and poorly maintained septic systems;
- Undersized systems and disposal field for some commercial premises and community facilities which experience intermittent high loadings; and
- Avoca River receives stormwater and runoff from Quambatook

- Heavy clay subsoils have a low capacity to treat and retain wastewater ;

The former Quambatook Night Soil Depot is the only location within Gannawarra Shire available for the disposal of raw sewage generated from the de-sludging process of Domestic Wastewater Management Systems.

Risk Assessment

Risk Assessment tables show that Quambatook has very high public health values and moderate environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Quambatook is the second highest priority township in the Gannawarra Shire.

6.4 Septic Tanks in Rural Living Estates

6.4.1 Golf Links Estate, Cohuna

The Golf Links Estate is located north of Cohuna on the Gunbower Creek. The estate was established in the 1970s. It is a small residential estate and there are no community facilities.

Water supply is a non-reticulated, non-potable supply from individual entitlements pumped from the Gunbower Creek with rainwater collected in tanks for drinking purposes.



Key Wastewater Management Issues

A review of the wastewater issues at the Golf Links Estate in 2005 (Paladin White) noted the following wastewater problems:

- Offsite discharge of greywater;
- Onsite ponding of surface water (including some greywater);
- Inadequate setback of disposal fields from Gunbower Creek and from neighbouring properties (in breach of EPA guidelines);
- Inadequately sized, poorly managed and sited disposal fields;
- Poorly maintained systems;

- No provision for a reserve field now required by the EPA;
- Properties have a water right resulting in some heavily watered gardens reducing disposal efficiency as well as high in-house water use placing pressure on disposal fields;
- Eight vacant blocks cannot be developed due to area and location constraints;
- Deep, poorly structured clays have poor internal drainage have a low capacity to treat and retain wastewater onsite;
- Stormwater and runoff flow directly into the Gunbower Creek which is also a water supply for residents.

Risk Assessment

Risk Assessment tables demonstrate that the Golf Links Estate has very high public health values and moderate to very high environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, the Golf Links Estate is the highest priority in the Gannawarra Shire.

6.4.2 Cohuna Island Road

The Cohuna Island Road area is located between the Gunbower Creek and the Murray River north-east of Cohuna. It is a rural living estate set amongst farming land.

The Gunbower Creek and Murray River both have significant economic and environmental values providing for irrigation, recreation and tourism, riparian habitat and supporting a diversity of instream fauna. The Murray River is also the source of Cohuna's potable water supply. The northern fringes of the locality about the Gunbower Forest Ramsar Site which is also one of the six icon sites identified by the Murray Darling Basin Commission Living Murray Initiative.

The land has a flat topography. The area has not had a comprehensive land capability assessment.

Capability assessment of land elsewhere adjacent the Murray River indicates there is complexity and diversity of land types immediately adjacent to the river.

Key Wastewater Management Issues

- Some areas have sandy soils which have high percolation rates which have excellent drainage, but may hide problems associated with system failure;
- Blocks are too small for effective onsite wastewater disposal;
- Poorly managed systems, particularly the packaged treatment plants with some not serviced according to the manufacturer's instructions.

Risk Assessment

Risk Assessment tables demonstrate that the Cohuna Island Road has very high public health values and low environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Cohuna Island Road is the ninth highest priority in the Gannawarra Shire.

Note that some properties along Cohuna Island Road have been connected to the reticulated sewerage system since 2007 including Council managed properties of Apex Park, Cohuna Caravan Park, Cohuna Recreation Reserve and Cohuna Pool, along with the Island Rise subdivision. Other properties along Cohuna Island Road remain reliant on septic systems for disposal of domestic wastewater.

6.4.3 Kangaroo Lake

Kangaroo Lake is 20 kilometres North West of Kerang. Residential development, both permanent and weekends, around the lake occurs at the north east corner and along the northern and western shores. No reticulated water is available to residents. Water supply is from rainwater tanks and the lake.

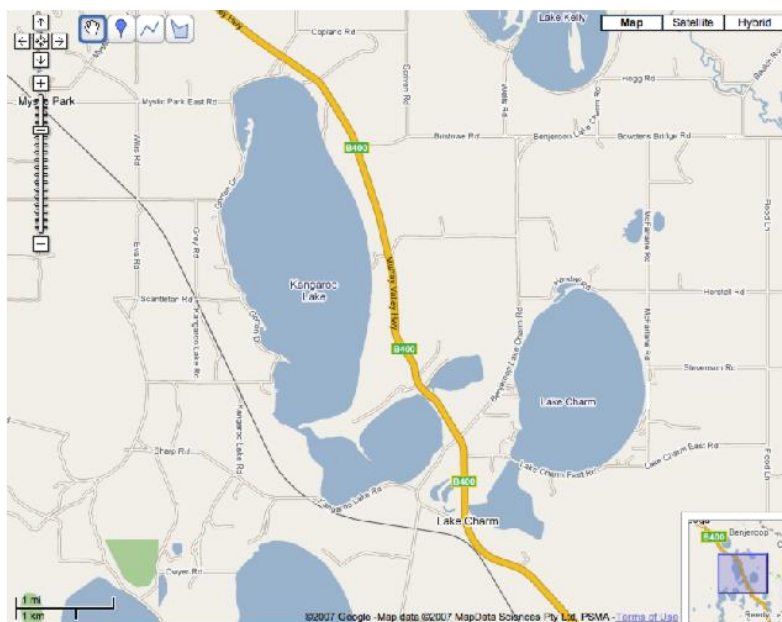
Beyond the fringe of lakeside development, there are areas of irrigated horticulture, largely grape vines.

Kangaroo Lake is a permanent freshwater lake and is popular for water-based recreation activities. The lake is also a water supply reserve, managed by Goulburn Murray Water as part of the Torrumbarry Irrigation System.

Crown Land on the western foreshore of the Lake is managed by the Kangaroo Lake Committee of Management.

Paladin White documented the properties of soils around Kangaroo Lake (Paladin White 2007) and found that the soils are predominantly loams with poorly draining clay subsoils are lesser areas of more permeable deep sandy loams and sandy clays. There are also areas with impermeable calcrete bands.

The Caravan Park has an EPA license for onsite disposal of effluent.



Key Wastewater Management Issues

- Land capability for effluent disposal in areas with tight clays, reactive sands and sandy loams with an impermeable calcrete layer through to poor land capability for effluent disposal varies to good land capability for effluent disposal with freely draining sands;

- Undersized disposal fields sited too close to the lake (should be setback 60m from foreshore);
- Properties too small to contain wastewater onsite;
- Some heavily watered gardens reduces the disposal efficiency and may result in runoff of effluent/sullage;
- Seasonal pressure on disposal fields and septic systems from holiday homes;
- Risk of effluent entering the lake directly through runoff or indirectly via subsoil intrusion, particularly on the northern and western shores where soils have high percolation rates; and
- Some more steeply undulating blocks have potential for wastewater to move offsite.

Risk Assessment

Risk Assessment tables demonstrate that Kangaroo Lake has very high public health values and very high environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Kangaroo Lake is the third highest priority township in the Gannawarra Shire.

6.4.4 Lake Charm and Racecourse Lake

Lake Charm and Racecourse Lake are located approximately 16 kilometres north west of Kerang.

Development around the Lake Charm is located in the south west and south east corners and along the eastern and northern shores and includes two caravan parks. Additional amenities blocks are located at the yacht club.

Development around Racecourse Lake is on the eastern shore and includes a caravan park, general store, service station, and a primary school.

There is no reticulated water supply and residents rely on rainwater tanks and the pumping from the lake for domestic purposes.

Paladin White documented the properties of soils around Lake Charm and Racecourse Lake (Paladin White 2007) and found that the soils are predominantly loam topsoils with poorly draining clay subsoils and lesser areas of permeable deep sand and sandy clays. There are also areas with impermeable calcrete bands.

Key Wastewater Management Issues

- Poor land capability for effluent disposal (slow percolation and calcrete barriers);
- Undersized disposal fields sited too close to the lake (should be setback 60m from foreshore);
- Properties too small to contain wastewater onsite;
- Seasonal pressure on disposal fields and septic systems from holiday homes;
- Risk of effluent entering the lake directly through runoff or indirectly via subsoil intrusion;
- Some more steeply undulating blocks have potential for wastewater to move offsite; and
- Some properties are low lying and wet conditions could reduce effectiveness of disposal.

Risk Assessment

Risk Assessment tables demonstrate that Lake Charm has very high public health values and low to very high environmental values threatened by a range of poor wastewater management practices.

Based on the risk assessment, Lake Charm is the fifth highest priority township in the Gannawarra Shire.

7 Action Plan

7.1 Introduction

A strategy has been developed to improve domestic wastewater management in the Gannawarra Shire. This is consistent with the goals and objectives for this DWMP, as outlined in Section 2.1.

7.2 Guiding Principles

The following key principles have provided guidance in development of the actions plans.

Appropriate Onsite Management

Individual onsite management of domestic wastewater is considered appropriate provided: allotments are large enough to contain all waste sustainably, soil types are suited to disposal, systems installed meet current EPA standards, and systems are managed and maintained appropriately. Where onsite management is not appropriate, Council will consider innovative solutions to domestic wastewater management, as well as traditional reticulated sewerage.

Protection of public health and the environment

Domestic wastewater poses a risk to public health and the environment. Raw sewage carries pathogens that can cause diseases such as hepatitis. It also contains nutrients that can cause environmental contamination resulting in algal growth in surface water. Councils have a responsibility to manage these risks and as such need to ensure the development of appropriate strategies.

Sustainable Development

Council aims to promote sustainable development of communities across the municipality. Strategic planning within the Shire will aim to incorporate domestic wastewater as a priority to ensure it is managed within the capability of the land.

7.3 Overview of Action Plan

The Action Plan consists of four priority areas to support the achievement of the guiding principles:

- Information Management
- Monitoring and Compliance
- Communication and Education
- Strategic Planning

Action Plan: Priority Area 1: Information Management

Council is responsible for implementing the requirements of the relevant legislation relating to onsite wastewater management systems. In order to do this effectively, Council's Environmental Health Officers must use an appropriate system that records and maintains the relevant data and allows for reminders to be set for land owners to either pump out or have their system serviced.

Council currently uses Treatment Plant Navigator as the data management system that allows for the management of wastewater specific information. Information within this system dates back to amalgamation in 1995 and at the date of review of this DWMP numbered 630 permits. This system does not allow for reminders to be set for land owners.

Council however has access to a specific Health Manager system and it may be more appropriate to consolidate systems. Resources to enable 630 permits to be transferred to a new system are currently not available within the Environmental Health team.

Action No.	What	How
1.1	Use Council's current Onsite Wastewater Management System database to input data relating to current installations and alterations	Accurately record all data relating to current and new installations and alterations throughout the installation or alteration process
1.2	Use Council's current onsite wastewater management system database to input data relating to past or historic installations or alterations	Through the process of complaint investigation, gather data relating to existing systems and input into database
1.3	Implement a management system to monitor compliance with existing system requirements	Investigate opportunities to incorporate database into Health Manager system

Action Plan: Priority Area 2: Monitoring and Compliance

On construction of a new home or renovation of an existing home that incorporates a septic tank system, a septic tank permit is issued that details:

- The type of system and the conditions relating to installation and maintenance of the system;
- The approved installation plan incorporating positioning of the proposed effluent disposal area.

A compliance program seeks to ensure that property owners are complying with the conditions of the septic tank permit. This can be achieved by:

- Monitoring certificate of maintenance and sampling requirements submitted regularly by property owners;
- Conducting regular site inspections in high risk areas for high-risk systems.

Note that the maintenance and monitoring required is dependent on the type of septic system in place. Regular compliance monitoring is particularly relevant to Aerated Wastewater Treatment Systems (AWTSs).

Compliance is a legislative responsibility for local government.

There is limited capacity with Council's Environmental Health team to proactively monitor wastewater treatment systems across the Gannawarra Shire.

The most efficient and effective way to manage the risks associated with wastewater is to ensure that all new installations and alterations to existing onsite wastewater management systems are compliant now and going forward and to address non-compliance through the planning and building permit process.

Action No.	What	How
2.1	Investigate all wastewater complaints	When a complaint is received, information will be recorded in Council's onsite wastewater management system database and investigated
2.2	Undertake Compliance Inspections for all new installations and alterations	Assess applications according to legislation, attend onsite and issue permits where appropriate
2.3	Assess planning referrals for proposed developments and building permits for alterations to existing buildings	When referrals are received from the planning and building department, make assessments of compliance, or otherwise of existing septic tank system

Action Plan: Priority Area 3: Communication and Education

Poor wastewater management can arise because property owners don't know:

- They have a septic system;
- Their obligations and permit conditions;
- How a septic system works;
- How to prevent problems occurring;
- How to detect when a problem arises;
- The risks or detrimental impacts that can result from poorly operated septic systems.

This is exacerbated when there is change of home ownership and the new home owner is not made aware that they have a septic system and a septic tank permit applies to the property.

Action No.	What	How
3.1	Educational document to be distributed to applicants with a permit to install or alter an onsite wastewater management system	Update and promote Council's Septic Tank Owners Operation and Maintenance Guidelines and make this available from Council's website
3.2	Communication to community	Develop a communication strategy relating to onsite wastewater management systems

Action Plan: Priority Area 4: Strategic Planning

Consideration of domestic wastewater management should play a more significant role in determining town planning policy for unsewered towns and rural residential areas.

Council currently restricts development of small unsewered allotments that are unable to retain wastewater onsite. In the future reticulated sewerage is likely to be restricted to augmentation of existing schemes and areas where septic tank effluent poses a significant threat to environmental and public health values. This will have implications for landowners who perceive an existing entitlement to develop small allotments.

Council should seek to prevent subdivisions with allotments of insufficient size to ensure sustainable onsite effluent disposal.

This DWMP should also be used as an advocacy or supporting document for funding to support installation or expansion of reticulated sewerage systems in high priority growth areas.

One issue to be further investigated is the lack of EPA licensed sites for the authorised disposal of sludge from septic tank systems. Council manages an EPA licensed disposal site. This site is required to be upgraded to comply with current standards or replaced by alternative options.

Legislation changes should also be reviewed to ensure that this DWMP remains relevant.

Action No.	What	How
4.1	Ensure that the Minimum Lot Size Guidelines are adopted as a reference document	Promote a high level of understanding of the Guidelines across Council so that they are implemented into decision making by all relevant departments
4.2	Use this DWMP for advocacy or supporting document for funding to support installation and expansion of reticulated sewerage systems in high priority growth areas	Assess high priority growth areas identified in this DWMP for future advocacy and funding opportunities
4.3	Investigate alternative disposal methods for raw sewage from the desludging of domestic wastewater systems	Work with the EPA and other authorities as necessary to develop a solution
4.4	Ensure that this DWMP remains relevant	Review legislation changes relating to the DWMP

8 References

Department of Sustainability and Environment (2003) Gunbower Forest Ramsar Site; Strategic Management Plan.

Department of Sustainability and Environment (2004) Kerang Wetlands Ramsar Site; Strategic Management Plan.

Municipal Association of Victoria (2005) Model Municipal Domestic Wastewater Management Plan.

Paladin White (2005) A review of the wastewater issues at the Cohuna Golf links Estate and Quambatook Township

Paladin White (2007) Support material for the Gannawarra Shire Wastewater Management Plan.

Sinclair, Knight, Mertz (2010) Kangaroo Lake Domestic Septic Tank and Groundwater Impacts Hydrological Assessment.

Appendix 1. Glossary of Terms

Sewage	Means any waste containing human excreta or domestic wastewater
Greywater or sullage	Domestic wastewater from bathrooms, kitchens and laundries
Blackwater	Waste directly from the toilet
Stormwater	Rainfall run-off carried through the stormwater system (ie. Town street drains and so on)
Failed systems with offsite discharge	Components of the septic system are no longer functioning so that untreated effluent is discharging beyond the property boundaries
Treated effluent with offsite discharge	The system is satisfactorily treating the waste but the distribution of the treated effluent is not functioning satisfactorily (eg. Blocked lines, compromised disposal field) and is discharging beyond the property boundaries (commonly occurs in wet weather)
Treated effluent with onsite discharge	The system is satisfactorily treating the waste but the distribution of the treated effluent is not functioning satisfactorily (eg. Blocked lines, compromised disposal field) and is discharging within the property boundaries
Treated effluent with offsite sullage discharge	A split septic system, where the blackwater is treated by the septic system and greywater is discharged directly to the stormwater system. Commonly permitted in the past but no longer complies with EPA regulation.
Reuse of wastewater	Onsite reuse of household greywater
Land capability	The capability of land to support a particular use and in this case, effluent disposal
Ineffective regulation	Many septic systems eg. Split systems discussed above, no longer complying with current regulation. However, local government cannot retrospectively change septic tank permits, so have no authority to require an upgrade of these non-compliant systems
Stormwater infrastructure	Stormwater infrastructure can contribute to wastewater management problems if it does not efficiently drain discharged effluent. Causing ponding and stagnation. It can also increase the risk of exposure of the public to effluent.

Appendix 2. Minimum Lot Size Guidelines

This guideline provides information to Council to assist with planning decisions and ensuring that new subdivisions have lot sizes that will ensure all effluent is contained onsite.

This guideline applies to all scenarios for onsite domestic wastewater management, regardless of treatment methods or land-application method.

Recommended Lot Sizes for New Subdivisions

The following lot sizes are considered appropriate for new subdivisions (considering only the issue of onsite domestic wastewater management). Determination of these lot sizes has included an element of conservatism (in particular, the flow rates specified are significantly higher than average rates per household). These values are designed to ensure that on-site wastewater management systems will operate effectively with minimal input from Council.

Soil Category	Typical soil texture	Indicative permeability (Ksat)		1000 litres/day
		Range (m/day)	Design (m/day)	
1	Gravels and sands	>3.0	-	-
2	Sandy loams	1.4 to >3.0	1.4	4000 m ²
3	Loams	0.5 to 3.0	0.5	
4	Clay loams	0.12 to 0.5	0.12	6000 m ²
5	Light clays	0.06 to 0.12	0.07	
6a	Medium clays	~ 0.06	0.06	
6b	Heavy clays	<0.06	0.04	8000 m ²
6c	Poorly structured heavy clays	<0.06	0.035	

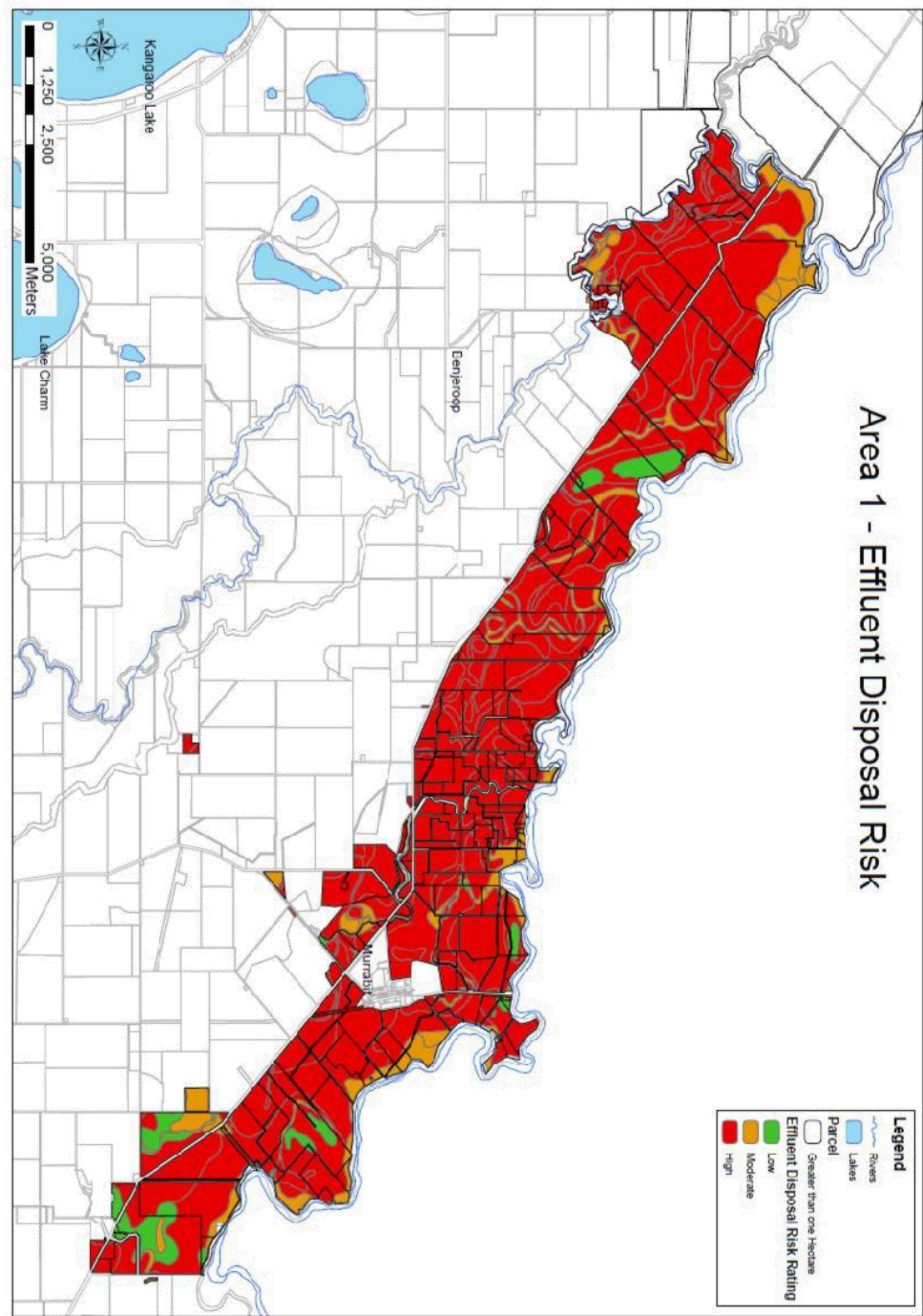
Notes:

1. Calculations are based on 400 mm annual rainfall and 600 mm wide ETA trenches. (This is the standard trench width adopted by Council). Note that different widths may be adopted in different places and this may affect the lot sizes required).
2. Based on <15% of the area of each lot to be set aside for effluent disposal.
3. Setbacks account for at least half of this areas to be set aside.
4. Treatment to 20/30 quality effluent may reduce the thresholds above the 1-2 categories.
5. For sprinkler irrigation, larger lots will be required, generally at least 600 m²
6. Other site limitations such as proximity to watercourses, shallow groundwater (<1.2 m), slope (> 20%) or shallow depth to bedrock (<0.5 m) may result in a requirement for a larger lot size, or may make the site unsuitable for onsite wastewater management.

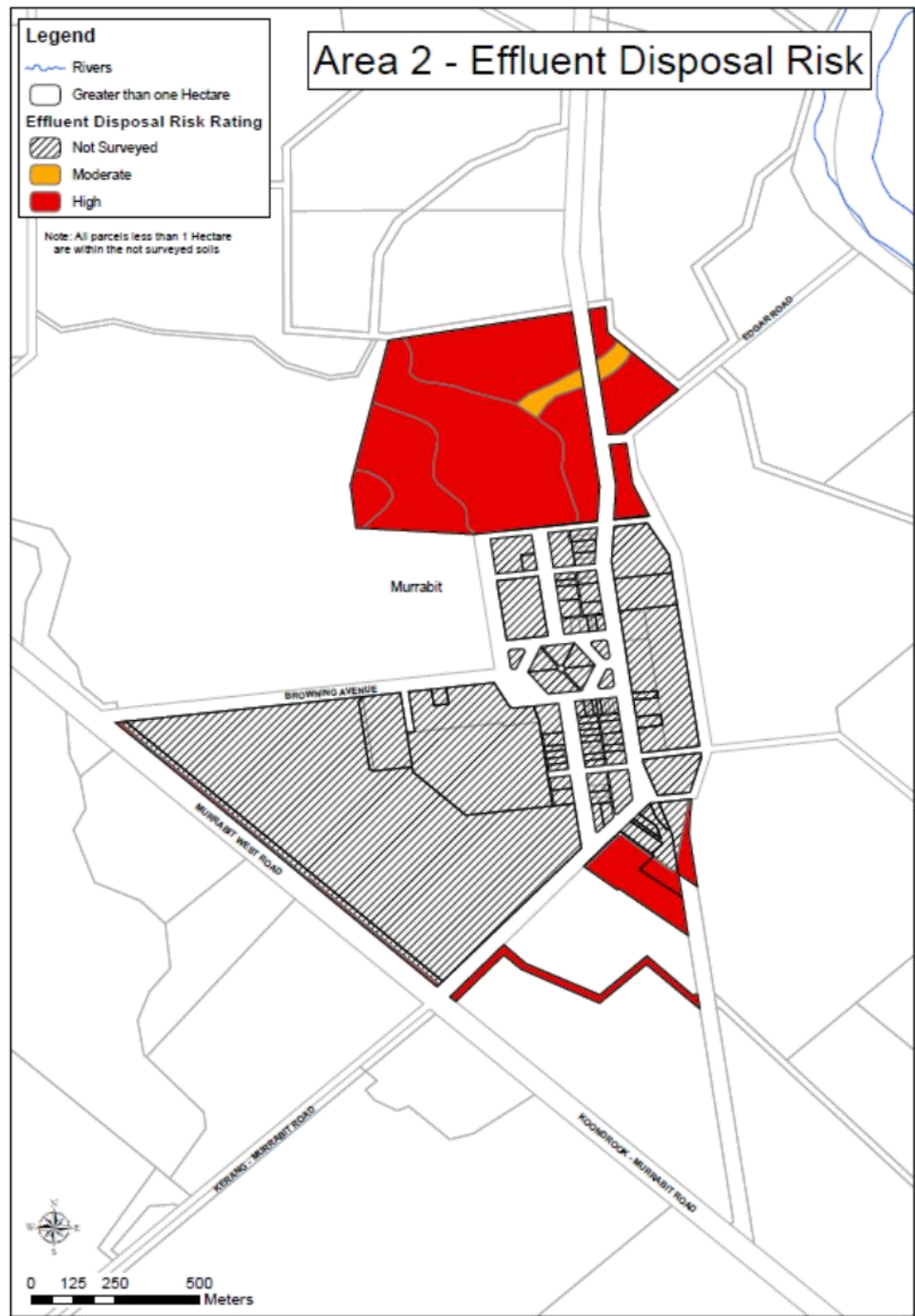
(Prepared by RMCG Consultants – 2007 Gannawarra DWMP)

Appendix 3. Land Capability for Effluent Disposal Maps

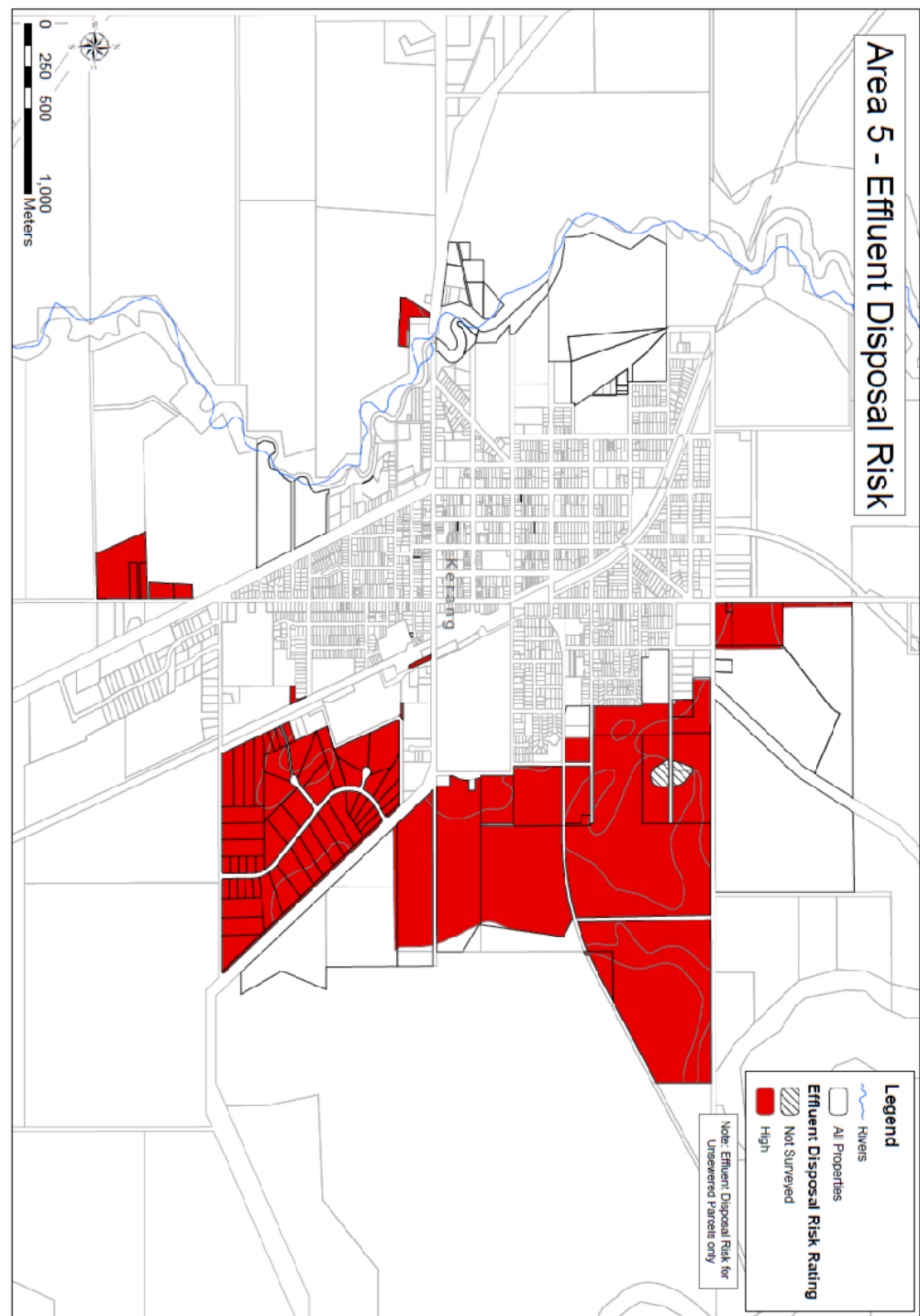
Area 1 – Murrabit and surrounds



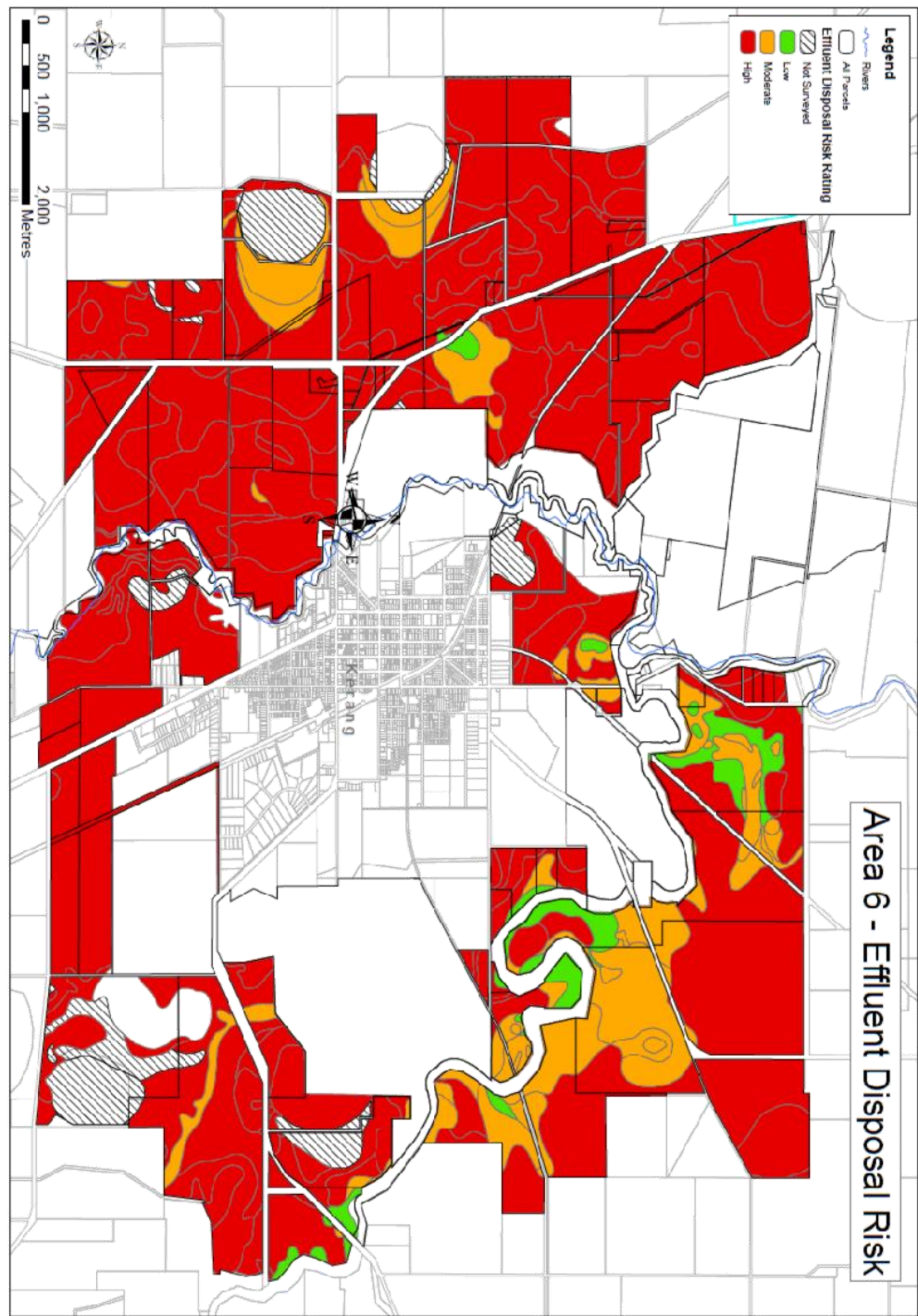
Area 2 – Murrabit



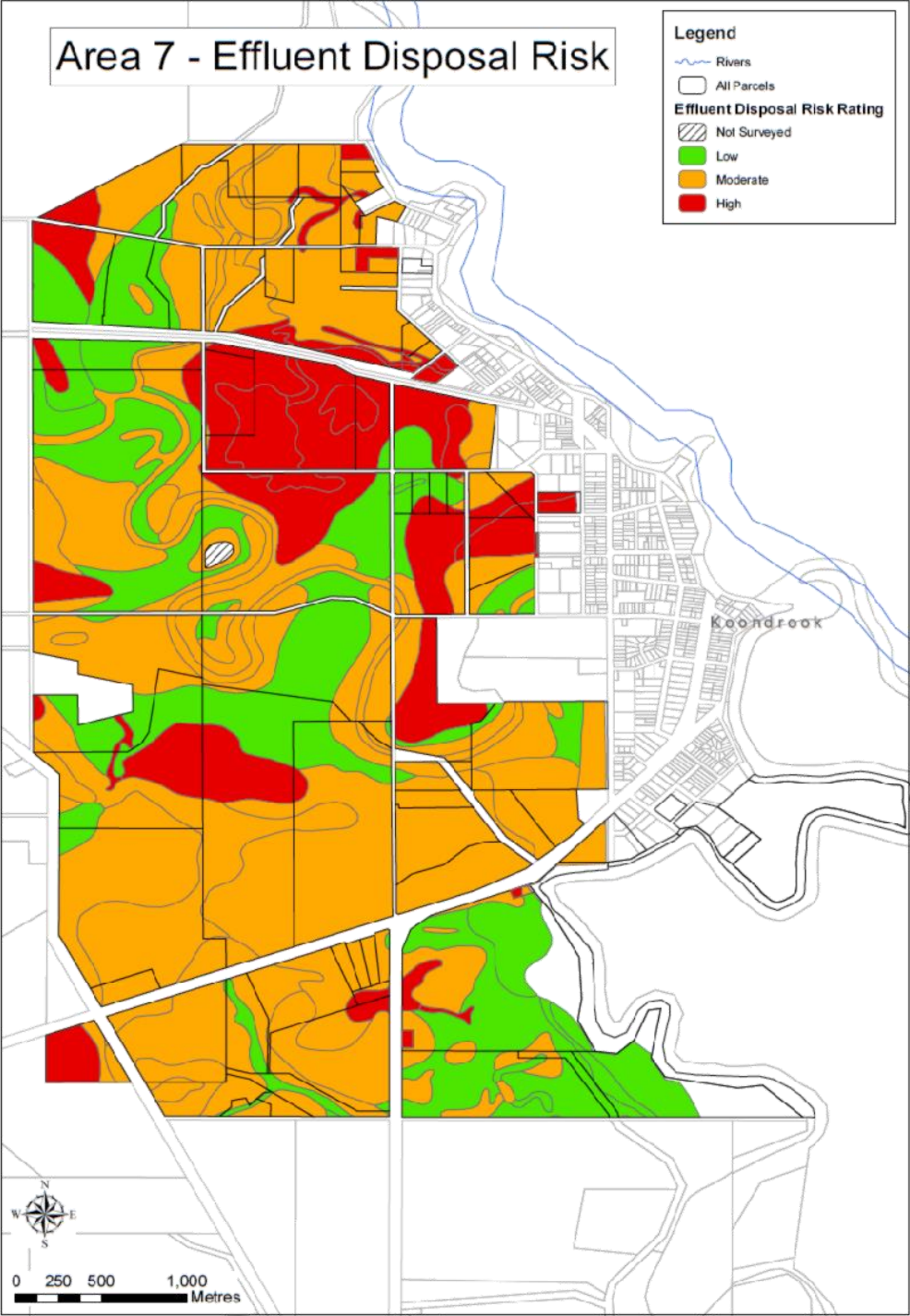
Area 5 – Kerang



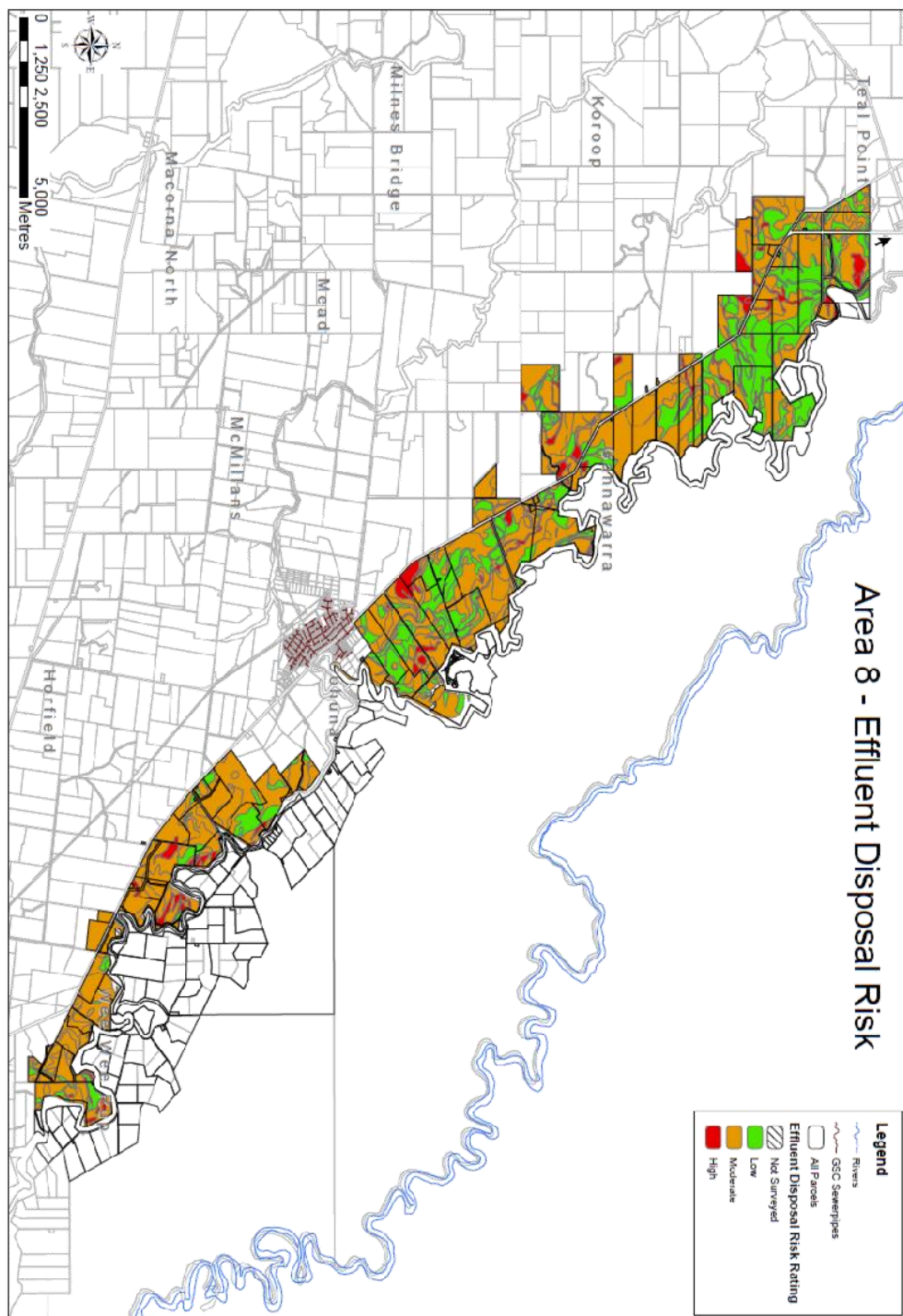
Area 6 – Kerang



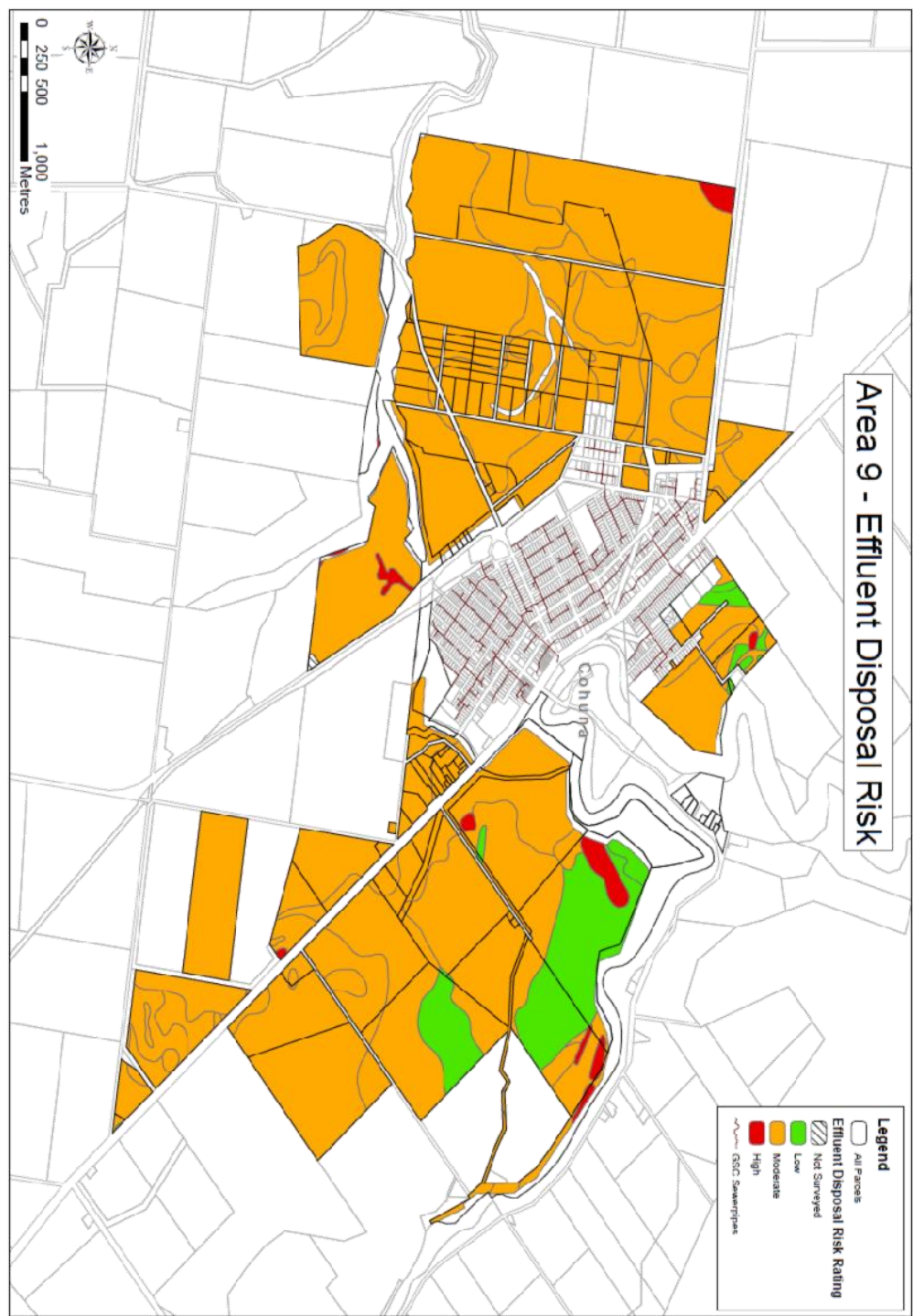
Area 7 – Koondrook



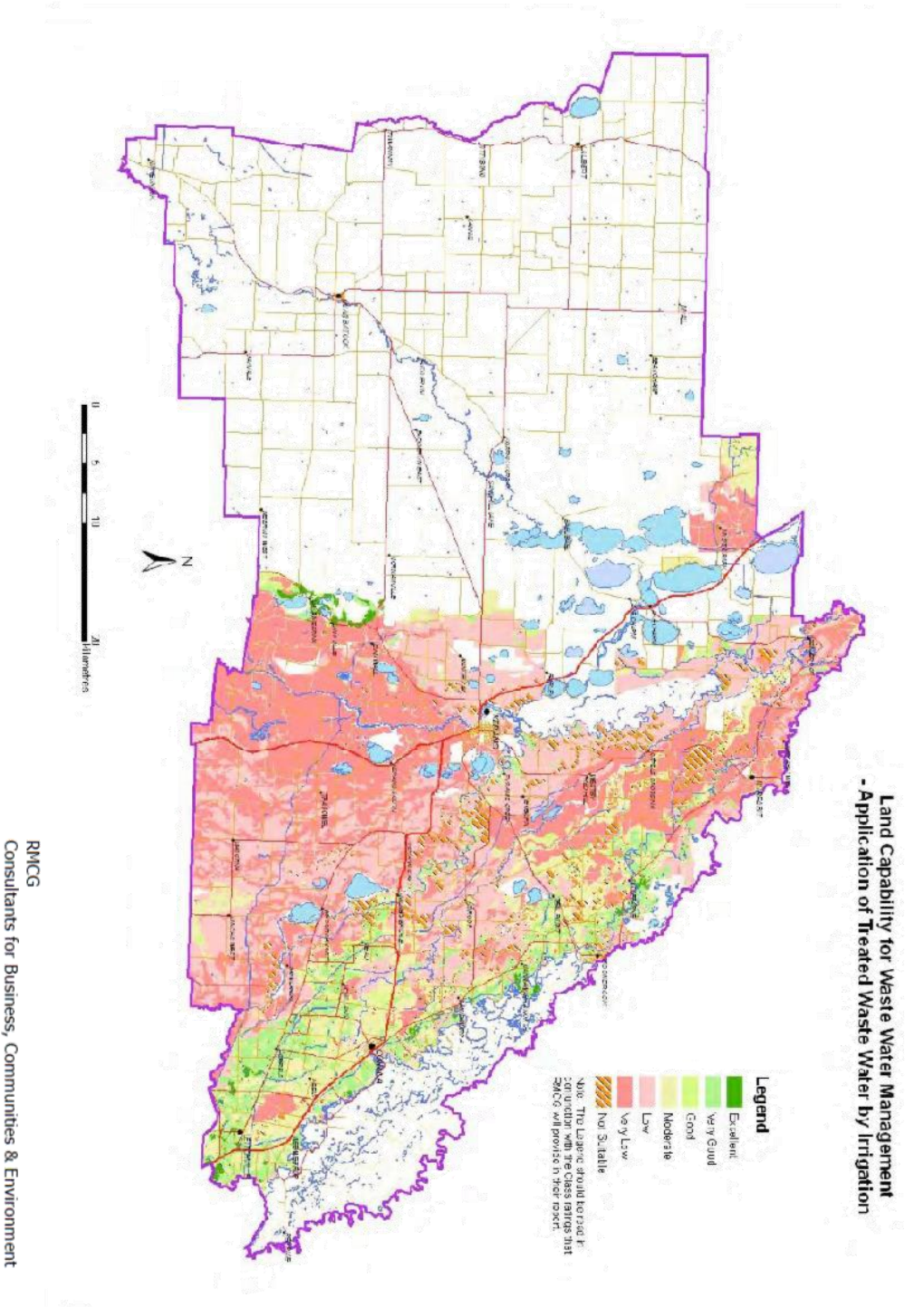
Area 8 – Cohuna



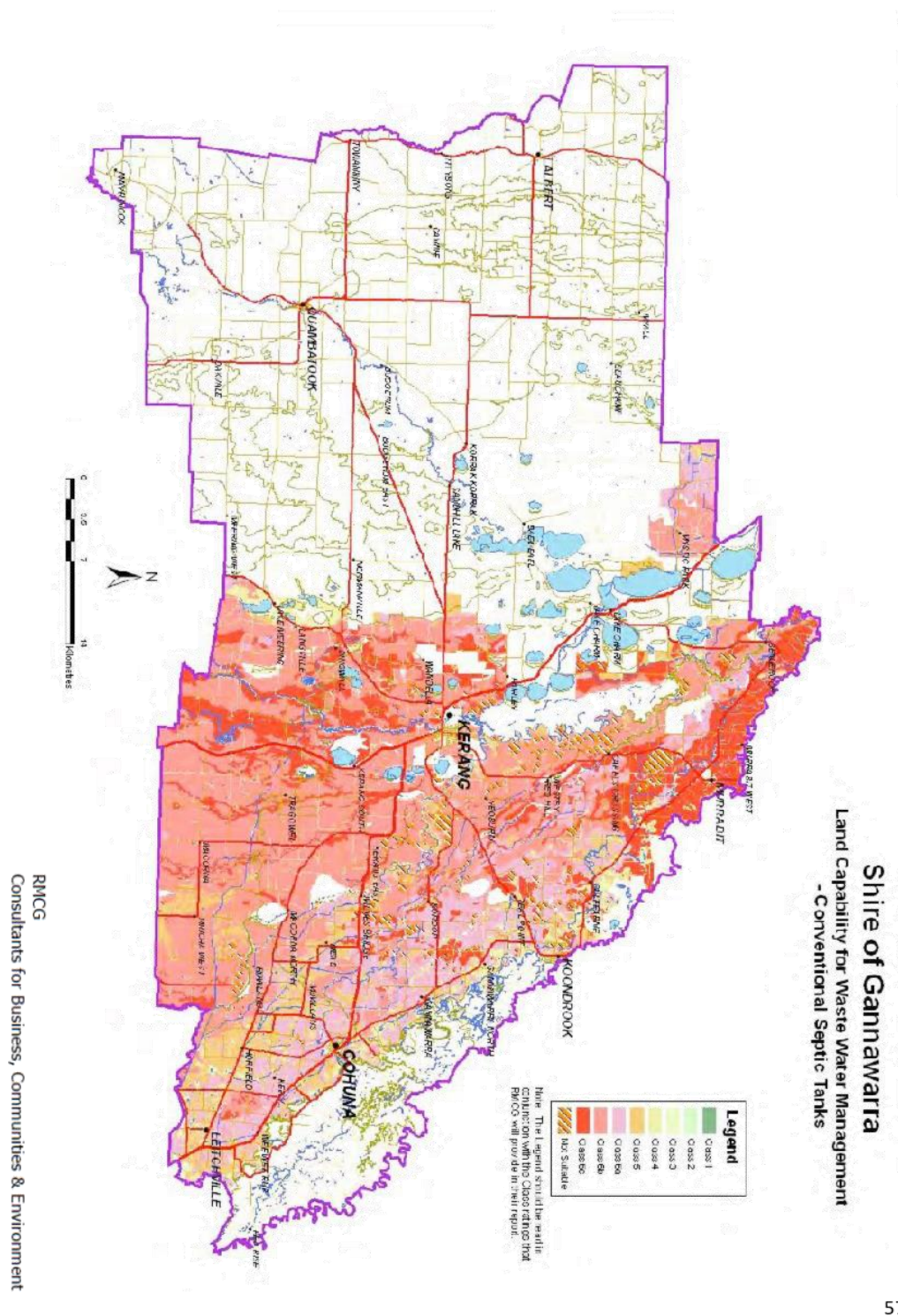
Area 9 – Cohuna



Shire of Gannawarra – Mapping for Irrigation Disposal



Shire of Gannawarra – Mapping for Trench Systems Disposal



7.7 COUNCIL DELEGATION TO THE CHIEF EXECUTIVE OFFICER

Author: Alissa Harrower, Acting Manager Governance

Authoriser: Lisa Clue, Acting Director Corporate Services

Attachments: 1 Instrument of Delegation to the Chief Executive Officer [↓](#)

RECOMMENDATION

That Council, in the exercising of 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, resolves that;

1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

EXECUTIVE SUMMARY

Gannawarra Shire Council has functions and duties which it must perform and powers which it may exercise, pursuant to the *Local Government Act 1989* ('the Act') as well as a range of other Acts. Section 98 of the Act allows for Council to delegate certain powers, duties or functions to the Chief Executive Officer and other members of its staff rather than having all functions and duties dealt with by Council resolution.

Council delegations are regularly reviewed to ensure they reflect current legislation and regulations and Council officer position titles.

The document addressed in this report delegates powers, duties and functions to the Chief Executive Officer.

BACKGROUND

As a statutory entity, Council is only able to do those things which it is authorised by statute to do. As a legal entity and not a 'natural' person, Council can act in only one of two ways: by resolution or through others acting on its behalf. The power of Council to act by resolution is set out in section 3(5) of the *Local Government Act 1989*:

"(5) Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of Council."

Alternatively, Council can act through others. Section 98 of the Act allows for a Council to delegate to a member of its staff any power, duty or function of a Council under both the Act and any other Act, other than –

1. This power of delegation;
2. The power to declare a rate or charge; and
3. The power to borrow money; and
4. The power to approve any expenditure not contained in a budget approved by the Council; and
5. Any power, duty or function of the Council under section 223; and
6. Any prescribed power.

Where this is to occur, appointments are formalised through written ‘instruments of delegation’.

The Instrument of Delegation to the Chief Executive Officer was last reviewed in August, 2018.

POLICY CONTEXT

Section 98 – *Local Government Act 1989*

Council Plan 2017 - 2021 – Good Governance and a Healthy Organisation

DISCUSSION

Under the Act, delegations must be reviewed within twelve months after a general election. Council officers undertake additional reviews throughout the term of Council to ensure the delegations reflect current legislation and regulations and Council officer position titles; and conditions and limitations remain appropriate.

The only required change identified in the review is to amend point 4.1 due to the removal of Purchasing Approval Limit Delegations from Council Policy 109 – Procurement.

CONSULTATION

Lawyers from Maddocks provide Council with regular updates of changes to relevant legislation and regulations.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The review of the Instrument of Delegation to the Chief Executive Officer has been completed and is now presented to Council for resolution.

Gannawarra Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the Local Government Act 1989 (the Act) and all other powers enabling it, the Gannawarra Shire Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 18 March 2020;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL of the GANNAWARRA SHIRE COUNCIL)
was hereunto affixed in accordance with Governance)
Local Law 2018)
on the _____ day of _____ 2020.)

_____ Acting Chief Executive Officer
(signature)

_____ Full name

Schedule

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract exceeding the value of \$999,999;
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.9 appointment of councillor or community delegates or representatives to external organisations;
or
 - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 7.1 policy; or
 - 7.2 strategyadopted by Council; or
8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
9. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

7.8 DELEGATION UPDATE - COUNCIL TO MEMBERS OF COUNCIL STAFF

Author: Alissa Harrower, Acting Manager Governance

Authoriser: Lisa Clue, Acting Director Corporate Services

Attachments: 1 Instrument of Delegation to Members of Council Staff [↓](#)

RECOMMENDATION

That Council, in the exercise of 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 to members of Council staff, resolves that;

1. 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 the instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must 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.

EXECUTIVE SUMMARY

Gannawarra Shire Council has functions and duties which it must perform and powers which it may exercise, pursuant to the *Local Government Act 1989* (the Act) as well as a range of other Acts. Section 98 of the Act allows for Council to delegate certain powers, duties or function to members of staff rather than having all functions and duties dealt with by Council resolution.

Delegations are regularly reviewed to reflect changes in legislation, regulations and Council's organisational structure.

BACKGROUND

As a statutory entity, Council is only able to do those things which it is authorised by statute to do. As a legal entity and not a 'natural' person, Council can act in only one of two ways: by resolution or through others acting on its behalf. The power of Council to act by resolution is set out in section 3(5) of the Act.

"(5) Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council."

Alternatively, a Council can act through others. Section 98 of the Act allows for a Council to delegate to a member of its staff any power, duty or function of a Council under both the Act and any other Act, other than –

- (1) this power of delegation; and
- (2) the power to declare a rate or charge; and

- (3) the power to borrow money; and
- (4) the power to approve any expenditure not contained in a budget approved by the Council; and
- (5) any power, duty or function of the Council under section 223; and
- (6) any prescribed power.

Where this is to occur, appointments are formalised through written 'instruments of delegation'.

While under the Act delegations must be reviewed within twelve months after a general election, Gannawarra Shire Council staff conduct reviews more regularly to reflect changes in legislation, regulations and changes to Council's organisational structure.

POLICY CONTEXT

Section 98 – *Local Government Act 1989*

Council Plan 2017 – 2021 – Good Governance and a Healthy Organisation

DISCUSSION

A recent review of delegations identified the following which is reflected in the attached Instrument of Delegation:

- On 2 December 2019 the *Rail Safety (Local Operations) Act 2006* was repealed and has therefore been removed from the Instrument;
- Amendments and inclusions to the *Residential Tenancies Act 1997* and the *Residential Tenancies Amendment Act 2018*; and
- Amendments to the *Road Management Act 2014* reflecting changes made to the *Transport Legislation Amendment Act 2019*.

CONSULTATION

Lawyers from Maddocks provide Council with regular updates of relevant changes to legislation and regulations. Council staff with delegations and authorisations under legislation and regulations that have recently changed, and those affected by new legislation have been involved in the delegation review process.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The review of the Instrument of Delegation to Members of Council staff has been completed, reflecting current legislation and regulations.

S6. Instrument of Delegation – Members of Staff

Gannawarra Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

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

2. record that references in the Schedule are as follows:

CEO means Chief Executive Officer
DCS means Director Corporate Services
DCW means Director Community Wellbeing
DID means Director Infrastructure and Development
EHO means Environmental Health Officer
GCC means Governance and Compliance Coordinator
LLO1 means Local Laws Team Leader
LLO2 means Local Laws Officer
LRP means Legal Representative/Professional
MBS means Municipal Building Surveyor
MCH means Manager Community Health
MF means Manager Finance
MG means Manager Governance
MOS means Manager Operational Services
MAD means Manager Assets and Design
MPP means Manager Projects and Property
MPRS means Manager Planning and Regulatory Services
PO means Planning Officer
Provision Not Delegated means the function and/or power in column 3 of the Schedule remains with Council

3. declares that:

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 18 March 2020; and

- 3.2 the delegation:

- 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

- 3.2.2 remains in force until varied or revoked;

- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

- 3.3 the delegate must not determine the issue, take the action or do the act or thing:

- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or

- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

- (a) policy; or

- (b) strategy

adopted by Council; or

- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of the GANNAWARRA SHIRE COUNCIL)
 was hereunto affixed in accordance with Governance Local)
 Law 2018)
 on the _____ day of _____ 2020.)

_____ Chief Executive Officer
 (signature)

_____ Full name

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	Where Council is a Class B cemetery trust	Provision Not Delegated	
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Where Council is a Class B cemetery trust	Provision Not Delegated	
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	Where Council is a Class B cemetery trust	Provision Not Delegated	
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions		Provision Not Delegated	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.		Provision Not Delegated	
s 15(1) and (2)	Power to delegate powers or functions other than those listed		Provision Not Delegated	
s 15(4)	Duty to keep records of delegations		GCC, MG	
s 17(1)	Power to employ any persons necessary		Provision Not Delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary		GCC, MG	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s 17(3)	Power to determine the terms and conditions of employment or engagement	Subject to any guidelines or directions of the Secretary	Provision Not Delegated	
s 18(3)	Duty to comply with a direction from the Secretary		GCC, MG	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18C	Power to determine the membership of the governance committee	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18D	Power to determine procedure of governance committee	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18D(1)(b)	Power to appoint any additional community advisory committees	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Where Council is a Class A cemetery trust	Provision Not Delegated	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s. 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Where Council is a Class A cemetery trust	Provision Not Delegated	
s 19	Power to carry out or permit the carrying out of works		GCC, MG	
s 20(1)	Duty to set aside areas for the interment of human remains		Provision Not Delegated	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery		Provision Not Delegated	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)		Provision Not Delegated	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land		Provision Not Delegated	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Subject to the approval of the Minister	Provision Not Delegated	
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Subject to the Minister approving the purpose	Provision Not Delegated	
s 40	Duty to notify Secretary of fees and charges fixed under s 39		GCC, MG	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Provided the street was constructed pursuant to the Local Government Act 1989	Provision Not Delegated	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Report must contain the particulars listed in s 57(2)	MG	
s 59	Duty to keep records for each public cemetery		GCC, MG	
s 60(1)	Duty to make information in records available to the public for historical or research purposes		GCC, MG	
s 60(2)	Power to charge fees for providing information		GCC, MG	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)		GCC, MG	
s 64B(d)	Power to permit interments at a reopened cemetery		Provision Not Delegated	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	The application must include the requirements listed in s 66(2)(a)-(d)	Provision Not Delegated	
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park		DCS, MG	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed		GCC, MG	
s 70(2)	Duty to make plans of existing place of interment available to the public		GCC, MG	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies		Provision Not Delegated	
s 71(2)	Power to dispose of any memorial or other structure removed		DCS, MG	
s 72(2)	Duty to comply with request received under s 72		GCC, MG	
s 73(1)	Power to grant a right of interment		GCC, MG	
s 73(2)	Power to impose conditions on the right of interment		DCS, GCC, MG	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)		GCC, MG	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted		GCC, MG	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application		GCC, MG	
s 80(1)	Function of receiving notification and payment of transfer of right of interment		MG	
s 80(2)	Function of recording transfer of right of interment		GCC, MG	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment		GCC, MG	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)		GCC, MG	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment		GCC, MG	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment		GCC, MG	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	The notice must be in writing and contain the	GCC, MG	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
		requirements listed in s 85(2)		
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Does not apply where right of interment relates to remains of a deceased veteran.	GCC, MG	
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or, remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment	DCS, MG	
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified		Provision Not Delegated	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment		Provision Not Delegated	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment		Provision Not Delegated	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)		Provision Not Delegated	

Cemeteries and Crematoria Act 2003				
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s. 86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains		Provision Not Delegated	
s. 86(5)	duty to provide notification before taking action under s.86(4)		GCC, MG	
s. 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s. 86(3)		GCC, MG	
s. 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment		GCC, MG	
s. 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment		MG	
s. 91(1)	Power to cancel a right of interment in accordance with s. 91		GCC, MG	
s. 91(3)	Duty to publish notice of intention to cancel right of interment		GCC, MG	
s. 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment		GCC, MG	
s. 98(1)	Function of receiving application to establish or alter a memorial or a place of interment		GCC, MG	
s. 99	Power to approve or refuse an application made under s. 98, or to cancel an approval		GCC, MG	
s. 99(4)	Duty to make a decision on an application under s. 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested		GCC, MG	
s. 100(1)	Power to require a person to remove memorials or places of interment		GCC, MG	
s. 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s. 100(1)		GCC, MG	
s. 100(3)	Power to recover costs of taking action under s. 100(2)		DCS	
s. 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery		GCC, MG	
s. 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)		GCC, MG	
s. 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s. 102(1)		GCC, MG	
s. 103(1)	Power to require a person to remove a building for ceremonies		GCC, MG	
s. 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s. 103(1)		GCC, MG	
s. 103(3)	Power to recover costs of taking action under s. 103(2)		DCS	
s. 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs		MG	
s. 106(2)	Power to require the holder of the right of interment to provide for an examination		GCC, MG	
s. 106(3)	Power to open and examine the place of interment if s. 106(2) not complied with		GCC, MG	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with		GCC, MG	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs		DID	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with		MG	
s 108	Power to recover costs and expenses		DCS, MG	
s 109(1)(a)	Power to open, examine and repair a place of interment	Where the holder of right of interment or responsible person cannot be found	GCC, MG	
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Where the holder of right of interment or responsible person cannot be found	DCS, MG	
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Where the holder of right of interment or responsible person cannot be found	DCS, MG	
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary		DCS, MG	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary		DCS, MG	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran		DCS, MG	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment		GCC, MG	
s 112	Power to sell and supply memorials		Provision Not Delegated	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted		GCC, MG	

Cemeteries and Crematoria Act 2003 [##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application		MG	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met		Provision Not Delegated	
s 119	Power to set terms and conditions for interment authorisations		Provision Not Delegated	
s 131	Function of receiving an application for cremation authorisation		GCC, MG	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Subject to s 133(2)	Provision Not Delegated	
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner		GCC, MG	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Subject to the approval of the Secretary	GCC, MG	
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation		GCC, MG	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary		GCC, MG	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met		GCC, MG	
s 151	Function of receiving applications to inter or cremate body parts		MG	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150		Provision Not Delegated	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication		GCC, MG	
sch 1 cl 8(8)	Power to regulate own proceedings	Subject to cl 8	DCS, MG	
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Where Council is a Class A cemetery trust	Provision Not Delegated	
sch 1A cl 8(8)	Power to regulate own proceedings	Where Council is a Class A	Provision Not Delegated	

Cemeteries and Crematoria Act 2003				
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
		cemetery trust Subject to cl 8		
Domestic Animals Act 1994				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 41A(1)	Power to declare a dog to be a menacing dog	Council may delegate this power to a Council authorised officer	DID, LLO1, LLO2, MPRS	
Environment Protection Act 1970				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 53M(3)	Power to require further information		EHO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with		EHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	Refusal must be ratified by Council or it is of no effect	EHO	
s 53M(6)	Power to refuse to issue septic tank permit	Refusal must be ratified by Council or it is of no effect	EHO	
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	Refusal must be ratified by Council or it is of no effect	Provision Not Delegated	
Food Act 1984				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	If s 19(1) applies	EHO	
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	If s 19(1) applies	EHO	

Food Act 1984				
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	If s 19(1) applies Only in relation to temporary food premises or mobile food premises	EHO	
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	If s 19(1) applies	EHO	
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	If s 19(1) applies	EHO	
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	If s 19(1) applies	EHO	
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Where Council is the registration authority	EHO	
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution	EHO	
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	Where Council is the registration authority	EHO	
s 19CB(4)(b)	Power to request copy of records	Where Council is the registration authority	Provision Not Delegated	
s 19E(1)(d)	Power to request a copy of the food safety program	Where Council is the registration authority	EHO	
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Where Council is the registration authority	EHO	
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Where Council is the registration authority	Provision Not Delegated	

Food Act 1984				
s 19NA(1)	Power to request food safety audit reports	Where Council is the registration authority	EHO	
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances		DCW	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.	EHO	
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Where Council is the registration authority	EHO	
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Where Council is the registration authority	EHO	
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	Where Council is the registration authority	EHO	
	Power to register, renew or transfer registration	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))	EHO	
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Where Council is the registration authority	EHO	
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Where Council is the registration authority	EHO	

Food Act 1984				
s 38A(4)	Power to request a copy of a completed food safety program template	Where Council is the registration authority	Provision Not Delegated	
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	Where Council is the registration authority	EHO	
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	Where Council is the registration authority	EHO	
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	Where Council is the registration authority	EHO	
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	Where Council is the registration authority	EHO	
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	Where Council is the registration authority	EHO	
s 38D(3)	Power to request copies of any audit reports	Where Council is the registration authority	EHO	
s 38E(2)	Power to register the food premises on a conditional basis	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)	EHO	
s 38E(4)	Duty to register the food premises when conditions are satisfied	Where Council is the registration authority	EHO	
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	Where Council is the registration authority	EHO	
s 39A	Power to register, renew or transfer food premises despite minor defects	Where Council is the registration	EHO	

Food Act 1984				
		authority Only if satisfied of matters in s 39A(2)(a)-(c)		
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008		EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	Where Council is the registration authority	EHO	
s 40D(1)	Power to suspend or revoke the registration of food premises	Where Council is the registration authority	DCW	
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Where Council is the registration authority	EHO	
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Where Council is the registration authority	EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Where Council is the registration authority	EHO	
Heritage Act 2017				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director	Provision Not Delegated	

Heritage Act 2017				
		authorises sub-delegation		
Local Government Act 1989				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	Agreement can only be entered into by CEO.	Provision Not Delegated	
s 185L(4)	Power to declare and levy a cladding rectification charge		DCS	
Planning and Environment Act 1987				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	If authorised by the Minister	DID, MP RS	
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister		DID, MP RS	
s 4H	Duty to make amendment to Victoria Planning Provisions available		DID, MP RS	
s 4I	Duty to keep Victorian Planning Provisions and other documents available		DID, MP RS	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A		DID, MP RS	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme		Provision Not Delegated	
s 8A(5)	Function of receiving notice of the Minister's decision		DID, MP RS	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days		DID, MP RS	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district		Provision Not Delegated	

Planning and Environment Act 1987				
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons		DID, MPRS, PO	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)		DID, MPRS	
s 12B(1)	Duty to review planning scheme		DID, MPRS	
s 12B(2)	Duty to review planning scheme at direction of Minister		DID, MPRS	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay		DID, MPRS	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)		DID, MPRS, PO	
s 17(1)	Duty of giving copy amendment to the planning scheme		DID, MPRS, PO	
s 17(2)	Duty of giving copy s 173 agreement		DID, MPRS, PO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days		DID, MPRS	
s 18	Duty to make amendment etc. available		DID, MPRS, PO	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme		DID, MPRS	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an	DID, MPRS	

Planning and Environment Act 1987				
		acquiring authority.		
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19		DID, MPRS	
s 21(2)	Duty to make submissions available		DID, MPRS, PO	
s 21A(4)	Duty to publish notice		DID, MPRS	
s 22	Duty to consider all submissions	Except submissions which request a change to the items in s 22(5)(a) and (b)	DID, MPRS	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel		DID, MPRS	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment		Provision Not Delegated	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)		DID, MPRS	
s 26(1)	Power to make report available for inspection		DID, MPRS, PO	
s 26(2)	Duty to keep report of panel available for inspection		DID, MPRS, PO	
s 27(2)	Power to apply for exemption if panel's report not received		DID, MPRS	
s 28	Duty to notify the Minister if abandoning an amendment	Note: the power to make a decision to abandon an amendment cannot be delegated	DID, MPRS	
s 30(4)(a)	Duty to say if amendment has lapsed		DID, MPRS	

Planning and Environment Act 1987				
s 30(4)(b)	Duty to provide information in writing upon request		DID, MPRS	
s 32(2)	Duty to give more notice if required		DID, MPRS	
s 33(1)	Duty to give more notice of changes to an amendment		DID, MPRS	
s 36(2)	Duty to give notice of approval of amendment		DID, MPRS	
s 38(5)	Duty to give notice of revocation of an amendment		DID, MPRS	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT		DID, MPRS	
s 40(1)	Function of lodging copy of approved amendment		DID, MPRS	
s 41	Duty to make approved amendment available		DID, MPRS, PO	
s 42	Duty to make copy of planning scheme available		DID, MPRS, PO	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils	Provision Not Delegated	

Planning and Environment Act 1987				
s 46AW	Function of being consulted by the Minister	Where Council is a responsible public entity	DID, MPRS	
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	Where Council is a responsible public entity	DID, MPRS	
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Where Council is a responsible public entity	DID, MPRS	
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Where Council is a responsible public entity	DID, MPRS	
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency	DID, MPRS	
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans		DID, MPRS	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority		DID, MPRS	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land		DID, MPRS	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land		DID, MPRS	
s 46GP	Function of receiving a notice under s 46GO	Where Council is the collecting agency	DID, MPRS	
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land		DID, MPRS	

Planning and Environment Act 1987				
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO		DID, MPRS	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister		DID, MPRS	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ		DID, MPRS	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general		DID, MPRS	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference		DID, MPRS	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land		DID, MPRS	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)		DID, MPRS	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met		DID, MPRS	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Where Council is the collecting agency	DID, MPRS	
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Where Council is the collecting agency	DID, MPRS	
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Where Council is the development agency	DID, MPRS	
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Where Council is the collecting agency	DID, MPRS	
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area		DID, MPRS	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Where Council is the collecting agency	DID, MPRS	

Planning and Environment Act 1987				
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Where Council is the collecting agency	DID, MP RS	
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Where Council is the collecting agency	DID, MP RS	
s 46GY(1)	Duty to keep proper and separate accounts and records	Where Council is the collecting agency	DID, MP RS	
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	Where Council is the collecting agency	DID, MP RS	
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority	DID, MP RS	
s 46GZ(2)(a)	Function of receiving the monetary component	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency	DID, MP RS	
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MP RS	

Planning and Environment Act 1987				
			This provision does not apply where Council is also the relevant development agency	
s 46GZ(2)(b)	Function of receiving the monetary component		Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency	DID, MPRS
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)		Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency		Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development	DID, MPRS

Planning and Environment Act 1987				
		agency		
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency	DID, MPRS	
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	

Planning and Environment Act 1987				
		This duty does not apply where Council is also the development agency		
s 46GZ(9)	Function of receiving the fee simple in the land	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency	DID, MPRS	
s 46GZA(1)	Duty to keep proper and separate accounts and records	Where Council is the development agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 1989	Where Council is a development agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Where Council is a development agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	If the VPA is the collecting agency under an approved	DID, MPRS	

Planning and Environment Act 1987				
		infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan		
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	Where Council is the development agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency	DID, MPRS	

Planning and Environment Act 1987				
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency	DID, MPRS	
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Where Council is the development agency under an approved infrastructure contributions plan	DCS, DID	
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	Where Council is the development agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply	DCS, DID	

Planning and Environment Act 1987				
		where Council is also the development agency		
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	Where Council is the collecting agency under an approved infrastructure contributions plan	DID, MPRS	
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Where Council is the collecting agency under an approved infrastructure contributions plan	DCS, DID	
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Where Council is a collecting agency or development agency	DID, MPRS	
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Where Council is a collecting agency or development agency	DID, MPRS	
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)		DCS, DID	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy		DID, MPRS, PO	

Planning and Environment Act 1987				
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy		DCS, DID, MPRS	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy		DCS, DID, MPRS	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit		DCS, DID, MPRS	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy		DCS, DID, MPRS	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured		DCS, DID, MPRS	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable		DCS, DID	
s 46Q(1)	Duty to keep proper accounts of levies paid		DCS, MF	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency		DCS, DID, MPRS	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc		DCS, DID, MPRS	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Only applies when levy is paid to Council as a 'development agency'	DID, MPRS	
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister	DID, MPRS	
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Must be done in accordance with Part 3	DID, MPRS	

Planning and Environment Act 1987				
s46Q(4)(e)	Duty to expend that amount on other works etc.	With the consent of, and in the manner approved by, the Minister	DID, MPRS	
s 46QC	Power to recover any amount of levy payable under Part 3B		Provision Not Delegated	
s 46QD	Duty to prepare report and give a report to the Minister	Where Council is a collecting agency or development agency	DID, MPRS	
s 47	Power to decide that an application for a planning permit does not comply with that Act		DID, MPRS	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits		DID, MPRS, PO	
s 49(2)	Duty to make register available for inspection		DID, MPRS, PO	
s 50(4)	Duty to amend application		DID, MPRS, PO	
s 50(5)	Power to refuse to amend application		DID, MPRS	
s 50(6)	Duty to make note of amendment to application in register		DID, MPRS	
s 50A(1)	Power to make amendment to application		DID, MPRS	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given		DID, MPRS, PO	
s 50A(4)	Duty to note amendment to application in register		DID, MPRS, PO	
s 51	Duty to make copy of application available for inspection		DID, MPRS, PO	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person		DID, MPRS, PO	

Planning and Environment Act 1987				
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate		DID, MPRS, PO	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme		DID, MPRS, PO	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant		DID, MPRS, PO	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant		DID, MPRS, PO	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected		DID, MPRS, PO	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant		DID, MPRS, PO	
s 52(3)	Power to give any further notice of an application where appropriate		DID, MPRS, PO	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it		DID, MPRS, PO	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)		DID, MPRS, PO	
s 54(1)	Power to require the applicant to provide more information		DID, MPRS, PO	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)		DID, MPRS, PO	
s 54(1B)	Duty to specify the lapse date for an application		DID, MPRS	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information		DID, MPRS	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)		DID, MPRS	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme		DID, MPRS, PO	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector		DID, MPRS	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go		DID, MPRS, PO	

Planning and Environment Act 1987				
s 57(5)	Duty to make available for inspection copy of all objections		DID, MPRS, PO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)		DID, MPRS	
s 57A(5)	Power to refuse to amend application		DID, MPRS	
s 57A(6)	Duty to note amendments to application in register		DID, MPRS, PO	
s 57B(1)	Duty to determine whether and to whom notice should be given		DID, MPRS, PO	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given		DID, MPRS, PO	
s 57C(1)	Duty to give copy of amended application to referral authority		DID, MPRS, PO	
s 58	Duty to consider every application for a permit		DID, MPRS, PO	
s 58A	Power to request advice from the Planning Application Committee		DID, MPRS	
s 60	Duty to consider certain matters		DID, MPRS, PO	
s 60(1A)	Duty to consider certain matters		DID, MPRS	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect		DID, MPRS	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 Power to refuse a permit application 61(1)(c) can only	DID, MPRS	

Planning and Environment Act 1987				
		be undertaken by Council		
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit		Provision Not Delegated	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit		Provision Not Delegated	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent		Provision Not Delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent		Provision Not Delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant		Provision Not Delegated	
s 62(1)	Duty to include certain conditions in deciding to grant a permit		DID, MP RS	
s 62(2)	Power to include other conditions		DID, MP RS	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)		DID, MP RS	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan		DID, MP RS	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement		DID, MP RS	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant		DID, MP RS	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)		DID, MP RS	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)		DID, MP RS	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)		DID, MP RS	

Planning and Environment Act 1987				
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	This provision applies also to a decision to grant an amendment to a permit - see s 75	DID, MPRS, PO	
s 64(3)	Duty not to issue a permit until after the specified period	This provision applies also to a decision to grant an amendment to a permit - see s 75	DID, MPRS	
s 64(5)	Duty to give each objector a copy of an exempt decision	This provision applies also to a decision to grant an amendment to a permit - see s 75	DID, MPRS, PO	
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	This provision applies also to a decision to grant an amendment to a permit - see s 75A	DID, MPRS	
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57		DID, MPRS, PO	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities		DID, MPRS, PO	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by	DID, MPRS, PO	

Planning and Environment Act 1987				
		the recommending referral authority		
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit	DID, MPRS, PO	
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit	DID, MPRS, PO	
s 69(1)	Function of receiving application for extension of time of permit		DID, MPRS, PO	
s 69(1A)	Function of receiving application for extension of time to complete development		DID, MPRS, PO	
s 69(2)	Power to extend time		DID, MPRS	
s 70	Duty to make copy permit available for inspection		DID, MPRS, PO	

Planning and Environment Act 1987				
s 71(1)	Power to correct certain mistakes		DID, MPRS	
s 71(2)	Duty to note corrections in register		DID, MPRS, PO	
s 73	Power to decide to grant amendment subject to conditions		DID, MPRS	
s 74	Duty to issue amended permit to applicant if no objectors		DID, MPRS	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit		DID, MPRS, PO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice		DID, MPRS, PO	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority	DID, MPRS, PO	
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be	DID, MPRS, PO	

Planning and Environment Act 1987				
		included on the amended permit		
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit	DID, MPRS, PO	
s 76D	Duty to comply with direction of Minister to issue amended permit		DID, MPRS	
s 83	Function of being respondent to an appeal		DID, MPRS, PO	
s 83B	Duty to give or publish notice of application for review		DID, MPRS, PO	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit		DID, MPRS	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit		DID, MPRS	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit		DID, MPRS	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days		DID, MPRS	
s 84AB	Power to agree to confining a review by the Tribunal		DID, MPRS	
s 86	Duty to issue a permit at order of Tribunal within 3 working days		DID, MPRS	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit		DID, MPRS	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit		DID, MPRS, PO	

Planning and Environment Act 1987				
s 91(2)	Duty to comply with the directions of VCAT		DID, MPRS, PO	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs		DID, MPRS	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90		DID, MPRS, PO	
s 93(2)	Duty to give notice of VCAT order to stop development		DID, MPRS, PO	
s 95(3)	Function of referring certain applications to the Minister		DID, MPRS	
s 95(4)	Duty to comply with an order or direction		DID, MPRS, PO	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land		DID, MPRS, PO	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land		Provision Not Delegated	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment		DID, MPRS, PO	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C		DID, MPRS, PO	
s 96F	Duty to consider the panel's report under s 96E		Provision Not Delegated	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)		Provision Not Delegated	
s 96H(3)	Power to give notice in compliance with Minister's direction		DID, MPRS, PO	
s 96J	Power to issue permit as directed by the Minister		DID, MPRS	
s 96K	Duty to comply with direction of the Minister to give notice of refusal		DID, MPRS, PO	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate		DID, MPRS, PO	

Planning and Environment Act 1987				
s 97C	Power to request Minister to decide the application		Provision Not Delegated	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application		DID, MPRS, PO	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister		DID, MPRS, PO	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection		DID, MPRS, PO	
s 97L	Duty to include Ministerial decisions in a register kept under s 49		DID, MPRS, PO	
s 97MH	Duty to provide information or assistance to the Planning Application Committee		DID, MPRS, PO	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee		DID, MPRS	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance		DID, MPRS	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate		DID, MPRS, PO	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate		DID, MPRS, PO	
s 97Q(4)	Duty to comply with directions of VCAT		DID, MPRS, PO	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions		DID, MPRS, PO	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances		DID, MPRS	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed		DID, MPRS	
s 101	Function of receiving claim for expenses in conjunction with claim		DID, MPRS	
s 103	Power to reject a claim for compensation in certain circumstances		DID	
s.107(1)	function of receiving claim for compensation		DID, MPRS	

Planning and Environment Act 1987				
s 107(3)	Power to agree to extend time for making claim		DID, MPRS	
s 114(1)	Power to apply to the VCAT for an enforcement order		DID, MPRS, PO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received		DID, MPRS, PO	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made		DID, MPRS, PO	
s 123(1)	Power to carry out work required by enforcement order and recover costs		DID, MPRS	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Except Crown Land	Provision Not Delegated	
s 129	Function of recovering penalties		DID, MPRS, PO	
s 130(5)	Power to allow person served with an infringement notice further time		DID, MPRS	
s 149A(1)	Power to refer a matter to the VCAT for determination		DID, MPRS, PO	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement		DID, MPRS	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	Where Council is the relevant planning authority	DCS, DID, MPRS	
s 171(2)(f)	Power to carry out studies and commission reports		DID	
s 171(2)(g)	Power to grant and reserve easements		DID, MPRS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Where Council is a development agency specified in an approved infrastructure contributions plan	DCS, DID	
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Where Council is a collecting agency specified	DCS, DID	

Planning and Environment Act 1987				
		in an approved infrastructure contributions plan		
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	Where Council is the development agency specified in an approved infrastructure contributions plan	DCS, DID	
s 173(1)	Power to enter into agreement covering matters set out in s 174		Provision Not Delegated	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Where Council is the relevant responsible authority	Provision Not Delegated	
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority		DID, MPRS	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority		DID, MPRS	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9		Provision Not Delegated	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9		Provision Not Delegated	
s 178A(1)	Function of receiving application to amend or end an agreement		DID, MPRS, PO	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)		DID, MPRS	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal		DID, MPRS	
s 178A(5)	Power to propose to amend or end an agreement		Provision Not Delegated	

Planning and Environment Act 1987				
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement		DID, MPRS	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement		DID, MPRS	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end		DID, MPRS	
s 178C(4)	Function of determining how to give notice under s 178C(2)		DID, MPRS	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given		DID, MPRS	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	If no objections are made under s 178D Must consider matters in s 178B	Provision Not Delegated	
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	If no objections are made under s 178D Must consider matters in s 178B	Provision Not Delegated	
s 178E(2)(c)	Power to refuse to amend or end the agreement	If no objections are made under s 178D Must consider matters in s 178B	Provision Not Delegated	
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	After considering objections, submissions and matters in s 178B	Provision Not Delegated	
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	After considering objections, submissions and matters in s 178B	Provision Not Delegated	

Planning and Environment Act 1987				
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	After considering objections, submissions and matters in s.178B	Provision Not Delegated	
s 178E(3)(d)	Power to refuse to amend or end the agreement	After considering objections, submissions and matters in s 178B	Provision Not Delegated	
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)		DID, MPRS	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)		DID, MPRS	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn		DID, MPRS	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement		Provision Not Delegated	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement		DID, MPRS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land		DID, MPRS	
s 179(2)	Duty to make available for inspection copy agreement		DID, MPRS, PO	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General		DID, MPRS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement		DID, MPRS, PO	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement		DID, MPRS, PO	
s 182	Power to enforce an agreement		DID, MPRS, PO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement		DID, MPRS, PO	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision		Provision Not Delegated	

Planning and Environment Act 1987				
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement		Provision Not Delegated	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement		Provision Not Delegated	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision		DID, MPRS, PO	
s 184G(2)	Duty to comply with a direction of the Tribunal		DID, MPRS, PO	
s 184G(3)	Duty to give notice as directed by the Tribunal		DID, MPRS, PO	
s 198(1)	Function to receive application for planning certificate		DID, MPRS, PO	
s 199(1)	Duty to give planning certificate to applicant		DID, MPRS, PO	
s 201(1)	Function of receiving application for declaration of underlying zoning		DID, MPRS, PO	
s 201(3)	Duty to make declaration		DID, MPRS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council		DID, MPRS	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council		DID, MPRS	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit		DID, MPRS	
	Power to give written authorisation in accordance with a provision of a planning scheme		DID, MPRS	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district		Provision Not Delegated	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible		Provision Not Delegated	

Residential Tenancies Act 1997				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	Where Council is a public statutory	DID, MPP	

Residential Tenancies Act 1997				
		authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier		
s 142D	Function of receiving notice regarding an unregistered rooming house		EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district		Provision Not Delegated	
s 142G(2)	Power to enter certain information in the Rooming House Register		Provision Not Delegated	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry		Provision Not Delegated	
s 206AZA(2)	Function of receiving written notification	Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 207ZE(2)	Function of receiving written notification	Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be	DID, MPP	

Residential Tenancies Act 1997				
		repealed on 1 July 2020, unless proclaimed earlier		
s 262(1)	Power to give tenant a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	Where Council is a public statutory authority engaged in the provision of housing Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier	DID, MPP	
s 311A(2)	Function of receiving written notification		DID, MPP	
s 317ZDA(2)	Function of receiving written notification		DID, MPP	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements		Provision Not Delegated	
s 522(1)	Power to give a compliance notice to a person		EHO, MBS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)		Provision Not Delegated	
s 525(4)	Duty to issue identity card to authorised officers		MG	
s 526(5)	Duty to keep record of entry by authorised officer under s 526		EHO	

Residential Tenancies Act 1997				
s 526A(3)	Function of receiving report of inspection		Provision Not Delegated	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)		EHO, MBS	
Road Management Act 2004				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	Obtain consent in circumstances specified in s 11(2)	DID, MAD	
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette		DID	
s 11(9)(b)	Duty to advise Registrar		DID	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Subject to s 11(10A)	DID, MAD	
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Where Council is the coordinating road authority	DID, MAD	
s 12(2)	Power to discontinue road or part of a road	Where Council is the coordinating road authority	Provision Not Delegated	
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DID, MAD	
s 12(5)	Duty to consider written submissions received within 28 days of notice	Duty of coordinating road authority where it is the discontinuing body	Provision Not Delegated	

Road Management Act 2004				
		Unless s 12(11) applies		
s 12(6)	Function of hearing a person in support of their written submission	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	Provision Not Delegated	
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies	DID, MAD	
s 12(10)	Duty to notify of decision made	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister	DID, MAD	
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate	DID, MAD	
s 14(4)	Function of receiving notice from the Head, Transport for Victoria		DID	

Road Management Act 2004				
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria		DID	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport		DID	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority		DID	
s 15(2)	Duty to include details of arrangement in public roads register		DID, MAD	
s 16(7)	Power to enter into an arrangement under s 15		DID	
s 16(8)	Duty to enter details of determination in public roads register		DID, MOS, MAD	
s 17(2)	Duty to register public road in public roads register	Where Council is the coordinating road authority	DID, MOS, MAD	
s 17(3)	Power to decide that a road is reasonably required for general public use	Where Council is the coordinating road authority	Provision Not Delegated	
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	Where Council is the coordinating road authority	DID, MOS, MAD	
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	Where Council is the coordinating road authority	Provision Not Delegated	
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	Where Council is the coordinating road authority	DID, MOS, MAD	
s 18(1)	Power to designate ancillary area	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)	DID	
s 18(3)	Duty to record designation in public roads register	Where Council is the coordinating road authority	DID, MAD	
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority		DID, MAD	

Road Management Act 2004				
s 19(4)	Duty to specify details of discontinuance in public roads register		DID, MAD	
s 19(5)	Duty to ensure public roads register is available for public inspection		DID, MAD	
s 21	Function of replying to request for information or advice	Obtain consent in circumstances specified in s 11(2)	DID, MAD	
s 22(2)	Function of commenting on proposed direction		DID	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.		DID	
s 22(5)	Duty to give effect to a direction under s 22		DID	
s 40(1)	Duty to inspect, maintain and repair a public road.		DID, MOS, MAD	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road		DID	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair		DID, MOS, MAD	
s 42(1)	Power to declare a public road as a controlled access road	Power of coordinating road authority and sch 2 also applies	Provision Not Delegated	
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	Power of coordinating road authority and sch 2 also applies	Provision Not Delegated	
s 42A(3)	Duty to consult with VicRoads before road is specified	Where Council is the coordinating road authority If road is a municipal road or part thereof	DID, MAD	
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	Where Council is the coordinating road authority If road is a municipal road or part thereof and	DID	

Road Management Act 2004				
		where road is to be specified a freight road		
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Where Council is the responsible road authority, infrastructure manager or works manager	DID	
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M		DID, MAD	
s 49	Power to develop and publish a road management plan		Provision Not Delegated	
s 51	Power to determine standards by incorporating the standards in a road management plan		Provision Not Delegated	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan		DID, MOS	
s 54(2)	Duty to give notice of proposal to make a road management plan		DID, MOS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals		DID	
s 54(6)	Power to amend road management plan		Provision Not Delegated	
s 54(7)	Duty to incorporate the amendments into the road management plan		DID	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper		DID, MOS	
s 63(1)	Power to consent to conduct of works on road	Where Council is the coordinating road authority	DID, MOS, MAD	
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Where Council is the infrastructure manager	DID, MOS, MAD	
s 64(1)	Duty to comply with cl 13 of sch 7	Where Council is the infrastructure manager or works manager	DID, MOS, MAD	

Road Management Act 2004				
s 66(1)	Power to consent to structure etc	Where Council is the coordinating road authority	DID, MOS, MAD	
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	Where Council is the coordinating road authority	DID, MPRS	
s 67(3)	Power to request information	Where Council is the coordinating road authority	DID, MOS, MPRS	
s 68(2)	Power to request information	Where Council is the coordinating road authority	DID, MOS, MPRS	
s 71(3)	Power to appoint an authorised officer		Provision Not Delegated	
s 72	Duty to issue an identity card to each authorised officer		MG	
s 85	Function of receiving report from authorised officer		DID	
s 86	Duty to keep register re s 85 matters		DID, LLO1, MPRS	
s 87(1)	Function of receiving complaints		DID, LLO1, MOS, MAD, MPRS	
s 87(2)	Duty to investigate complaint and provide report		DID, LLO1, MOS, MAD, MPRS	
s 112(2)	Power to recover damages in court		DID	
s 116	Power to cause or carry out inspection		DID	
s 119(2)	Function of consulting with the Head, Transport for Victoria		DID	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)		DID, MOS, MAD	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)		DID, MOS, MAD	
s 121(1)	Power to enter into an agreement in respect of works		DID, MOS	

Road Management Act 2004				
s 122(1)	Power to charge and recover fees		DCS, DID	
s 123(1)	Power to charge for any service		DCS, DID	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads		Provision Not Delegated	
sch 2 cl 3(1)	Duty to make policy about controlled access roads		DID, MAD	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads		Provision Not Delegated	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria		DID	
sch 2 cl 5	Duty to publish notice of declaration		DID, MOS, MAD	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Where Council is the infrastructure manager or works manager	DID, MOS, MAD	
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Where Council is the infrastructure manager or works manager	DID, MOS, MAD	
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure	DID, MOS, MAD	
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Where Council is the infrastructure manager or works manager	DID, MOS, MAD	
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Where Council is the infrastructure manager or works manager	DID, MOS, MAD	

Road Management Act 2004				
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 12(5)	Power to recover costs	Where Council is the coordinating road authority	DCS, DID	
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	Where Council is the works manager	DID, MOS, MAD	
sch 7 cl 13(2)	Power to vary notice period	Where Council is the coordinating road authority	DID	
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Where Council is the infrastructure manager	DID	
sch 7 cl 16(1)	Power to consent to proposed works	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 16(4)	Duty to consult	Where Council is the coordinating road authority, responsible authority or infrastructure manager	DID, MOS, MAD	
sch 7 cl 16(5)	Power to consent to proposed works	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Where Council is the coordinating road authority	DID, MOS, MAD	

Road Management Act 2004				
sch 7 cl 16(8)	Power to include consents and conditions	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	Where Council is the coordinating road authority	DID, MAD	
sch 7 cl 18(1)	Power to enter into an agreement	Where Council is the coordinating road authority	DID	
sch 7 cl 19(1)	Power to give notice requiring rectification of works	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Where Council is the coordinating road authority	DID, MOS, MAD	
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Where Council is the coordinating road authority	DID, LLO1, MOS, MAD, MPRS	
sch 7A cl 2	Power to cause street lights to be installed on roads	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road	DID, MAD	
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	Where Council is the responsible road authority	DID	
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	Where Council is the responsible road authority	DID	
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	Duty of Council as responsible road authority that installed the light (re: installation	DID	

Road Management Act 2004				
		costs) and where Council is relevant municipal council (re: operating costs)		
Cemeteries and Crematoria Regulations 2015 [##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
r 24	Duty to ensure that cemetery complies with depth of burial requirements		DID, MOS	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves		DID, MOS	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)		DCS, DID	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator		Provision Not Delegated	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner		Provision Not Delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator		Provision Not Delegated	
r 30(2)	Power to release cremated human remains to certain persons	Subject to any order of a court	Provision Not Delegated	
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation		Provision Not Delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation		Provision Not Delegated	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation		Provision Not Delegated	

Cemeteries and Crematoria Regulations 2015 [##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period		Provision Not Delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)		DID, MBS	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)		EHO, MCH	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)		DID, MG	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)		DID, MOS	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist		Provision Not Delegated	
r 40	Power to approve a person to play sport within a public cemetery		DCS, MG	
r 41(1)	Power to approve fishing and bathing within a public cemetery		DCS, MG	
r 42(1)	Power to approve hunting within a public cemetery		DCS, MG	
r 43	Power to approve camping within a public cemetery		DCS, MG	
r 45(1)	Power to approve the removal of plants within a public cemetery		DID, MG	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)		DCS, MG	
r 47(3)	Power to approve the use of fire in a public cemetery		DID, MG	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area		DID, MG	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules		Provision Not Delegated	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	See note above regarding model rules	DID, MG	
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	See note above regarding model rules	GCC, MG	
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	See note above regarding model rules	GCC, MG	

Cemeteries and Crematoria Regulations 2015				
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]				
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	See note above regarding model rules	DCS, MG	
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	See note above regarding model rules	GCC, MG	
sch 2 cl 8	Power to approve certain mementos on a memorial	See note above regarding model rules	DCS, MG	
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	See note above regarding model rules	MG, MOS	
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	See note above regarding model rules	MG, MOS	
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	See note above regarding model rules	DCS, DID, GCC, MG	
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	See note above regarding model rules	DID, MG	
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	See note above regarding model rules	DID, MG	
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	See note above regarding model rules	DID, MG	
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	See note above regarding model rules	DID, MG	
Planning and Environment Regulations 2015				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date

Planning and Environment Regulations 2015				
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.	DID, MPRS	
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act		DID, MPRS, PO	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	where Council is the responsible authority	DID, MPRS, PO	
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	where Council is not the responsible authority but the relevant land is within Council's municipal district	DID, MPRS, PO	
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will	DID, MPRS	

Planning and Environment Regulations 2015				
		amend the planning scheme to designate Council as an acquiring authority.		
Planning and Environment (Fees) Regulations 2016				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme		DID	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme		DID	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20		DID, MPRS	
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
r 7	Function of entering into a written agreement with a caravan park owner		DID	
r 11	Function of receiving application for registration		EHO, MBS	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations		EHO, MBS	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations		EHO, MBS	
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations		EHO, MBS	
r 13(4) & (5)	Duty to issue certificate of registration		EHO	
r 15(1)	Function of receiving notice of transfer of ownership		EHO	
r 15(3)	Power to determine where notice of transfer is displayed		EHO	
r 16(1)	Duty to transfer registration to new caravan park owner		EHO, MBS	
r 16(2)	Duty to issue a certificate of transfer of registration		EHO	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration		Provision Not Delegated	
r 18	Duty to keep register of caravan parks		EHO	
r 19(4)	Power to determine where the emergency contact person's details are displayed		EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010				
r 19(6)	Power to determine where certain information is displayed		EHO	
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner		EHO	
r 22A(2)	Duty to consult with relevant emergency services agencies		EHO, MBS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures		EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings		EHO	
r 25(3)	Duty to consult with relevant floodplain management authority		EHO, MBS	
r 26	Duty to have regard to any report of the relevant fire authority		EHO, MBS	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling		EHO, MBS	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe		MBS	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe		MBS	
r 40(4)	Function of receiving installation certificate		MBS	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling		MBS	
sch 3 cl4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling		MBS	
Road Management (General) Regulations 2016				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
r 8(1)	Duty to conduct reviews of road management plan		DID	
r 9(2)	Duty to produce written report of review of road management plan and make report available		DID, MAD	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	Where Council is the coordinating road authority	DID	
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act		DID, MAD	
r 13(1)	Duty to publish notice of amendments to road management plan	where Council is the coordinating road authority	DID	
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment		DID, MOS, MAD	

Road Management (General) Regulations 2016				
r 16(3)	Power to issue permit	Where Council is the coordinating road authority	DID, MAD	
r 18(1)	Power to give written consent re damage to road	Where Council is the coordinating road authority	DID, MAD	
r 23(2)	Power to make submission to Tribunal	Where Council is the coordinating road authority	DID, MPRS	
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	Where Council is the coordinating road authority	DID	
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	Where Council is the responsible road authority	DID, LLO1, LLO2, MOS, MAD	
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	Where Council is the responsible road authority	DID, LLO1, LLO2, MOS, MAD	
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible		DID	
Road Management (Works and Infrastructure) Regulations 2015				
Note: these regulations commenced on 20 June 2015, replacing the Roads Management (works & infrastructure) Regulations 2005, which expired on 21 June 2015.				
Provision	Item Delegated	Conditions and Limitations	Delegate	Date
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act	DID	
r 22(2)	Power to waive whole or part of fee in certain circumstances	Where Council is the coordinating road authority	DCS, DID	

Page |

66

7.9 PROPOSED SCHEDULED FEES AND CHARGES 2020/2021

Author: Sid Hutchinson, Manager Finance

Authoriser: Phil Higgins, Acting Chief Executive Officer

Attachments: 1 Proposed 2020/21 Fees and Charges [↓](#)

RECOMMENDATION

That Council:

- 1. Adopt the scheduled Fees and Charges 2020/2021 effective from 1 July 2019.**
- 2. Publish the Fees and Charges on Council's website.**
- 3. Attach the Schedule of Fees and Charges 2020/2021 as Appendix A in the Council's 2020/2021 Budget.**

EXECUTIVE SUMMARY

Each year Council reviews the level of fees and charges that are applied across Gannawarra Shire Council for the provision of services, with a view to achieving a balance between affordability, encouraging greater usage, cost recovery and raising sufficient revenue to support the delivery of services.

The Fees and Charges schedule is included in Council's Annual Budget document.

In accordance with best practice financial management, Council Officers have conducted a comprehensive review of the Schedule of User Fees and Charges to ensure the achievement of the above criteria.

BACKGROUND

The fees and charges applied by Council fall into two categories:

- Discretionary – where Council has control over the type and amount of the fee or charge.
- Statutory – where the fee or charge is set by legislation or another authority outside of Council's control.

There is no standard increase applied across Council's discretionary fees and charges. Rather, increases or decreases are driven to achieving a balance between affordability, encouraging greater usage, cost recovery and raising sufficient revenue to support the delivery of services. Discretionary fees and charges may be adjusted by Council anytime during the year and the schedule is noted with the date the change is operable from.

Statutory fees and charges are adjusted when the relevant legislation or authority notifies Council of the change; whereas discretionary fees are reviewed by Council each year and are applicable from 1 July.

POLICY CONTEXT

Context	Section	Comment
Council Plan	Pursue initiatives to achieve long term financial sustainability	The Fees and Charges are an income stream that represents 7.6% of the Council's Operating Income.
Local Government Act	S 136 – Principles of sound financial management	Council has an obligation to manage financial risks prudently.
	S 3C –Objectives of a Council	To ensure resources are used effectively and efficiently.

DISCUSSION

The category of fee or charge are identified in the attached Proposed Fees and Charges 2020/2021 document.

CONSULTATION

Internal: The Council's Executive Leadership Team (ELT) and relevant Council officers have been consulted in the development of the proposed fees and charges for 2020/2021. Councillors, during budget deliberations have reviewed the proposed Schedule of Fees and Charges for 2020/2021.

The Fees and Charges will be discussed at the Audit Committee meeting in March.

External: The new Fees and Charges will be communicated to service recipients upon adoption.

Website: Upon adoption by Council the Schedule of Fees and Charges 2020/2021 will be available on the Council website at www.gannawarra.vic.gov.au

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The attached draft Fees and Charges 2020/2021 will be attached to the 2020/2021 Budget on completion.



Fees & Charges
2020/2021

GANNAWARRA SHIRE COUNCIL				
SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
ENVIRONMENTAL HEALTH SERVICES				
FOOD ACT REGISTRATION FEES				
Class 1 Food Premises - Requiring External Food Safety Audits		Discretionary	No	\$ 348.00
Class 2 Food Premises - Requiring Council Food Safety Audits including food vans (5 or less employed (including proprietor and his/her family)		Discretionary	No	\$ 324.00
Class 2A Temporary Premises (Markets, Shows, Field Days, Exhibitions and like events)		Discretionary	No	\$ 92.00
Class 3 Food Premises Inc. Food Vehicles - 5 or less employed		Discretionary	No	\$ 194.00
Class 3A Temporary Premises (Markets, Shows, Field Days, Exhibitions and like events)		Discretionary	No	\$ 50.00
More than 5 employed, an additional fee per employee		Discretionary	No	\$ 40.00
Maximum Fee		Discretionary	No	\$ 3,210.00
School Canteens (operated by voluntary organisation)		Discretionary	No	\$ 194.00
Community Groups		Discretionary	No	No Charge
Food Act – Transfer of Registration		Discretionary	No	\$ 228.00
Statutory Food Samples		Discretionary	No	No Charge
Non-compliant food samples	Per Re-Test	Discretionary	No	\$ 220.00
Annual statutory inspection plus statutory on follow-up inspection		Discretionary	No	No Charge
Inspection Fee for non-compliant food premises	Per Inspection	Discretionary	No	\$ 220.00
Requested inspection and Report		Discretionary	No	\$ 220.00
PUBLIC HEALTH AND WELLBEING ACT: REGISTRATION FEES				
Public Health and Wellbeing Act: Premises				
Prescribed Accommodation premises – per year		Discretionary	No	\$ 286.00
Health Act – Transfer of Registration		Discretionary	No	\$ 218.00
Health premises - low risk activities - hair and beauty therapy or beauty therapy only (per operator)		Discretionary	No	\$ 92.00
Health premises - hairdressing only - one off fee (per operator)		Discretionary	No	\$ 92.00
Health premises - low risk activities - maximum fee		Discretionary	No	\$ 286.00
Health premises - high risk activities - skin penetration, tattooing, ear piercing, electrolysis		Discretionary	No	\$ 286.00
Inspection fee - non-compliant health premises		Discretionary	No	\$ 220.00
Requested inspection and report		Discretionary	No	\$ 220.00
Aquatic Facilities - Category 1 Registration	Annual Fee	Discretionary	No	\$ 100.00
Public Health Requests				
Water analysis - portable and non-portable (Including rainwater tanks)		Discretionary	No	\$ 220.00
ENVIRONMENT PROTECTION ACT REGISTRATION FEES				
Septic Tank Fees				
Application to install or alter a septic tank system		Discretionary	No	\$ 325.00
Minor alteration to existing system		Discretionary	No	\$ 220.00
Amend or reissue permit		Discretionary	No	\$ 58.00
Extension of permit (12 Months)		Discretionary	No	\$ 58.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
IMMUNISATIONS				
Influenza Vaccine		Discretionary	No	\$ 25.00
Hepatitis B - Adult		Discretionary	No	\$ 25.00
Hepatitis B - Paediatric		Discretionary	No	\$ 15.00
Hepatitis A - Adult		Discretionary	No	\$ 72.00
Hepatitis A - Paediatric		Discretionary	No	\$ 53.00
Twinrix (Hepatitis A & B) - Adult		Discretionary	No	\$ 87.00
Twinrix (Hepatitis A & B) - Paediatric		Discretionary	No	\$ 59.00
Boostrix		Discretionary	No	\$ 50.00
Chicken Pox		Discretionary	No	\$ 69.00
COMMUNITY SERVICES				
NDIS - National Disability Insurance Scheme				
Fees and charges as per 2018 NDIS Price Guide - Victoria		Discretionary	No	As per guide
Community Care Services (Rates per hour – maximum set by Government)				
Home Care Level 1 - Full Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 10.70
Home Care Level 2 - Part Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 16.00
Home Care Level 3 - Self Funded Retiree	Income Assessed: Refer to CHSP	Discretionary	No	\$ 34.60
Personal Care Level 1 - Full Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 11.70
Personal Care Level 2 - Part Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 17.00
Personal Care Level 3 - Self Funded Retiree	Income Assessed: Refer to CHSP	Discretionary	No	\$ 40.85
Respite Care Level 1 - Full Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 11.70
Respite Care Level 2 - Part Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 17.00
Respite Care Level 3 - Self Funded Retiree	Income Assessed: Refer to CHSP	Discretionary	No	\$ 40.85
Social Support - Group	Fee is activity related	Discretionary	No	\$ 10.00
Social Support - Individual - Full Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 11.70
Social Support - Individual - Part Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 17.00
Social Support - Individual - Self Funded	Income Assessed: Refer to CHSP	Discretionary	No	\$ 40.85
Property Maintenance Level 1 - Full Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 12.75
Property Maintenance Level 2 - Part Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 18.65
Property Maintenance Level 3 - Self Funded Retiree	Income Assessed: Refer to CHSP	Discretionary	No	\$ 52.10
Transport Expenses - Fixed Fee (within townships)	Income Assessed: Refer to CHSP	Discretionary	No	\$ 5.00
Transport Expenses - Intrashire	Income Assessed: Refer to CHSP	Discretionary	No	\$ 0.87
Sleepover - Active (per hour) - Full Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 10.70
Sleepover - Active (per hour) - Part Pensioner	Income Assessed: Refer to CHSP	Discretionary	No	\$ 17.00
Sleepover - Active (per hour) - Self Funded	Income Assessed: Refer to CHSP	Discretionary	No	\$ 40.85
Sleepover - Inactive	Income Assessed: Refer to CHSP	Discretionary	No	\$ 120.75

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Food Services (Per meal)				
Meals on Wheels – 3 Courses	Includes Frozen meals	Discretionary	No	\$ 11.70
Meals on Wheels – 2 Courses	Includes Frozen meals	Discretionary	No	\$ 10.70
Meals on Wheels – 1 Courses	Includes Frozen meals	Discretionary	No	\$ 9.55
Social Meal 3 Courses		Discretionary	No	\$ 11.70
Social Meal 2 Courses		Discretionary	No	\$ 10.15
Sandwiches		Discretionary	No	\$ 4.20
Brokered Services (Rates per hour)				
Assessment / Case Management		Discretionary	Yes	\$ 103.75
Home Care 1	Mon – Fri Hrs: 7.30am – 7.30pm	Discretionary	Yes	\$ 49.85
Home Care 2	Mon – Fri Hrs: 7.30pm – 9.30pm (inc Sat 7.30am to 12pm)	Discretionary	Yes	\$ 73.65
Home Care 3	Mon – Fri Hrs: 9.30pm – 7.30am (Sat 12pm to Mon 7.30am) incl. Public Holiday	Discretionary	Yes	\$ 99.75
Personal Care 1	Mon – Fri Hrs: 7.30am – 7.30pm	Discretionary	Yes	\$ 53.90
Personal Care 2	Mon – Fri Hrs: 7.30pm – 9.30pm (inc Sat 7.30am to 12pm), or 8 - 10 hrs consecutive care	Discretionary	Yes	\$ 80.90
Personal Care 3	Mon – Fri Hrs: 9.30pm – 7.30am (Sat 12pm to Mon 7.30am) and Public Holiday or More than 10 hours consecutive care	Discretionary	Yes	\$ 107.85
Respite Care 1	Mon – Fri Hrs: 7.30am – 7.30pm	Discretionary	Yes	\$ 53.90
Respite Care 2	Mon – Fri Hrs: 7.30pm – 9.30pm (inc Sat 7.30am to 12pm), or 8 - 10 hrs consecutive care	Discretionary	Yes	\$ 80.90
Respite Care 3	Mon – Fri Hrs: 9.30pm – 7.30am (Sat 12pm to Mon 7.30am) and Public Holiday or More than 10 hours consecutive care	Discretionary	Yes	\$ 107.85
Social Support - Individual 1	Mon – Fri Hrs: 7.30am – 7.30pm	Discretionary	Yes	\$ 53.90
Social Support - Individual 2	Mon – Fri Hrs: 7.30pm – 9.30pm (inc Sat 7.30am to 12pm), or 8 - 10 hrs consecutive care	Discretionary	Yes	\$ 80.90
Social Support - Individual 3	Mon – Fri Hrs: 9.30pm – 7.30am (Sat 12pm to Mon 7.30am) and Public Holiday or More than 10 hours consecutive care	Discretionary	Yes	\$ 107.85

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020					
	Note	Statutory/ Discretionary	Incl. GST	2020/2021	
Sleepover - Active (per hour)	10pm - 6.30am	Discretionary	Yes	\$	107.85
Sleepover - Inactive	10pm-6.30am	Discretionary	Yes	\$	120.75
Property Maintenance		Discretionary	Yes	\$	70.20
Meals on Wheels – 3 Courses	Includes Frozen meals	Discretionary	Yes	\$	13.55
Meals on Wheels – 2 Courses	Includes Frozen meals	Discretionary	Yes	\$	11.90
Meals on Wheels - 1 Course		Discretionary	Yes	\$	10.75
Meals on Wheels - Sandwich		Discretionary	Yes	\$	4.85
Community Social Meal	Centre Based Meals	Discretionary	Yes	\$	10.00
Transport Expenses - Fixed Fee (within townships) (one way trip)		Discretionary	Yes	\$	5.00
Travel Expense	per kilometre	Discretionary	Yes	\$	1.50
Gannawarra Non Emergency Transport Service Client Contributions (All one way transport bookings calculated as "return" services)					
Transport Contributions					
Minimum Charge		Discretionary	Yes	\$	45.00
Transport under 100km from place of residence	per kilometre	Discretionary	Yes	\$	0.25
Transport over 100km from place of residence	per kilometre	Discretionary	Yes	\$	0.30
Business Client Charges	per kilometre	Discretionary	Yes	\$	0.85
CHILDREN SERVICES					
Long Day Care (Calendar Year)					
Full Day (per day) - 1 July to 31 December 2020	8.00am to 6.00pm	Discretionary	No	\$	95.00
Full Day (per day) - 1 January to 30 June 2020	8.00am to 6.00pm	Discretionary	No	\$	100.00
Casual (per hour) - 1 July to 31 December 2019	Minimum 2 Hours	Discretionary	No	\$	13.20
Casual (per hour) - 1 January to 30 June 2020	Minimum 2 Hours	Discretionary	No	\$	14.40
Kindergarten Fees - Kerang (Calendar Year)					
4 year old kindergarten - 1 July to 31 December 2019	Per week	Discretionary	No	\$	43.10
4 year old kindergarten - 1 January to 30 June 2020	Per week	Discretionary	No	\$	44.80
Cohuna, Koondrook and Leitchville (Calendar Year)					
4 year old kindergarten - 1 July to 31 December 2019	Per year	Discretionary	No	\$	1,050.00
4 year old kindergarten - 1 January to 30 June 2020	Per year	Discretionary	No	\$	1,111.20
3 year old kindergarten - 3 hours week - 1 July to 31 December 2019	Per year	Discretionary	No	\$	720.00
3 year old kindergarten - 3 hours week - 1 January to 30 June 2020	Per year	Discretionary	No	\$	780.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Family Day Care				
Parent Administration Levy	Per child per hour	Discretionary	No	\$ 1.30
Carer Support Levy	Pro rata per week	Discretionary	No	\$ 7.50
Standard fee	8.00am to 6.00pm (range between)	Discretionary	No	\$5.50 - \$10.00
Standard fee	Non-Core hours (range between)	Discretionary	No	\$6.75 - \$13.25
After School Care	8.00am to 6.00pm (range between)	Discretionary	No	\$5.50 - \$13.25
After School Care	Non-Core hours (range between)	Discretionary	No	\$6.75 - \$13.25
Before School Care	8.00am to 6.00pm (range between)	Discretionary	No	\$6.50 - \$9.50
Before School Care	Non-Core hours (range between)	Discretionary	No	\$6.75 - \$13.25
Public Holiday	8.00am to 6.00pm (range between)	Discretionary	No	\$8.00 - \$19.00
Public Holiday	Non-Core hours (range between)	Discretionary	No	\$8.00 - \$19.00
Toy Library Fees				
Annual Standard Membership		Discretionary	Yes	\$ 15.00
Annual Group Membership		Discretionary	Yes	\$ 35.00
LIBRARY				
Replacement Books		Discretionary	Yes	Cost
Replace Cards		Discretionary	Yes	\$ 2.00
Library Bags		Discretionary	Yes	\$ 3.50
Photocopies/Print outs	A4/A3 One Side	Discretionary	Yes	\$ 0.50
	A4/A3 Double Side	Discretionary	Yes	\$ 0.80
Photocopies – own paper	Per Side	Discretionary	Yes	\$ 0.30
Photocopies/Printouts Colour	Per Side	Discretionary	Yes	\$ 1.00
Laminating		Discretionary	Yes	\$ 1.00
Old Books (depending on condition)		Discretionary	Yes	\$0.20-\$2.00
Sir John Gorton Library Meeting Room				
Commercial/Casual Hirers (Charges capped at 5 Hours)	Per hour	Discretionary	Yes	\$ 20.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
PLANNING FEES AND CHARGES				
Statutory Planning Fees				
Use of Land Planning Permit		Statutory	No	\$ 1,318.10
Dwelling Planning Permit < \$10,000		Statutory	No	\$ 199.90
Dwelling Planning Permit > \$10,001 - \$100,000		Statutory	No	\$ 629.40
Dwelling Planning Permit > \$100,001 - \$500,000		Statutory	No	\$ 1,288.50
Dwelling Planning Permit > \$500,001 - \$1,000,000		Statutory	No	\$ 1,392.10
Dwelling Planning Permit > \$1,000,001 - \$2,000,000		Statutory	No	\$ 1,495.80
VicSmart Application < \$10,000		Statutory	No	\$ 199.90
VicSmart Application > \$10,001		Statutory	No	\$ 429.50
VicSmart Application to subdivide land		Statutory	No	\$ 199.90
Development of Land < \$100,000		Statutory	No	\$ 1,147.80
Development of Land > \$100,001 - \$1,000,000		Statutory	No	\$ 1,547.60
Development of Land > \$1,000,001 - \$5,000,000		Statutory	No	\$ 3,413.70
Development of Land > \$5,000,001 - \$15,000,000		Statutory	No	\$ 8,700.90
Development of Land > \$15,000,001 - \$50,000,000		Statutory	No	\$ 25,658.30
Development of Land > \$50,000,001		Statutory	No	\$ 57,670.10
To Subdivide existing Building		Statutory	No	\$ 1,318.10
To Subdivide Land into 2 lots		Statutory	No	\$ 1,318.10
Boundary Realignment		Statutory	No	\$ 1,318.10
To Subdivide Land		Statutory	No	\$ 1,318.10
Create, vary or remove restriction or create, vary or remove an easement		Statutory	No	\$ 1,318.10
Strategic Planning Fees				
Amendment to a planning Scheme		Statutory	No	\$ 3,050.90
Considering Submissions and referral to Planning Panel (up to 10 submissions)		Statutory	No	\$ 15,121.00
Considering Submissions and referral to Planning Panel (11 to 20 submissions)		Statutory	No	\$ 30,212.40
Considering Submissions and referral to Planning Panel (> 20 submissions)		Statutory	No	\$ 40,386.90
Adopting an Amendment		Statutory	No	\$ 481.30
Approval of an Amendment		Statutory	No	\$ 481.30
Certificate of Compliance		Statutory	No	\$ 325.80
Satisfaction Certificate		Statutory	No	\$ 325.80
Subdivision Fees				
Certification of a plan of subdivision		Statutory	No	\$ 174.80
Plan Examination Fee		Discretionary	No	0.75% value of works
Supervision Fee		Discretionary	No	2.5% value of works

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
BUILDING FEES AND CHARGES				
Domestic				
New Dwellings or works	Up to \$19,999	Discretionary	Yes	\$ 660.00
New Dwellings or works	\$20,000 to \$49,999	Discretionary	Yes	\$ 750.00
New Dwellings or works	\$50,000 to \$99,999	Discretionary	Yes	\$ 900.00
New Dwellings or works	\$100,000 to \$199,999	Discretionary	Yes	\$ 1,430.00
New Dwellings or works	\$200,000 to \$399,999	Discretionary	Yes	\$ 1,800.00
New Dwellings or works	\$400,000 to \$499,999	Discretionary	Yes	\$ 2,000.00
New Dwellings or works	Above \$500,000	Discretionary	Yes	Cost / 250
Multi unit developments	Up to 4 units	Discretionary	Yes	1800 per unit
Lodgement Fee	Applies for works over a value of \$5,000	Statutory	Yes	\$ 121.88
Commercial Building Works				
Contract amount	Up to \$30,000	Discretionary	Yes	\$ 600.00
Contract amount	\$30,000 - \$100,000	Discretionary	Yes	\$ 1,600.00
Contract amount	\$100,000 - \$500,000	Discretionary	Yes	\$ 2,750.00
Contract amount	\$500,000 - \$999,999	Discretionary	Yes	cost / 200 + \$250
Contract amount	Over \$1,000,000	Discretionary	Yes	cost / 200 + \$250
Submissions for modifications to building regulations	Per hour	Discretionary	Yes	\$ 160.00
Special performance based assessments	per hour	Discretionary	Yes	\$ 160.00
Minor Building Works				
Garages, Carports/Sheds, Verandahs	Up to \$19,999	Discretionary	Yes	\$500.00
Garages, Carports/Sheds, Verandahs	\$20,000 to \$49,999	Discretionary	Yes	\$600.00
Garages, Carports/Sheds, Verandahs	Above \$50,000	Discretionary	Yes	\$800.00
Swimming Pools		Discretionary	Yes	\$ 800.00
Dwelling Reblock / restumping		Discretionary	Yes	\$ 600.00
Miscellaneous Building permit fee		Discretionary	Yes	\$ 500.00
Sitting of places of public entertainment		Discretionary	Yes	\$ 500.00
Variation to approved plans		Discretionary	Yes	\$ 137.00
Extensions		Discretionary	Yes	\$ 250.00
Bond can be in form of Bank Guarantee (Bond can be refunded up to 40% or \$2,000 on satisfactory completion of exterior).		Statutory	No	\$ 10,000.00
Miscellaneous inspections		Discretionary	Yes	\$ 160.00
Temporary occupation of a building	every 6 months	Discretionary	Yes	\$ 500.00
House Relocation				
Inspection and report fee prior to relocation		Discretionary	Yes	\$ 320.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Demolition Permit				
Single story Class 1 Building more than 6.0m from the street alignment		Discretionary	Yes	\$ 400.00
Single storey Class 1 Building more than 6.0m from street alignment, and is more than 6.0m high		Discretionary	Yes	\$ 450.00
Any Class 1 or 10 building containing more than 1 storey	Per Storey	Discretionary	Yes	\$ 400.00
Any other building (commercial or industrial)	Per Storey	Discretionary	Yes	\$ 550.00
Building Certificates				
Property Information (Building Certificates)		Statutory	No	\$ 47.24
Information on stormwater (Legal Point of Discharge)		Statutory	No	\$ 141.20
Consent and Report				
Council		Statutory	No	\$ 290.42
Protection for works		Statutory	No	\$ 294.72
Council - Demolition		Statutory	No	\$ 85.16
Land Information Certificate		Statutory	No	\$ 27.00
Swimming Pools and Spa fees				
Swimming Pool and Spa fees - Application for Registration	2.15 Fee units	Discretionary	Yes	\$ 31.80
Swimming Pool and Spa fees - Information search fee	3.19 Fee units	Discretionary	Yes	\$ 47.20
Swimming Pool and Spa fees - Lodgement of Certificate of pool barrier compliance	1.38 fee units	Discretionary	Yes	\$ 20.40
Swimming Pool and Spa fees - Lodgement of Certificate of pool barrier non-compliance	26 fee units	Discretionary	Yes	\$ 385.10
RECREATION				
RECREATION RESERVES - COHUNA & LEITCHVILLE				
Football Clubs				
Cohuna Kangas		Discretionary	Yes	\$ 5,200.00
Leitchville		Discretionary	Yes	\$ 3,450.00
Cricket Clubs				
Cohuna - per year		Discretionary	Yes	\$ 640.00
Leitchville - per year		Discretionary	Yes	\$ 640.00
Miscellaneous				
Cohuna A. P. & H. Society - per year		Discretionary	Yes	\$ 1,750.00
Cohuna Little Athletics Club - per year		Discretionary	Yes	\$ 640.00
School Groups, Community Groups and Not-for-profit		Discretionary	Yes	No Charge
Casual - per day (Commercial/Major events)		Discretionary	Yes	\$ 320.00
Casual - per hour (min 3 hours hire)		Discretionary	Yes	\$ 65.00
Casual - more than one consecutive day	Price on application	Discretionary	Yes	POA
Oval Hire - refundable deposit	No alcohol	Discretionary	No	\$ 260.00
	Alcohol	Discretionary	No	\$ 570.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
MUNICIPAL RESERVES				
Municipal Reserve				
Use of Municipal Reserve (Inc Parks & Gardens)		Discretionary	Yes	\$ -
Use of Municipal Reserve (Inc Parks, Gardens & Wharf) - Commercial use/Major events/Weddings	Permit Fee	Discretionary	Yes	\$ 85.00
Permit Deposit (Refundable)	No alcohol	Discretionary	No	\$ 260.00
	Alcohol	Discretionary	No	\$ 570.00
SWIMMING POOLS				
Kerang/Cohuna Swimming Pool				
Seasons Tickets: Family Season Pass (L'ville, Cohuna and Kerang)	Family	Discretionary	Yes	\$ 180.00
Seasons Tickets:	Adults	Discretionary	Yes	\$ 95.00
	Concession/Student	Discretionary	Yes	\$ 65.00
	Pensioners - Family	Discretionary	Yes	\$ 80.00
	Pensioners - Adult	Discretionary	Yes	\$ 45.00
Admission:	Adults	Discretionary	Yes	\$ 4.50
	Concession/Student	Discretionary	Yes	\$ 3.50
	Children with School	Discretionary	Yes	\$ 2.50
	Children under 5 years	Discretionary	Yes	\$ -
	Non-Swimming Patrons	Discretionary	Yes	\$ 1.50
	Family Day Pass	Discretionary	Yes	\$ 15.00
	Community Groups/Schools/Event hire	Discretionary	Yes	As per GSC Booking Procedure
Ten Visit Pass Entry:	Family	Discretionary	Yes	\$ 100.00
	Adult	Discretionary	Yes	\$ 35.00
	Concession/Student	Discretionary	Yes	\$ 26.00
	Pensioners - Adult	Discretionary	Yes	\$ 22.00
Hire of Inflatable Pool Equipment:	2 day hire charge	Discretionary	Yes	\$ 1,000.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020

	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Kerang Exercise Pool				
Pensioners	Per Hour	Discretionary	Yes	\$ 5.00
	1/2 Hour	Discretionary	Yes	\$ 3.50
Adult (Non Pensioners)	Per Hour	Discretionary	Yes	\$ 7.50
	1/2 Hour	Discretionary	Yes	\$ 5.50
Claims Attendance	Per Hour	Discretionary	Yes	\$ 10.00
	1/2 Hour	Discretionary	Yes	\$ 7.50
Children (5-15)	Per Hour	Discretionary	Yes	\$ 2.50
	1/2 Hour	Discretionary	Yes	\$ 1.50
Children under 5		Discretionary	Yes	No Charge
Groups of max. 10 people	Per hour	Discretionary	Yes	\$ 40.00
Multiple group bookings	5 one hour sessions	Discretionary	Yes	\$ 180.00
An additional \$40 lifeguard fee per hour applies for group bookings that cannot supply their own qualified lifeguard.	per hour	Discretionary	Yes	\$ 40.00
Warra Waders Swim School	1/2 hour	Discretionary	Yes	\$ 10.00
12 Visit Pass			Yes	
Adult (Non Pensioners)	1/2 hour	Discretionary	Yes	\$ 55.00
	1 hour	Discretionary	Yes	\$ 75.00
Pensioner	1/2 hour	Discretionary	Yes	\$ 35.00
	1 hour	Discretionary	Yes	\$ 50.00
Leitchville Swimming Pool (Administered by Section 86 Committee of Council)				
Family Season Pass (L'ville only)	Family	Discretionary		\$ 120.00
Family Season Pass (L'ville, Cohuna and Kerang)	Family	Discretionary		\$ 180.00
Single Season Pass	Adult	Discretionary		\$ 45.00
Student Season Pass	Under 18/student	Discretionary		\$ 40.00
Holiday Makers	Family	Discretionary		\$ 50.00
Adult Admission	Adult	Discretionary		\$ 4.00
Child Admission	Persons under 18 years	Discretionary		\$ 3.00
RESIDENTIAL TENANCIES ACT REGISTRATION FEES				
Site not exceeding 25 (17 fee units)		Statutory	No	\$ 245.65
Site exceeding 25 but not exceeding 50 (34 fee units)		Statutory	No	\$ 491.30
Site exceeding 50 but not exceeding 100 (68 fee units)		Statutory	No	\$ 982.60
Site exceeding 100 but not exceeding 150 (103 fee units)		Statutory	No	\$ 1,488.35
Site exceeding 150 but not exceeding 200 (137 fee units)		Statutory	No	\$ 1,979.65
Site exceeding 200 but not exceeding 250 (171 fee units)		Statutory	No	\$ 2,470.95
Site exceeding 250 but not exceeding 300 (205 fee units)		Statutory	No	\$ 2,962.25
Transfer of Caravan Park (5 fee units)		Statutory	No	\$ 72.25

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
LOCAL LAWS				
DOMESTIC ANIMAL ACT				
Dog Registration				
Maximum fee as per Domestic Animals Act 1994 Schedule 1 – Registration fees Part 1—Dogs	Unsterilised dog Declared dangerous dog Declared menacing dog Declared restricted breed dog	Discretionary/ Statutory	No	117.00 + State Gov't Levy (SGL) 11/4/2020 - 10/4/2021 117.00 + State Gov't Levy 11/4/2021 - 10/4/2022
Reduced fee as per Domestic Animals Act 1994 Schedule 1 – Registration fees Part 1—Dogs	Desexed dog Dog over 10 years old Dogs kept for working stock Registered domestic animal business Obedience trained dog with approved organisation Dogs registered with applicable organisation / owner is current member	Discretionary/ Statutory	No	39.00 + State Gov't Levy 11/4/2020 - 10/4/2021 39.00 + State Gov't Levy 11/4/2021 - 10/4/2022
Eligible concession card holder	Discount does not include SGL	Statutory	No	50% discount
New registration paid after 10 October each year	Discount does not include SGL	Discretionary	No	50% discount
Replacement Tag		Discretionary	Yes	\$ 4.50
Late Payment Fee		Discretionary	No	\$ 39.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Cat Registration				
Maximum fee as per Domestic Animals Act 1994 Schedule 1 – Registration fees Part 2 - Cats	Unsterilised cat	Discretionary/ Statutory	No	117.00 + State Gov't Levy (SGL) 11/4/2020 - 10/4/2021 117.00 + State Gov't Levy 11/4/2021 - 10/4/2022
Reduced fee as per Domestic Animals Act 1994 Schedule 1 – Registration fees Part 2 - Cats	Desexed cat Cat over 10 years old Registered domestic animal business	Discretionary/ Statutory	No	39.00 + State Gov't Levy 11/4/2020 - 10/4/2021 39.00 + State Gov't Levy 11/4/2021 - 10/4/2022
Eligible concession card holder	Discount does not include SGL	Statutory	No	50% discount
New registration paid after 10 October each year	Discount does not include SGL	Discretionary	No	50% discount
Replacement Tag		Discretionary	Yes	\$ 4.50
Late Payment Fee		Discretionary	No	\$ 39.00
Administration - Domestic Animals Registration				
Pro-rata reduction (quarterly) for refund of animal registration - state Gov't Levy non refundable	Pro-rata quarterly	Discretionary	Yes	As Calculated
Pound Fees - Domestic Animal Act				
Release Fee	Dogs and Cats 1st Offence	Discretionary	Yes	\$ 50.00
	Dogs and Cats 2nd offence	Discretionary	Yes	\$ 100.00
	Dogs and Cats 3rd offence	Discretionary	Yes	\$ 200.00
Sustenance Fee (per day)		Discretionary	Yes	\$ 24.00
Domestic Animal Business				
Domestic Animal Business	Permit Fee plus SGL (SGL increases with CPI each year)	Discretionary	Yes	600.00 + State Gov't Levy

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Administration - Local Law Permits				
Release fee for animal impounded under Local Laws	Per animal	Discretionary	Yes	\$ 60.00
Release fee for item impounded under Local Laws	Per item	Discretionary	Yes	\$ 60.00
Release fee for impounded vehicle		Discretionary	No	\$200.00 + towing costs
Amendments to permits	All permits	Discretionary	Yes	\$ 35.00
Late Payment Fee	Additional fee payable on late renewal of permit	Discretionary	No	50% of permit
Local Law - Application and Permit Fees				
Bulk rubbish containers	Permit Fee (per container)	Discretionary	Yes	\$ 55.00
Fodder on road	Refer to local law guidelines	Discretionary	Yes	\$ 220.00
Footpath Trading - Consumption of Alcohol	Permit Fee (in conjunction with Footpath Trading permit)	Discretionary	No	\$ 55.00
Footpath Trading / Permit fee - advertising sign, display of goods, table and chairs	Permit Fee (in conjunction with Footpath Trading permit)	Discretionary	No	\$ 55.00
Consumption of Alcohol	Permit Fee (commercial business only)	Discretionary	No	\$ 55.00
House to House trading	Permit Fee	Discretionary	No	\$ 220.00
Keeping of Animals	Permit Fee	Discretionary	Yes	\$ 110.00
Livestock on Roads - Droving	Permit Fee	Discretionary	No	\$215.00 + \$1000.00 Bond
Livestock on Roads - Grazing	Permit fee	Discretionary	Yes	\$ 220.00
Municipal reserve - waterways	Application & permit fee - events held on Council controlled waterways	Discretionary	Yes	\$ 250.00
Roadside trading	Permit fee	Discretionary	Yes	\$ 220.00
	Site fee	Discretionary	Yes	\$120.00 per month
Shipping containers	Permit Fee (per container)	Discretionary	Yes	\$ 110.00
Temporary Road Closure - Community Group	Advertising	Discretionary	Yes	Advertising cost
Temporary Road Closure - Commercial event	All cost associated with the event. Charged through private works, sundry debtor process.	Discretionary	Yes	Advertising cost
All other Local Law permits not listed above	Permit Fee	Discretionary	Yes	\$ 110.00
Council Controlled Parking				
* For Offence Codes 701 To 714, A Municipal Council May By Council Resolution Fix a Penalty Of Up To 0.5 Penalty Unit For That Offence.		Discretionary	No	0.5 of a Penalty Unit
Parking offences under Road Safety Road Rules 2009 (Offence codes 701-714) (0.5 of a Penalty Unit)		Discretionary	No	0.5 of a Penalty Unit

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
LIVESTOCK				
Pound Fees - Stock				
Impounded sheep - per head		Discretionary	Yes	\$ 20.00
Impounded cattle - per head		Discretionary	Yes	\$ 100.00
Impounded horses - per head		Discretionary	Yes	\$ 100.00
Impounded stock - all other stock including goats, pigs, etc - per animal		Discretionary	Yes	\$ 100.00
Transport		Discretionary	Yes	Cost of Transport
After hours call out fee for livestock on roads		Discretionary	Yes	\$ 300.00
NLIS tags	if required	Discretionary	Yes	\$ 40.00
Advertisement in Newspaper	as required under Impounding of Livestock Act 1994	Discretionary	Yes	Cost of advertising
Sustenance Fee		Discretionary	Yes	Cost of hay per day
Release fee - per animal		Discretionary	Yes	\$100.00 1st animal & \$15.00 each other animal
Accommodation Paddock (per day)		Discretionary	Yes	\$ 5.00
Road Opening Permits				
Security Deposit - works not within the carriageway	\$210.00 per sq/m	Discretionary	No	210.00 per sq/m
Security Deposit - works in the carriageway (Under 4m2)		Discretionary	No	No Charge
Security Deposit - works in the carriageway (Over 4m2)	\$840 Min + \$210 per m2 over 4m2	Discretionary	No	\$840 Min + \$210 per m2 over 4m2
Asset Protection Permit	Application fee per site	Discretionary	Yes	\$ 90.00
Security deposit	minimum security deposit	Discretionary	No	\$ 200.00
Consent for works within the Road Reserve				
Municipal Road with speed limit <50km/h				
<i>Minor works conducted by a person referred to in regulation 10(2) that are traffic impact works</i>				
Minor works not on the roadway, shoulder or pathway (6 units)		Statutory	No	\$ 88.00
Minor works on the roadway, shoulder or pathway (9.3 units)		Statutory	No	\$ 137.00
<i>Works (other than minor works conducted by a person referred to in regulation 10(2) that are traffic impact works)</i>				
Works not on the roadway, shoulder or pathway (6 units)		Statutory	No	\$ 88.00
Works on the roadway, shoulder or pathway (23.5 units)		Statutory	No	\$ 348.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Municipal road with speed limit >50km/h				
<i>Minor works conducted by a person referred to in regulation 10(2) that are traffic impact works</i>				
Minor works not on the roadway, shoulder or pathway (6 units)		Statutory	No	\$ 88.00
Minor works on the roadway, shoulder or pathway (9.3 units)		Statutory	No	\$ 137.00
<i>Works (other than minor works conducted by a person referred to in regulation 10(2) that are traffic impact works)</i>				
Works not on the roadway, shoulder or pathway (23.5 units)		Statutory	No	\$ 348.00
Works on the roadway, shoulder or pathway (43.1 units)		Statutory	No	\$ 638.00
Kerang Weighbridge				
0 - 10 tonne net weight		Discretionary	Yes	\$ 19.00
10 - 20 tonne net weight		Discretionary	Yes	\$ 23.00
20 - 30 tonne net weight		Discretionary	Yes	\$ 29.00
30 + tonne net weight		Discretionary	Yes	\$ 36.00
FACILITY HIRE				
Public Halls				
Cohuna and Kerang Halls				
Whole Hall	Day (to 5:00pm)	Discretionary	Yes	\$ 175.00
	Night (5:00pm - 2.30am)	Discretionary	Yes	\$ 235.00
	Day & Night	Discretionary	Yes	\$ 310.00
	Day time hourly rate - maximum 3 hours	Discretionary	Yes	\$ 40.00
	Night time hourly rate - maximum 3 hours	Discretionary	Yes	\$ 40.00
Main Hall Only	Day (to 5:00pm)	Discretionary	Yes	\$ 120.00
	Night (5:00pm - 2.30am)	Discretionary	Yes	\$ 145.00
	Day and Night	Discretionary	Yes	\$ 230.00
	Hourly rate maximum 3 hours	Discretionary	Yes	\$ 30.00
Supper Room & Kitchen	Day (to 5:00pm)	Discretionary	Yes	\$ 125.00
	Night (6:30pm - 2.30am)	Discretionary	Yes	\$ 160.00
	Day and Night	Discretionary	Yes	\$ 235.00
	Hourly rate maximum 3 hours	Discretionary	Yes	\$ 32.00
Cohuna Council Chamber/Community Meeting Room				
3 Hours - except for Non Profit Community Groups		Discretionary	Yes	\$ 27.00
More than 3 hours - except for Non Profit Community Groups		Discretionary	Yes	\$ 110.00
Set up cost of Chambers		Discretionary	Yes	\$ 50.00
Kerang Memorial Hall				
Function Room	Hourly rate maximum 3 hours	Discretionary	Yes	\$ 30.00
	Day (to 5:00pm)	Discretionary	Yes	\$ 120.00
	Night (5.00pm-2.30am)	Discretionary	Yes	\$ 145.00
	Day and Night	Discretionary	Yes	\$ 230.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Senior Citizen Rooms				
Kerang, Koondrook and Cohuna Senior Citizens Rooms	Day (to 5:00pm)	Discretionary	Yes	\$ 110.00
	Night (6:30pm - 2.30am)	Discretionary	Yes	\$ 150.00
	Hourly rate maximum 3 hours	Discretionary	Yes	\$ 25.00
	Not-for-profit	Discretionary		No Charge
Special Fees				
	Cohuna RSL ANZAC Service	Discretionary	Yes	No Charge
	Kerang RSL ANZAC Service	Discretionary	Yes	No Charge
	Service Clubs	Discretionary	Yes	No Charge
	Schools (per day to max 5 days \$300)	Discretionary	Yes	\$ 100.00
	Trestle Hire per trestle - Other venues	Discretionary	Yes	\$ 10.00
	Plastic Chair Hire	Discretionary	Yes	\$ 2.00
	Community Groups - block of 5 booking to be used in 12 months of making initial booking	Discretionary	Yes	\$ 330.00
Bonds				
	Refundable Deposit - alcohol to be consumed	Discretionary	No	\$ 550.00
	Setting up chairs (per hour minimum booking)	Discretionary	No	\$ 75.00
Rural Halls (Dingwall, Gannawarra, Koroop, Lake Charm, Murrabit & Myall) (Administered by Section 86 Committee of Council)				
Rural Halls (Dingwall, Gannawarra, Koroop, Lake Charm, Murrabit & Myall)	Hire range	Discretionary		\$15.00 - \$100.00
Gateway to Gannawarra				
Bike Hire	2 hours	Discretionary	Yes	No Charge
	4 hours	Discretionary	Yes	No Charge
	All day (Return by 4.30pm)	Discretionary	Yes	No Charge
	Overnight hire (Return by 9.30am)	Discretionary	Yes	No Charge
	2 day hire (Return by 4.30pm)	Discretionary	Yes	No Charge
	Security Deposit (Refundable)	Discretionary	No	\$ 50.00
Fishing Rod Hire (per rod)	All day (Return by 4.30pm)	Discretionary	Yes	No Charge
	Overnight hire (Return by 9.30am)	Discretionary	Yes	No Charge
	2 day hire (Return by 4.30pm)	Discretionary	Yes	No Charge
	Security Deposit (Refundable)	Discretionary	No	\$ 20.00
Quambatook Housing				
One Bedroom Flat/Week (Determined by Department of Housing Guidelines)		Discretionary	No	\$ 60.00
Two Bedroom Flat/Week (Determined by Department of Housing Guidelines)		Discretionary	No	\$ 80.00

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020					
	Note	Statutory/ Discretionary	Incl. GST	2020/2021	
WASTE MANAGEMENT					
Transfer Stations - Kerang, Cohuna, Quambatook, & Lalbert					
Mulch (for sale)	Per m3	Discretionary	Yes	\$	6.00
Domestic Waste to be Disposed of in Garbage Skip					
120lt Mobile Garbage Bin		Discretionary	Yes	\$	7.11
240lt Mobile Garbage Bin		Discretionary	Yes	\$	11.50
Domestic Waste delivered by any other means	Per m3	Discretionary	Yes	\$	31.50
Commercial Waste to be Disposed of in Garbage Skip	Per m3	Discretionary	Yes	\$	50.00
Commercial Cardboard - Placed in Recycling Skip	Per m3	Discretionary	Yes	\$	10.16
Uncontaminated Recyclable Materials					
Domestic Glass, Cans, Plastic Bottles, Paper & Cardboard		Discretionary	Yes	No Charge	
Green Waste	Per m3	Discretionary	Yes	\$	6.60
Green Waste - non for profit groups	Per m3	Discretionary	Yes	\$	5.08
Contaminated recyclables & garden waste	Per m3	Discretionary	Yes	\$	31.50
Car Bodies	Per Car	Discretionary	Yes	\$	36.58
Timber	Per m3	Discretionary	Yes	\$	9.14
White Goods	Per m3	Discretionary	Yes	\$	15.75
Vehicle Batteries	Per Battery	Discretionary	Yes	\$	8.33
TV, Laptop, Computer Screen	Per Screen	Discretionary	Yes	\$	25.40
E-waste cable or battery operated equipment	Per item	Discretionary	Yes	No Charge	
Mattress	Per Mattress	Discretionary	Yes	\$	26.00
Landfill					
Domestic Waste	per Tonne	Stat/Disc	Yes	\$	120.00
Prescribed Waste (Low Level contaminated soil class C)	per Tonne	Stat/Disc	Yes	\$	180.00
Asbestos Waste	per Tonne	Stat/Disc	Yes	\$	155.00
Industrial Waste/Building Rubble	per Tonne	Stat/Disc	Yes	\$	155.00
Denyer Pit					
Concrete	per Tonne	Discretionary	Yes	\$	80.00
MISCELLANEOUS FEES AND CHARGES					
Mystic Park Cemetery Trust (For full range of fees please refer to Mystic Park Schedule of Fees provided by the Department of Health)					
Administrative Fees Misc.	Interment fee	Statutory	Yes	\$	65.00
Right of interment bodily remains at need	1st	Statutory	Yes	\$	175.00
Right of interment cremated remains at need	25 years	Statutory	Yes	\$	100.00
Search for cemetery records		Statutory	Yes	\$	20.00
Grave digging		Discretionary		\$	550.00
Freedom of Information					
Application Fee		Statutory	No	\$	28.90
Access Costs	Search time per hour or part thereof	Statutory	No	\$	21.70

SCHEDULE OF FEES AND CHARGES 2020/2021 effective 1 July 2020				
	Note	Statutory/ Discretionary	Incl. GST	2020/2021
Property owner on behalf of				
Supervision charges (approx. per 1/4 hour)		Discretionary	No	\$ 5.30
Photocopying Charges - 4A Black & White per page		Discretionary	No	\$ 0.20
Providing access other than photocopying		Discretionary	No	Reasonable Cost
Listening or viewing a tape		Discretionary	No	Supervision
Making a written transcript out of tape		Discretionary	No	Reasonable Cost
Prepare and collate information		Discretionary	Yes	\$20.00 per hour
Print/Copy		Discretionary	Yes	\$ 0.20
Postage		Discretionary	Yes	At cost
Making a written transcript out of tape		Discretionary	Yes	At cost
Quambatook Caravan Park (Administered by Section 86 Committee of Council)				
Powered site per person per night– Easter		Discretionary		\$ 20.00
Unpowered site per person per night– Easter		Discretionary		\$ 15.00
Bunkhouse/Cabin up to six people- Easter		Discretionary		\$ 130.00
Powered site per double per night– off peak		Discretionary		\$ 25.00
Unpowered site per double per night – off peak		Discretionary		\$ 20.00
Cabin and Bunkhouse - off peak		Discretionary		\$ 60.00
Standpipe - Cohuna				
Standpipe water. 1 token = 1000 litres.	per token	Discretionary	No	\$ 2.50

8 INFORMATION REPORTS

Nil

9 URGENT ITEMS**10 NOTICES OF MOTION**

Nil

11 QUESTION TIME

Question Time at Council meetings provides an opportunity for members of the public in the gallery to submit questions to the Council of the Shire of Gannawarra.

QUESTIONS FROM THE GALLERY

- A maximum number of three questions may be submitted.
- The Mayor or CEO will read the questions.
- The Mayor or CEO may indicate that they require further time to research an answer. In this case, the answer will be provided in writing generally within 10 days.
- Questions will be answered at the meeting, or later in writing, unless the Chairperson has determined that the relevant question relates to:
 - Personal matters
 - The personal hardship of any resident or ratepayers
 - Industrial matters
 - Contractual matters
 - Proposed developments
 - Legal advice
 - Matters affecting the security of council property
 - An issue outside the Gannawarra Shire Council core business
 - Or any other matter which the Council considers would prejudice it or any person
 - A matter which may disadvantage the Council or any other person
 - Is defamatory, indecent, abusive or objectionable in language or substance
 - Is repetitive of a question already answered (whether at the same or an earlier meeting)
 - Is asked to embarrass an officer or another Councillor

No debate or discussion of questions or answers shall be permitted and all questions and answers shall be as brief as possible.

12 DELEGATES REPORTS

12.1 DELEGATES REPORTS - 19 FEBRUARY TO 17 MARCH, 2020

Author: Mel Scott, Executive Assistant - Chief Executive Office

Authoriser: Phil Higgins, Acting Chief Executive Officer

Attachments: Nil

EXECUTIVE SUMMARY

Delegates Reports from 19 February to 17 March, 2020.

Cr Lorraine Learmonth

20 February	Loddon Mallee Local Government Waste Forum – Wedderburn
21 February	Postie Bike Reception – Cohuna
24 February	Gannawarra Community Resilience Committee Meeting – Kerang
26 February	Kerang Progress Association Meeting – Kerang
27 February	Community Engagement Strategy - Community Listening Post – Cohuna
	Loddon Mallee Waste and Resource Recovery Group Meeting – Teleconference
28 February	Running With Emus Play – Tree Tops
2 March	Victorian Electoral Commission Yarran Ward Countback – Kerang
	Campaspe Cohuna Local Learning Employment Network – Echuca
3 March	Agrisafe Clinic Program Launch & Radio Interview – Kerang
4 March	Murray River Group of Councils Mayors & CEOs Dinner – Wedderburn
5 March	The Morning Rush Outdoor Broadcast – Kerang
	Murray River Group of Councils Mayors & CEOs Meeting – Wedderburn
	Rural Financial Councillors Service Meeting – Kerang
6 March	International Women’s Day Breakfast – Kerang
10 March	Signing of Oath of Office and Councillor Code of Conduct for Cr Andrew Gibbs – Kerang
12 March	Community Engagement Strategy - Community Listening Post – Koondrook & Kerang
16 March	Community Halls Committee of Council Meeting - Koroop

Cr Charlie Gillingham

28 February	Loddon Campaspe Councils Meeting – Daylesford
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Cr Brian Gibson

20 February	Central Victorian Greenhouse Alliance Meeting – Teleconference
2 March	Victorian Electoral Commission Yarran Ward Countback – Kerang
5 March	Community Engagement Strategy - Community Listening Post – Kerang

Cr Steve Tasker

25 February Tri-annual Koondrook Recreation Reserve Committee Meeting –
Koondrook

12 March Community Engagement Strategy - Community Listening Post –
Koondrook

This table represents attendances at Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Fawcett	Basile	Gillingham	Learmonth	Tasker	Gibbs
Ordinary Council Meeting (19 February)	✓	✓	✓	✓	✓	✓	
Councillor Briefing and Strategic Briefing (10 March)	✓	✓	A	✓	✓	✓	✓

A = Apology

13 CONFIDENTIAL ITEMS

Nil