



GANNAWARRA

Shire Council

Wednesday, 16 November 2022

10:00am

Virtual via Zoom

AGENDA

Council Meeting

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	Nil	

Tom O'Reilly
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

Meeting - 19 October 2022

Meeting - 7 November 2022

5 DECLARATION OF CONFLICT OF INTEREST

General conflict of interest

Unless exempt under section 129 of the *Local Government Act 2020* (the Act) or regulation 7 of the Local Government (Governance and Integrity) Regulations 2020, a Councillor or member of Council staff has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests (as defined in section 127(2) of the Act) could result in that person acting in a manner that is contrary to their public duty.

Material conflict of interest

Unless exempt under section 129 of the *Local Government Act 2020* or regulation 7 of the Local Government (Governance and Integrity) Regulations 2020, a Councillor or member of Council staff has a material conflict of interest in respect of a matter if an affected person (as defined in section 128(3) of the Act) would gain a benefit or suffer a loss depending on the outcome of the matter.

Disclosure of a conflict of interest

A Councillor who has a conflict of interest and is attending a meeting of the Council must make a full disclosure of that interest by either advising:

- a) the Council at the meeting immediately before the matter is considered at the meeting; or
- b) the Chief Executive Officer in writing before the meeting –

whether the interest is a general conflict of interest or a material conflict of interest; and the nature of the interest.

Note: If a Councillor advises the Chief Executive Officer of the details under b) above, the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

In accordance with section 130 of the Act, a councillor who has disclosed a conflict of interest in respect of a matter must exclude themselves from the decision making process in relation to the matter, including any discussion or vote on the matter at any Council meeting, and any action in relation to the matter.

Failure to comply with section 130 of the Act may result in a penalty of 120 penalty units

6 BRIEFING SESSIONS

6.1 RECORDS OF COUNCILLOR BRIEFINGS - 12 OCTOBER TO 8 NOVEMBER 2022

Author: Mel Mathers, Executive Assistant - Chief Executive Office

Authoriser: Tom O'Reilly, CEO

Attachments: 1 Record of Councillor Briefing - 7 November 2022

RECOMMENDATION

That Council note the records of Councillor Briefings from 12 October to 8 November 2022.

EXECUTIVE SUMMARY

This report presents to Council written records of Councillor Briefings in accordance with Clause 31 of the Gannawarra Shire Council Governance Rules.

DECLARATIONS OF CONFLICT OF INTEREST

The Officer preparing this report declares that they have no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2021-2025: Be a creative employer of choice through our adherence to good governance and our inclusive culture.

BACKGROUND INFORMATION

In accordance with Clause 31 of the Gannawarra Shire Council Governance Rules, a written record of a meeting held under the auspices of Council is, as soon as practicable, reported at a meeting of the Council and incorporated in the minutes of that Council meeting.

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 meeting.

CONSULTATION

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

CONCLUSION

To ensure compliance with Clause 31 of the Gannawarra Shire Council Governance Rules, it is recommended that Council note the Councillor Briefing records as attached to this report.

RECORD OF A COUNCILLOR BRIEFING



Type of Meeting	Councillor Briefing	
Date:	Monday, 7 November 2022	
Time:	9:55am – 3:28pm	
Location:	Virtual via ZOOM	
In Attendance: (Councillors)	Cr Charlie Gillingham Cr Jane Ogden Cr Ross Stanton Cr Kelvin Burt Cr Travis Collier Cr Keith Link Cr Garner Smith	
Apologies:	Nil	
In Attendance: (Officers)	Geoff Rollinson, Phil Higgins, Wade Williams, Paul Fernee, Mel Mathers, Roger Griffiths, Kellie Burmeister, Carole Wandin	
In Attendance: (Other)	Aidan Power – Tredwell Management Services Matt Bradley – Tredwell Management Services	
Matters Discussed:	Presentations: Draft Kerang Lakes Eco Trail Feasibility Study	
	<p>Draft Council Agenda – November Meeting of Council Reports:</p> <p>7.1 Proposed 2023 Council Meeting Dates, Times and Locations 7.2 2023 Citizenship Ceremony Dates 7.3 Committee Memberships 2022/2023 7.4 Quarterly Budget Report – Quarter Ending 30 September 2022 7.5 Local Law No. 1 Community Amenity 7.6 Petition – Flying the Rainbow Flag</p> <p>Councillor Briefing Updates:</p> <ul style="list-style-type: none"> • Corporate Performance Reporting Framework Quarterly Report • Electoral Structure review • Outstanding Rate Recovery • Budget 2023/2024 – Rating Options Update • Financial Plan • Future Listing Report • Community Care Strategic Business Plan <p>Councillor Issues Raised</p>	
	Conflict of Interest Disclosures	
Matter No.	Councillor/Officer making disclosure	Councillor/Officer left meeting Yes/No
Nil		
Completed By:	Geoff Rollinson – Acting Chief Executive Officer 	

7 BUSINESS REPORTS FOR DECISION

7.1 PROPOSED 2023 COUNCIL MEETING DATES, TIMES AND LOCATIONS

Author: Mel Mathers, Executive Assistant - Chief Executive Office

Authoriser: Tom O'Reilly, CEO

Attachments: 1 Proposed Council Meeting Dates for 2023

RECOMMENDATION

That Council adopt the list of dates for 2023 scheduled meetings of Council as detailed in, and attached to this report.

EXECUTIVE SUMMARY

In accordance with Council's Governance Rules, at or before the last meeting each calendar year, Council must fix the date, time and place of all scheduled Council meetings for the following calendar year.

This report proposes scheduled Council meetings for 2023 continue to be held on the third Wednesday of each month from February to December inclusive, with the exception of the June meeting which will be held on the fourth Wednesday. All meetings will commence at 10:00am at the Senior Citizens Centre, Kerang.

The date for the Meeting to conduct the Mayoral Election has also been included in the meeting schedule for 2023.

January – No Meeting

February – Wednesday 15 @ 10:00am

March – Wednesday 15 @ 10:00am

April – Wednesday 19 @ 10:00am

May – Wednesday 17 @ 10:00am

June – Wednesday 28 @ 10:00am

Wednesday 19 @ 10:00am

* Mayoral Election

August – Wednesday 16 @ 10:00am

September – Wednesday 20 @ 10:00am

October – Wednesday 18 @ 10:00am

November – Monday, 6 @ 9:00am*

November – Wednesday 15 @ 10:00am July –

December – Wednesday 20 @ 10:00am

PURPOSE

The purpose of this report is to consider and adopt dates for 2023 scheduled meetings of Council.

ATTACHMENTS

Proposed dates, times and locations for 2023 scheduled meetings of Council.

DISCUSSION

Council's Governance Rules require Council to fix the date, time and place of all scheduled Council meetings for the following calendar year, at or before the last meeting each calendar year.

In previous years, Council meetings have been held on the third Wednesday of each month.

Since June 2022 Council meetings have commenced at 10:00am, with meetings prior to this commencing at 6:30pm.

The location of 2022 Council meetings has been a combination of physical meetings at the Kerang Senior Citizens Centre and virtual meetings via Zoom.

It is proposed that 2023 meetings commence at 10:00am on the third Wednesday of each month from February to December inclusive at the Kerang Senior Citizens Centre, with the exception of the June meeting which will be held on the fourth Wednesday due to the clash with the National General Assembly in Canberra.

The date for the Meeting to conduct the Mayoral Election has also been included in the meeting schedule for 2023, Monday, 6 November at 9:00am on the morning of the Monthly Councillor Briefing.

There is provision in the Governance Rules for scheduled meeting dates, times and locations to be amended if required, providing notice of the change is given to the public.

RELEVANT LAW

Local Government Act 2020 – Section 61 – Council meetings

Gannawarra Shire Council Governance Rules – Rule 12 – Date, time and place of Council meetings.

RELATED COUNCIL DECISIONS

Not Applicable

OPTIONS

Council's Governance Rules require Council to fix the date, time and place of all scheduled Council meetings for the following calendar year, at or before the last meeting each calendar year.

SUSTAINABILITY IMPLICATIONS

Not Applicable

COMMUNITY ENGAGEMENT

Members of the public unable to attend or view Council meetings are able to access recordings of meeting recordings and/or meeting minutes from Council's website.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not Applicable

COLLABORATION

Not Applicable

FINANCIAL VIABILITY

The adopted Annual Budget 2022/23 provides for expenses associated with meetings of Council.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not Applicable

COUNCIL PLANS AND POLICIES

Gannawarra Shire Council Plan 2021 – 2025 – Be a creative employer of choice through our adherence to good governance and our inclusive culture.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.

MEETINGS OF COUNCIL

2023



Month	All Meetings to be held at 10:30am Kerang Senior Citizens Centre
January	No Meeting
February	Wednesday 15
March	Wednesday 15
April	Wednesday 20
May	Wednesday 17
June	Wednesday 28
July	Wednesday 19
August	Wednesday 16
September	Wednesday 20
October	Wednesday 18
Mayoral Election	Monday, 6
November	Wednesday 15
December	Wednesday 20

7.2 2023 CITIZENSHIP CEREMONY DATES

Author: Mel Scott, Executive Assistant - Chief Executive Office

Authoriser: Tom O'Reilly, CEO

Attachments: Nil

RECOMMENDATION

That Council adopt the following dates for the 2023 Citizenship Ceremonies; Thursday 26 January, Tuesday 4 April, Tuesday 4 July and Tuesday 3 October.

EXECUTIVE SUMMARY

Each year Council is required to set a schedule of Australian Citizenship Ceremony dates for the Department of Home Affairs, usually three to six months in advance.

This report proposes dates for ceremonies to be held in 2023.

PURPOSE

The purpose of this report is to establish Australian Citizenship Ceremony dates for 2023.

ATTACHMENTS

Nil

DISCUSSION

Citizenship ceremonies fulfil legal requirements prescribed by the *Australian Citizenship Act 2007* and the Australian Citizenship Regulations 2007. They are conducted by a Presiding Officer, usually the Mayor, Deputy Mayor or Chief Executive Officer, under the authority of the Minister for Immigration, Citizenship and Multicultural Affairs.

Each year Council is required to set a schedule of ceremony dates and provide this schedule to the Department of Home Affairs as soon as possible, usually three to six months in advance. Where possible, Parliamentary Sitting dates are avoided to allow for elected representatives from all three tiers of government to attend throughout the year.

RELEVANT LAW

Australian Citizenship Act 2007

Australian Citizenship Regulations 2007.

RELATED COUNCIL DECISIONS

Nearing the conclusion of each calendar year, Council receives a formal request from the Department of Home Affairs to provide confirmation of the proposed dates for Citizenship Ceremonies for the up-coming year.

Historically, this report has been provided to Council for consideration and adoption at the November Meeting of Council.

OPTIONS

Citizenship ceremonies are public ceremonial occasions which provide an important opportunity to formally welcome new citizens as full members of the Australian community and are formal occasions conducted with dignity, respect and due ceremony. Conducting four ceremonies will ensure that Council provides this opportunity for its community throughout the year.

SUSTAINABILITY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No formal consultation is required; however public notice will be given of the schedule.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not Applicable.

COLLABORATION

Not Applicable.

FINANCIAL VIABILITY

Council adopts a budget each financial year providing allowance for Council Ceremonies and Visits by Dignitaries. The expenses associated with Citizenship Ceremonies are included within the adopted budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not Applicable.

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025: Liveability – Enhance the wellbeing and liveability of the Gannawarra through creative infrastructure and services.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.

7.3 COMMITTEE MEMBERSHIPS 2022/2023

Author: Alissa Harrower, Acting Manager Governance

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 Committee Memberships 2022-2023

RECOMMENDATION

That Council adopt the list of Committee memberships, and Councillor delegates or representatives to each, for 2022/2023 as detailed in this report.

EXECUTIVE SUMMARY

Council holds financial memberships for various committees, both locally and regionally, in the interests of advocating for and on behalf of the community. Membership to these and a number of other committees provides for Councillors to act as a Council delegate or representative on behalf of the Gannawarra Shire Council.

The table below lists each committee and the proposed Councillor delegate or representative to each, for 2022/2023.

COUNCILLOR COMMITTEES 2022/2023	
COMMITTEE	COUNCILLOR
Central Victorian Greenhouse Alliance (CVGA)	Cr Stanton
Municipal Fire Management Planning Committee (MFMPC)	Cr Link
Municipal Association of Victoria (MAV)	Cr Collier
Audit and Risk Committee (x 2)	Cr Gillingham and Cr Smith
Murray River Group of Councils (MRGC)	Mayor
Loddon Campaspe Group of Councils	Mayor
Rail Freight Alliance	Cr Stanton
Rural Councils Victoria	Cr Smith
Timber Towns Victoria	Cr Smith
Community Halls Community Asset Committee	Cr Burt

PURPOSE

The purpose of this report is for Council to review and adopt committee memberships and assign Councillor delegates or representatives to each for 2022/2023.

ATTACHMENTS

Committee Memberships 2022/2023

DISCUSSION

Each year Council reviews its membership for various committees within and external to our municipality, and nominates Councillor delegates or representatives to each. This allows Councillors to pursue an area in which they have an interest and/or expertise and to use this knowledge to enhance their contribution to the committees on which they serve.

2022/2023 Committee Memberships detailing the composition and purpose of each committee is attached to this report.

RELEVANT LAW

Not applicable

RELATED COUNCIL DECISIONS

At its meeting on 17 November 2021 Council adopted a list of Committee memberships and Councillor representatives for 2021/2022.

OPTIONS

That Council determine 2022/2023 committee memberships and Councillor representation to each.

SUSTAINABILITY IMPLICATIONS

Not applicable

COMMUNITY ENGAGEMENT

Council is committed to advocating in the best interest of the community and region.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable

COLLABORATION

Not applicable

FINANCIAL VIABILITY

The adopted Annual Budget 2022/23 provides for expenses associated with subscriptions and memberships to, and Councillor representation on the various committees.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Each committee identified is governed by individual strategic plans and policies relevant to their charter and purpose.

COUNCIL PLANS AND POLICIES

Council Plan 2021 - 2025 – Achieve long-term financial and environmental sustainability.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.

COUNCILLOR COMMITTEES 2022/2023

Central Victorian Greenhouse Alliance (CVGA)	
Council Representative:	Cr Stanton
Meeting Frequency:	Four meetings per year
Members:	<ul style="list-style-type: none"> • Ararat • Ballarat • Bendigo • Buloke • Central Goldfields • Gannawarra • Hepburn • Loddon • Macedon Ranges • Mildura • Mount Alexander • Pyrenees • Swan Hill
Purpose:	<p>The CVGA is a network of 13 Local Governments working together across Central and Northern Victoria.</p> <p>The CVGA develops and implements innovative regional projects, undertakes advocacy on climate and energy policy, shares knowledge and promotes best practice.</p>

Municipal Fire Management Planning Committee (MFMPC)	
Council Representative:	Cr Link
Meeting Frequency	Four meetings per year
Members:	<ul style="list-style-type: none"> • Council • Country Fire Authority (CFA) • Victoria Police (VicPol) • Parks Victoria • Forest Fire Management Victoria • VicRoads
Purpose:	<p>The MFMPC's purpose, of which the development of a municipal fire management plan is part, is to provide a municipal level forum to build and sustain organisational partnerships, generate a common understanding and shared purpose with regard to fire management and ensure that the plans of individual agencies are linked and complement each other.</p>

Municipal Association of Victoria (MAV)	
Council Representative:	Cr Collier
Meeting Frequency	Every three months
Members:	Victorian Local Government Areas
Purpose:	<p>The MAV is a voice for Local government offering diverse business services to its council members including specialist policy and advocacy, governance and legislative advice, sector development, insurance and procurement services.</p>

Audit and Risk Committee	
Council Representatives:	Cr Gillingham & Cr Smith
Meeting Frequency	Four meetings per year
Members:	<ul style="list-style-type: none"> • Three suitably qualified independent representatives • Two Councillors
Purpose:	The primary objective of the Audit and Risk Committee is to assist Council in the effective conduct of its duties and responsibilities as listed within its Charter.

Murray River Group of Councils (MRGC)	
Council Representatives:	Mayor
Meeting Frequency:	Four meetings per year
Members:	<ul style="list-style-type: none"> • Campaspe • Gannawarra • Loddon • Mildura • Moira • Swan Hill
Purpose:	<p>The Murray River Group of Councils:</p> <ul style="list-style-type: none"> • provides a forum for informed discussion on all issues relating to member councils' shared interests; • advocates strongly to State and Federal Governments with a single voice on common issues; • acts as a single point of contact for governments, councils and other stakeholders to disseminate, discuss and respond to issues and initiatives; • supports member councils for the good of the region; • appoints representatives to other bodies as and when required; and • works together with other councils or entities.

Loddon Campaspe Group of Councils	
Council Representatives:	Mayor
Meeting Frequency:	Every two months
Members:	<ul style="list-style-type: none"> • Bendigo • Buloke • Campaspe • Central Goldfields • Gannawarra • Loddon • Macedon Ranges • Mount Alexander
Purpose:	Eight Councils occupying a significant land area in central and north-west Victoria with a purpose of encouraging economic investment and addressing key issues for the region.

Rail Freight Alliance	
Council Representatives:	Cr Stanton
Meeting Frequency:	Four meetings per year
Members:	Rural, regional and metropolitan Victorian Local Government Councils.
Purpose:	To advocate for: <ul style="list-style-type: none"> • Rail standardisation of all key rail lines Victoria • Upgrading and connecting to a National Rail Freight Network • A competitive, independent and open access rail freight system • Seamless freight logistics that will facilitate efficient rail freight movement.

Rural Councils Victoria	
Council Representatives:	Cr Smith
Meeting Frequency:	Forum and Rural Summit
Members:	37 rural Victorian councils
Purpose:	Rural Councils Victoria represents Victoria's rural councils, supporting and promoting sustainable, liveable, prosperous rural communities.

Timber Towns Victoria	
Council Representatives:	Cr Smith
Meeting Frequency:	Bi-monthly
Members:	Various Victorian municipalities where forest industries are recognised as significant contributors to the economy and community.
Purpose:	Timber Towns Victoria is an incorporated Local Government Association representing the interests of municipal councils in relation to forestry on both public and private land.

Community Halls Community Asset Committee	
Council Representatives:	Cr Burt
Meeting Frequency:	Two meetings per year
Members:	Up to two representatives from: <ul style="list-style-type: none"> • Lake Charm Hall • Murrabit Hall • Myall Hall • Gannawarra Hall • Kooroop Hall • Dingwall Hall One Councillor One Council Officer
Purpose:	To support community management of Council's rural halls through formal delegation and administrative sub-committees established for each hall.

7.4 QUARTERLY BUDGET REPORT - QUARTER ENDING 30 SEPTEMBER 2022

Author: Shana Johnny, Chief Financial Officer

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 Quarterly Budget Report - September 2022

RECOMMENDATION

That Council receive the report outlining the 2022/2023 Quarterly Budget Report as at 30 September, 2022.

EXECUTIVE SUMMARY

At 30 September, 2022 Council is anticipating that the budgeted underlying deficit of \$1.157 million will decrease by \$72k to an anticipated underlying deficit of \$1.085 million. The deficit in 2022/23 is due to the advance payment of the Victorian Grants Commission 2022/23 annual allocation in April 2022.

The budgeted Operating Result of \$7.522 million surplus will increase by \$1.296 million to an anticipated Operating Result of \$8.817 million surplus. This increase is due to the recognition of unearned income at 30 June 2022 in 2022/23.

The adopted capital budget of \$14.027 million in 2022/2023 and will increase by \$1.753 million to allow for completion of carried forward works on multi-year projects.

The financial position of the Council remains stable.

PURPOSE

Council prepares a quarterly financial report as at 30 September, 31 December and 31 March each year. The purpose of the report is to ensure that the financial position of the Council is being managed.

ATTACHMENTS

Quarterly Budget Report – 30 September 2022.

DISCUSSION

Operating Budget

The 'Summary of Adjustments' details the changes between the approved budget and the forecast to 30 September 2022. The major changes in the operating budget are:-

- An increase in rate revenue of \$128k following supplementary valuations and additional bin service charges.
- The increase in operating grants is due to the recognition of unearned income as at 30 June 2021 in 2021/22 (\$396k) and additional grants (\$80k)
- An increase in employee costs is due to higher than anticipated Workcover premiums (\$70k).
- Increase in operational materials and services is due to grant income carried forward to facilitate completion of programs and additional grant funding.

- The increase in capital grants is due to the recognition of unearned income as at 30 June 2022 (\$1.224m).

At the end of September 2022, 27% of the forecasted capital works budget had been spent or committed. The capital budget adopted by Council (\$14.027 million) will increase by \$1.753 million to allow for completion of carried forward works on multi-year projects. These carried forward works are funded from carried forward grants and rates allocation from the prior year. A detailed listing of carried forward projects is included in the attachment.

Depreciation for 2022/23 will be higher than budgeted as a result of the infrastructure revaluations as at 30 June 2022. The mid year quarterly budget report will be adjusted to reflect this movement.

At the time of preparing this report, the financial impact of the Oct 2022 floods is unknown. A clearer picture of the impact will be provided in the mid-year quarterly budget report. In addition to the financial assistance provided through the Federal Government's Disaster Recovery Funding Arrangement (DRFA), the state government has already announced funding to support flood affected councils and these include

- Council Flood Support Fund (\$500k)
- EPA levy waiver on flood waste

RELEVANT LAW

Section 97 of the *Local Government Act 2020* requires a quarterly report be presented to Council at a Council meeting which is open to the public showing a comparison of the actual and budgeted results to date and an explanation of any material differences.

RELATED COUNCIL DECISIONS

The Quarterly Budget Report links to the budget process and the Council decision relating to the budget adoption on 29 June 2022.

OPTIONS

The variations projected are not significant and therefore a revised budget is not required.

SUSTAINABILITY IMPLICATIONS

The key risks are financial and compliance risks. As the projected variations are positive and minor there is no increased financial risk with the Quarterly Budget Report.

COMMUNITY ENGAGEMENT

The budget went through extensive consultation. This report highlights only minor change and no further community engagement has been undertaken.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Council Officers with responsibility for line budgets have had input into the report.

The Quarterly Budget Report to 30 September 2022 was presented to Council's Audit and Risk Committee meeting on 8 November, 2022.

FINANCIAL VIABILITY

The Quarterly Budget Report presents the interim financial position to 30 September 2022 and is consistent with the budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The budget and annual financial statements are prepared in accordance with the accounting standards.

COUNCIL PLANS AND POLICIES

This report aligns to the Council Plan strategy to pursue initiative to achieve long term financial sustainability.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares they have no conflict of interest in regards to this matter.

Quarterly Budget Report
for the Quarter Ending
30 September 2022



GANNAWARRA
Shire Council

Comprehensive Income Statement

	Note	As at 30 September 2022			Projected Year End		
		YTD Budget \$000	YTD Actual \$000	YTD Variance \$000	FY Budget \$000	FY Forecast \$000	FY Adjustments \$000
Income							
Rates and Charges	1	14,310	14,297	(13)	14,312	14,440	128
Statutory Fees and Fines		94	89	(5)	398	399	0
User Fees		969	832	(137)	3,861	3,862	1
Grants Operating	2	1,772	1,727	(45)	9,331	9,822	491
Contributions and Donations		-	34	34	43	43	-
Reimbursements	3	1,139	1,086	(53)	4,150	4,250	99
Sale of Assets		367	366	(1)	1,253	1,253	-
Cost of Assets Sold		(240)	(266)	(26)	(452)	(452)	-
Interest Earned		6	6	0	40	40	-
Other Income		75	75	(0)	301	301	-
Total income		18,492	18,245	(247)	33,238	33,958	719
Expenses							
Employee Costs	4	(4,389)	(4,446)	(56)	(18,152)	(18,222)	(70)
Operational Materials and Services	5	(2,547)	(2,485)	62	(9,326)	(9,903)	(577)
Bad and Doubtful Debts		-	(0)	(0)	-	-	-
Borrowing Costs		(8)	(3)	5	(14)	(14)	-
Depreciation		(1,647)	(1,780)	(132)	(6,593)	(6,593)	-
Other Expenses		(64)	(60)	4	(310)	(310)	-
Total expenses		(8,656)	(8,773)	(118)	(34,395)	(35,042)	(647)
Underlying surplus/(deficit)		9,837	9,472	(365)	(1,157)	(1,085)	72
Grants Capital and Major Projects	6	5,116	5,114	(2)	8,679	9,903	1,224
Surplus/(deficit) for the year		14,953	14,586	(367)	7,522	8,818	1,296

- Favourable greater than 10% ✔
- Constant between plus or minus 10% ▬
- Unfavourable less than 10% ✘

Rounding

Unless otherwise stated, amounts in financial reports have been rounded to the nearest thousand dollars. Figures in the financial statements may not equate due to rounding

Overall Result

At 30 September 2022 Council is showing an underlying surplus YTD of \$9.472 million, this is \$0.365 million less than budgeted for the same period. Income has a unfavourable variance of \$0.247m and there is a \$0.118m unfavourable variance for expenditure YTD.

Council is forecasting a \$1.085 million underlying deficit for 30 June 2023 which is a decrease in the deficit of \$0.072m on the 2022/23 adopted budget. The deficit is due to the advance payment of the Victorian Grants Commission 2022/23 annual allocation (\$1.67m) in April 2022.

Note	Income		
1	Rates and charges Increase due to supplementary valuations and additional bin services.	Favourable	128
			128
2	Grants - Operating Unearned grant income at 30 June 2022 recognised in 22/23 in line with the accounting standards. Additional grant funding for the Resilient Gannawarra project. Additional grant funding received as part of the Rural Roads Support Package.	Favourable	491
			396
			45
			35
3	Reimbursements NDIS Incentive payment for staff COVID booster vaccinations and one off payment for the additional costs of keeping NDIS participants safe during the COVID-19 pandemic.	Favourable	99
			99
	Expenses		
4	Employee Direct Costs Workcover premium higher than anticipated.	Unfavourable	(70)
			(70)
5	Operational Materials and Services Expenditure associated with unearned grant income and the community grants project at 30 June 2022 carried forward for the completion of the programs. Expenditure to match grant funding to complete Resilient Gannawarra project. Expenditure to match grant funding for Rural Roads Support Package to be fully expended by 30 June 2023	Unfavourable	(577)
			(468)
			(45)
			(35)
6	Grants - Capital Unearned grant income at 30 June 2022 recognised in 22/23 in line with the accounting standards.	Favourable	1,224
			1,224

Capital Works Report as at 30 Sep 2022

Note	Adopted Budget \$000	YTD Actuals \$000	Hard Commitments \$000	Total Expenditure \$000	Projected Forecast - Total Project Cost \$000	Permanent Adjustments \$000
PROPERTY						
Land Improvements						
	\$ 40	\$ -	\$ -	\$ -	\$ 40	\$ -
Buildings						
1	\$ 1,440	\$ -	\$ 74	\$ 74	\$ 1,487	\$ 47
	\$ 196	\$ 3	\$ 4	\$ 6	\$ 196	\$ -
	\$ 200	\$ 3	\$ 4	\$ 6	\$ 200	\$ -
	\$ 12	\$ 0	\$ 9	\$ 10	\$ 12	\$ -
Building Improvements						
	\$ 100	\$ 47	\$ 51	\$ 98	\$ 100	\$ -
TOTAL PROPERTY	\$ 1,987	\$ 53	\$ 142	\$ 194	\$ 2,034	\$ 47
PLANT AND EQUIPMENT						
Plant, Machinery and Equipment						
	\$ 120	\$ 13	\$ 102	\$ 115	\$ 128	\$ 8
	\$ 337	\$ 42	\$ 148	\$ 190	\$ 337	\$ -
Computers and Telecommunications						
2	\$ 145	\$ 69	\$ -	\$ 69	\$ 214	\$ 69
	\$ 250	\$ -	\$ 27	\$ 27	\$ 250	\$ -
Library books						
	\$ 100	\$ 50	\$ 38	\$ 89	\$ 100	\$ -
	\$ 40	\$ -	\$ -	\$ -	\$ 40	\$ -
TOTAL PLANT AND EQUIPMENT	\$ 992	\$ 174	\$ 315	\$ 489	\$ 1,069	\$ 77
INFRASTRUCTURE						
Roads						
	\$ 930	\$ -	\$ 40	\$ 40	\$ 930	\$ -
3	\$ 1,010	\$ 175	\$ 22	\$ 197	\$ 1,550	\$ 540
	\$ 980	\$ -	\$ -	\$ -	\$ 980	\$ -
4	\$ 1,936	\$ 58	\$ 69	\$ 127	\$ 2,076	\$ 140
Footpaths and Cycleways						
	\$ 116	\$ 21	\$ -	\$ 21	\$ 116	\$ -
	\$ 2,400	\$ -	\$ -	\$ -	\$ 2,400	\$ -
	\$ 575	\$ 43	\$ 345	\$ 389	\$ 575	\$ -
Kerb and channel						
	\$ 156	\$ 17	\$ -	\$ 17	\$ 156	\$ -
Drainage						
5	\$ 200	\$ -	\$ 1	\$ 1	\$ 281	\$ 81
Recreational, Leisure & Community Facilities						
	\$ 100	\$ -	\$ 2	\$ 2	\$ 100	\$ -
	\$ 20	\$ 7	\$ 1	\$ 8	\$ 20	\$ -
Parks, Open Space and Streetscapes						
	\$ 50	\$ 18	\$ 4	\$ 22	\$ 50	\$ -
	\$ 10	\$ 2	\$ 8	\$ 10	\$ 10	\$ -
6	\$ 1,750	\$ 71	\$ 1,986	\$ 2,057	\$ 2,076	\$ 326
	\$ 240	\$ 5	\$ 5	\$ 10	\$ 240	\$ -
Other Infrastructure						
	\$ 100	\$ -	\$ 18	\$ 18	\$ 152	\$ 52
	\$ 200	\$ 14	\$ 104	\$ 118	\$ 200	\$ -
TOTAL INFRASTRUCTURE	\$ 10,773	\$ 432	\$ 2,605	\$ 3,036	\$ 11,912	\$ 1,140
TOTAL NEW CAPITAL WORKS	\$ 13,752	\$ 658	\$ 3,062	\$ 3,720	\$ 15,016	\$ 1,264

	Note	Adopted Budget \$000	YTD Actuals \$000	Hard Commitments \$000	Total Expenditure \$000	Projected Forecast - Total Project Cost \$000	Permanent Adjustments \$000
Works carried forward from the 2020/21 year							
PLANT AND EQUIPMENT							
Plant, Machinery and Equipment							
Heavy Plant Replacement		\$ 30	\$ -	\$ -	\$ -	\$ 30	\$ -
Light Plant Replacement	7	\$ 122	\$ -	\$ -	\$ -	\$ 46	\$ (76)
TOTAL PLANT AND EQUIPMENT		\$ 151	\$ -	\$ -	\$ -	\$ 75	\$ (76)
INFRASTRUCTURE							
Building Improvements							
Buildings Renewal		\$ 60	\$ -	\$ -	\$ -	\$ 60	\$ -
Other Infrastructure							
Southern levee acquisition		\$ 64	\$ 7	\$ 14	\$ 21	\$ 64	\$ -
TOTAL INFRASTRUCTURE		\$ 124	\$ 7	\$ 14	\$ 21	\$ 124	\$ -
TOTAL CARRIED FORWARD CAPITAL WORKS 2020/21		\$ 275	\$ 7	\$ 14	\$ 21	\$ 199	\$ (76)
Other Projects							
Murrabit Stormwater - Stage 5 & 6	8	\$ -	\$ 184	\$ 4	\$ 187	\$ 192	\$ 192
Cohuna CBD Waterfront Development		\$ -	\$ 9	\$ -	\$ 9	\$ -	\$ -
Atkinson Park All Abilities Playground - Grant Dependent	9	\$ -	\$ 333	\$ 2	\$ 335	\$ 373	\$ 373
TOTAL OTHER PROJECTS		\$ -	\$ 527	\$ 5	\$ 532	\$ 565	\$ 565
TOTAL WORKS 2022/23		\$ 14,027	\$ 1,192	\$ 3,081	\$ 4,273	\$ 15,780	\$ 1,753

Summary - Overall Result

The adopted capital budget for 2022/2023 is \$14.027m. There has been an increase in the forecasted capital works budget by \$1.753m to recognise projects carried over to 2022/23. Anticipated budgeted spend by 30 June 2022 is \$15.780m. 27% of the forecasted capital works budget had been committed by 30 September 2022.

The following projects have been reviewed -

Note	\$000
1 Living Library Projects - The Glasshouse - multi-year project with funds carried forward to facilitate the completion of this project.	47
2 ICT Capital renewals - expenditure carried forward for equipment ordered in 2021/22 and delivered in 2022/23.	69
3 Gravel Re-sheeting Program - funds carried forward to facilitate the completion of the Beautification project at Murrabit.	540
4 Kerang CBD Development Stage 3 - multi-year project with remaining budget carried over to 2022/23 to complete the project.	140
5 Stormwater Network and Town Pump renewal - expenditure carried forward to complete the project.	81
6 Sustainable Recreational Water for Quambatook - remaining budget carried over to 2022/23 to complete the project.	326
7 Light Plant Replacement - Vehicle received before 30 June 2022 earlier than anticipated.	(76)
8 Murrabit Stormwater - Stage 5 & 6 - funds carried forward to finalise construction of this fully funded project.	192
9 Atkinson Park All Abilities Playground - funds carried forward to finalise construction of this project.	373

The 22/23 carried forward works mentioned above are funded from grants and rates allocation from prior year 21/22.

Balance Sheet
As at 30 September 2022

	2021/22	Year to Date	Projected Forecast To 30 June 2023
	\$000	\$000	\$000
Assets			
Current assets			
Cash and cash equivalents	13,110	13,821	10,838
Trade and other receivables	2,961	15,782	2,960
Financial assets	5,709	2,503	2,503
Inventories	356	375	356
Other Assets	299	82	299
Total current assets	22,435	32,563	16,956
Non-current assets			
Property, infrastructure, plant and equipment	247,644	246,791	256,380
Investment Assets	1,030	1,030	1,030
Total non-current assets	248,674	247,821	257,410
Total assets	271,109	280,383	274,366
Liabilities			
Current liabilities			
Trade and other payables	1,391	185	1,391
Trust funds and deposits	559	1,966	559
Unearned Income	5,466	-	0
Provisions (CL)*	3,707	3,707	3,707
Interest-bearing loans and borrowings (CL)	95	49	102
Total current liabilities	11,218	5,906	5,759
Non-current liabilities			
Provisions (NCL)*	1,494	1,494	1,494
Interest-bearing loans and borrowings (NCL)	155	155	53
Total non-current liabilities	1,649	1,649	1,547
Total liabilities	12,867	7,555	7,306
Net Assets	258,242	272,828	267,060
Equity			
Accumulated surplus	102,325	116,911	111,143
Reserves	155,917	155,917	155,917
Total Equity	258,242	272,828	267,060

*At the end of 2021/22, provisions (current and non- current) – within the Balance Sheet relate to Employee provisions for annual leave and long service leave (\$3.975m) and landfill rehabilitation (\$1.226m). These provisions calculated at the end of each financial year is based on actual leave balance at the end of the year and adjusted for the Reserve Bank of Australia's wage inflation and discount rates.

STATEMENT OF CASH FLOWS (\$000)

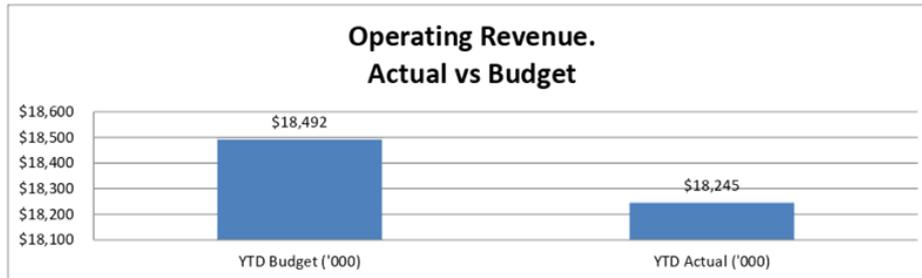
Description	2021/22	Year to Date	Projected Forecast To 30 June 2023
Cash Flows from Operating Activities			
Rates and charges	13,860	1,215	14,440
Statutory Fees and Fines	409	89	399
User Fees	2,913	905	4,248
Grants Operating	11,191	1,331	9,426
Grants Capital	8,982	44	4,833
Contributions monetary	90	34	43
Interest received	15	6	40
Trust funds and deposits taken	(253)	-	-
Other receipts	4,400	1,161	5,006
Net GST refund	(187)	265	1,633
Employee Costs	(17,219)	(4,446)	(18,222)
Materials & Services	(8,403)	(3,491)	(10,893)
Trust funds and deposits paid		1,447	-
Other Payments	(303)	(60)	(341)
Net Cash provided by operating activities	15,495	(1,499)	10,611
Cash Flows from Investing Activities			
Payment for property, infr. p&e	(12,235)	(1,312)	(17,359)
Proc. from sale property, infr. p&e	670	366	1,379
			-
Payment for investments	(3,206)	-	-
Proc. from sale of Investments		3,206	3,206
Net Cash used in Investing activities	(14,771)	2,260	(12,774)
Cash Flows from Financing Activities			
Proceeds from borrowings			-
Finance Costs	(106)	(3)	(14)
Loan Redemption	(18)	(47)	(95)
Net Cash used in Financing Activities	(124)	(50)	(109)
Net Increase / (Decrease) in Cash/ Invest.	600	710	(2,272)
Cash / Investments at beginning of year	12,510	13,110	13,110
Cash / Investments at end of financial period	13,110	13,821	10,838
Investments on Hand at Year end	5,709	2,503	2,503
Total Cash, cash equivalents and investments	18,819	16,324	13,341

FINANCIAL OVERVIEW

	Year to Date		
	YTD Budget ('000)	YTD Actual ('000)	Variance ('000)
Total income	\$18,492	\$18,245	(\$247)
Total expenses	(\$8,656)	(\$8,773)	(\$118)
Underlying Surplus/(deficit)	\$9,837	\$9,472	(\$365)

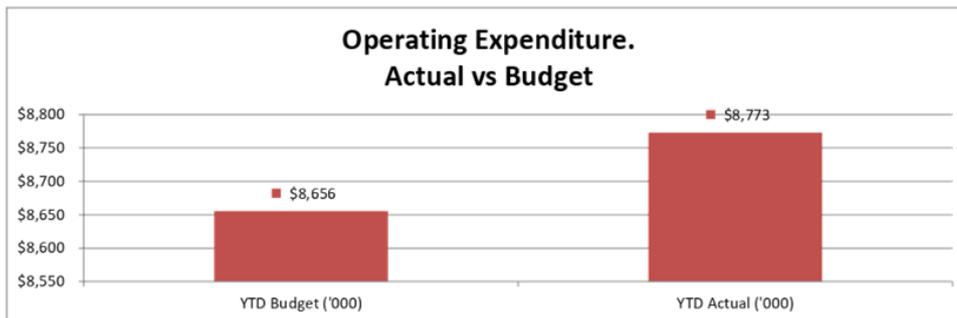
Abbreviations: YTD - Year to date EOY - End of year FY - Full year

Operating Revenue:



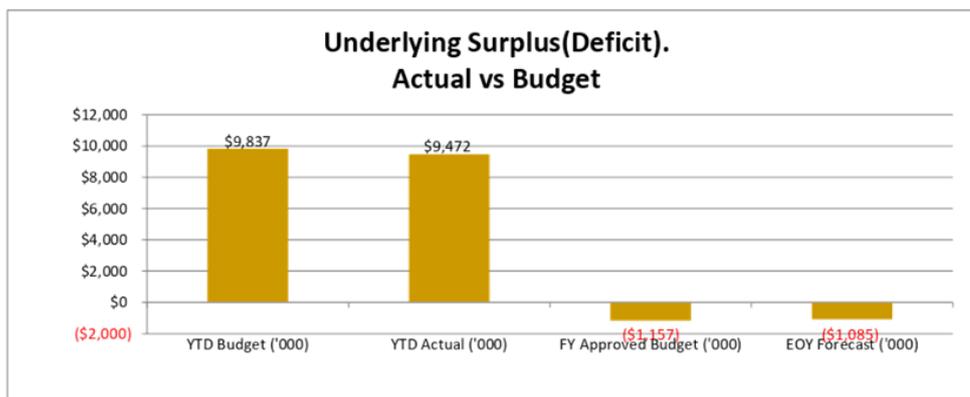
To date there is a unfavourable variance of \$0.247 million.

Operating Expenditure:



To date there is a unfavourable variance of \$0.118 million

Result from ordinary activities:

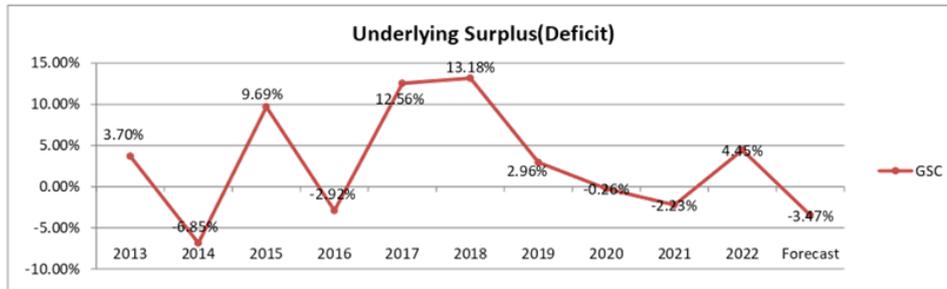


A unfavourable year to date result has been achieved with a forecasted favourable change on budget at 30 June 2023

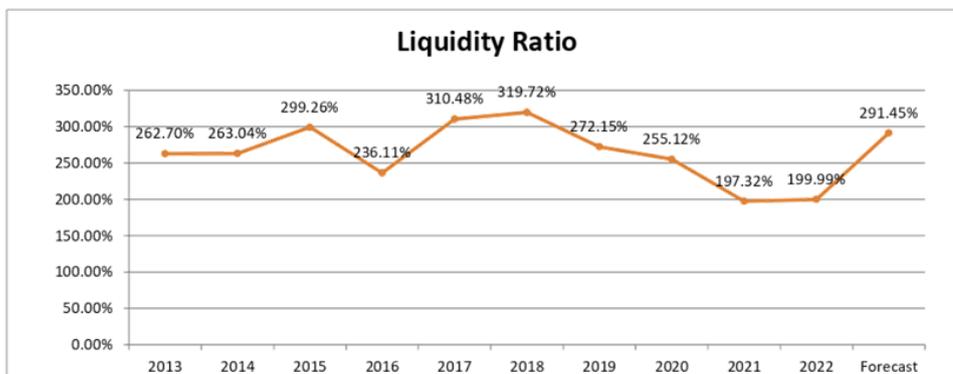
Abbreviations: YTD - Year to date FY - Full year EOY - End of year

Financial Ratios

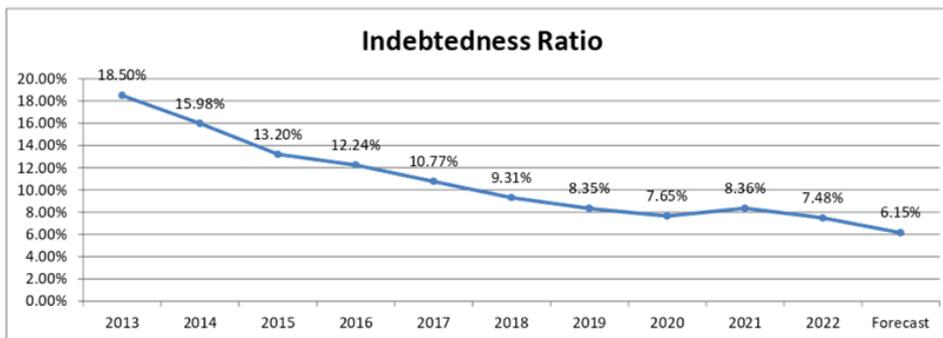
Financial Sustainability:



Underlying surplus(deficit): An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. The underlying result removes Non-Recurrent Capital grants from the surplus and reflects Council's ability to fund its operating expenditure out of all other operating income. A shift in the level of operating grants leads to a material change in the underlying result.



Liquidity ratio: Measures the level of Council's current assets to meet its current liabilities. A ratio higher than 100% indicates current assets being greater than current liabilities.



Indebtedness Ratio: Measures Council's non-current liabilities as a percentage of Council own source income.

7.5 LOCAL LAW NO. 1 COMMUNITY AMENITY

Author: Kellie Burmeister, Manager Planning and Regulatory Services

Authoriser: Geoff Rollinson, Director Infrastructure and Development

Attachments: 1 Draft Local Law No. 1 Community Amenity

RECOMMENDATION

That Council:

- 1. Endorse the draft Local Law No. 1 Community Amenity as attached for community engagement for a period of 28 days; and**
- 2. Receives a report at the December 2022 Council meeting to consider the final Local Law No. 1 Community Amenity.**

EXECUTIVE SUMMARY

Council Local Law No. 1 Community Amenity 2012 sunset on 18 April 2022 and to ensure that Council can continue to control community safety, protect public assets, and enhance community amenity, a new Community Amenity Local Law is required.

PURPOSE

The purpose of this report is to commence the community engagement process for the draft Local Law No. 1 Community Amenity.

ATTACHMENTS

Draft Local Law No. 1 Community Amenity

DISCUSSION

Local Laws are a form of local regulation that enable councils to put in place legislative controls that reflect the different circumstances of each municipality and enforce matters which require regulation.

The objectives of the Local Law are to:

1. protect and enhance community safety and neighbourhood amenity;
2. protect public assets;
3. regulate activities and conduct for the benefit of the Municipal District;
4. assist Council in maintaining a vibrant, caring and prosperous community which offers social, economic and environmental sustainability and is consistent with Council's overall vision, strategies and policies; and
5. provide for the administration of Council's powers and functions.

The proposed Local Law has removed unnecessary duplications, administrative matters and has refined Council's requirements, creating a user-friendly, 'Plain English' document which does not compromise Council's enforcement powers and functions.

RELEVANT LAW

Section 71 of the *Local Government Act 2022*

Section 42 of the *Domestic Animals Act 1994*

RELATED COUNCIL DECISIONS

Nil

OPTIONS

1. To endorse the draft Local Law as attached for public consultation prior to adoption; or
2. Amend the draft Local Law prior to public consultation.

SUSTAINABILITY IMPLICATIONS

Not applicable

COMMUNITY ENGAGEMENT

It is intended to seek community feedback on the draft Local Law for 28 days from 20 October 2022. Feedback will be presented to Councillors at the December Briefing Session for consideration. A final versions of the Local Law will be presented for adoption at the December Council meeting.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable

COLLABORATION

Not applicable

FINANCIAL VIABILITY

Quotations were sourced from suitably qualified persons and Macquarie Lawyers were appointed to undertake the review which was included during the budget process.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

COUNCIL PLANS AND POLICIES

Gannawarra Shire Council Plan 2021-2025 – Goal 1 Liveability – Improve the health, safety and wellbeing of our community through partnerships, services and programs.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.

Gannawarra Shire Council
Community Amenity Local Law 2023

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PART 1 – PRELIMINARY**1. TITLE**

This Local Law is titled the Community Amenity Local Law 2023.

2. OBJECTIVES

The objectives of this Local Law are to:

- (a) protect and enhance community safety and neighbourhood amenity;
- (b) protect public assets;
- (c) regulate activities and conduct for the benefit of the Municipal District;
- (d) assist Council in maintaining a vibrant, caring and prosperous community which offers social, economic and environmental sustainability and is consistent with Council's overall vision, strategies and policies; and
- (e) provide for the administration of Council's powers and functions.

3. POWER TO MAKE THIS LOCAL LAW

Council's power to make this Local Law is contained in section 71 of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

4. COMMENCEMENT

This Local Law commences operation on the day after it is adopted by Council.

5. DATE THIS LOCAL LAW CEASES OPERATION

Unless sooner revoked, this Local Law ceases to operate 10 years after the date on which it commenced.

6. REVOCATION OF OTHER LOCAL LAWS

Council's Local Law No.1 'Community Amenity' 2012, as revised in January 2014, was revoked on 19 April 2022. Any notice or approval given, permit issued or matter or thing commenced under the revoked Local Law, is not affected by the commencement of this Local Law.

7. GUIDELINES

Council may prepare operational Guidelines to assist Council officers in the administration and enforcement of this Local Law.

8. SCOPE OF THIS LOCAL LAW

- 8.1 This Local Law applies throughout the Municipal District.
- 8.2 Where this Local Law applies to a Road, it applies to all parts of the Road.
- 8.3 The provisions of this Local Law apply to the extent that they are not inconsistent with any Act or Regulation applicable to Council.
- 8.4 Anything allowed under any Act, Regulation or the Planning Scheme is not affected by any prohibition, requirement or restriction under this Local Law.
- 8.5 References to any land in this Local Law include buildings and other structures permanently affixed to the land and any land covered with water.

9. INTERPRETATION AND DEFINITIONS

- 9.1 In this Local Law, unless the contrary intention appears –
- (a) a clause is a reference to a clause in this Local Law;
 - (b) a sub-clause is a reference to a sub-clause in this Local Law; and
 - (c) the singular also refers to the plural.
- 9.2 In this Local Law, words that are not defined will adopt their ordinary meaning, and unless the contrary intention appears, the following words have the meaning ascribed:

Act	means the <i>Local Government Act 2020</i> ;
Advertising Sign	means any board, notice, structure, banner or other similar device used for the purposes of soliciting sales or notifying people of the presence of an adjacent property or other address, whether real, internet-based or otherwise electronic and where goods or services may be obtained;
Abandoned Vehicle	means a Vehicle which: <ol style="list-style-type: none"> (a) has no number plates; (b) is unroadworthy; or (c) has not been moved from the Road or Council land on which it stands for 60 days or more;
Asset Protection Permit	means a Permit issued by Council pursuant to clause 50;
Authorised Officer	means an Authorised Officer appointed under section 224 of the <i>Local Government Act 1989</i> ;
Barbecue	means a device used for the cooking of food outdoors whether constructed or manufactured and whether powered by gas, electricity, liquid or solid fuel, or any combination of them, and includes a device for spit roasting when used outdoors;
Building Works	means works for or in connection with the construction, demolition or removal of a building in respect of which a building permit is required under the <i>Building Act 1993</i> ;

Bulk Rubbish Container	means a bin, container, skip, mobile storage unit, or other structure designed or used for holding a substantial quantity of rubbish or storage and which is unlikely to be lifted without mechanical assistance, but excludes a container used in connection with the Council's regular domestic rubbish collections;
Busking	means to perform to the public, whether by acting, juggling, singing, playing a musical instrument or otherwise entertaining passers-by, with or without collecting money;
Camping Area	means any land within the Municipal District that has been declared by the Council or other public authority to be a 'Camping Area' for the purposes of this Local Law;
Chief Executive Officer	means the person appointed by the Council to be its Chief Executive Officer or any person acting in that position.
Child	means any person under the age of 18 years;
Council	means Gannawarra Shire Council;
Council Asset	means any road, drain, drainage infrastructure, tree, road, sign or other property vested in or under the control of Council;
Council Land	means any land owned or vested in, or under the control and management of the Council, including, but not limited to, Roads, Municipal Reserves, watercourses and reservations.
Domestic Bird	means small birds such as canaries, finches, budgerigars and the like but excludes Large and/or Noisy Birds (including Roosters) capable of causing disturbance and discomfort to neighbours;
Droving of Livestock	Means a single driving of Livestock in or through the municipal district or from one location to another for the purpose of changing their grazing area or for the purposes of sale or relocation after sale, but does not include the Grazing of Livestock;
Dwelling	means a building designed to be used for human habitation;
Farm Land	means land zoned as Farming Zoned Land under clause 35 of the Planning Scheme;
Fence	means any enclosure by design or intent that is used for safety, security, boundary, amenity or the confinement of Animals and includes a gate, grid or other similar structure;
Footpath	means a pathway or other area constructed or developed for use by pedestrians;
Grazing of Livestock	means the use of a Road for the purposes of grazing Livestock which includes supplementary feeding but does not include the Droving of Livestock;

Heavy Vehicle	Means a motor vehicle or trailer that has a gross vehicle mass greater than 4.5 tonnes, and includes: (a) any other Vehicle that is physically connected to the heavy vehicle (even if that other Vehicle is not a heavy vehicle); and (b) a bus that is used, or that is intended to be used, to carry passengers for reward or in the course of a business (as in the Road Safety Act 1986).
Incinerator	means a structure, device or contraption (not enclosed in a building) which is - (a) used or intended, adapted or designed to be used or capable of being used, for the purpose of burning any matter, material or substance; (b) not licensed or otherwise subject to control under the provisions of any legislation; and (c) not a Barbecue.
Infringement Notice	means an Infringement Notice issued under this Local Law;
Large and/or Noisy Birds (including Roosters)	means, in relation to the keeping of Animals, any Large and/or Noisy Birds capable of causing disturbance or discomfort to neighbours particularly by noise, such as cockatoos, geese, macaws, Peacocks, large parrots, pheasants, roosters, turkeys or other similar sized birds and any other Noisy Birds regardless of size, but does not include Poultry, pigeons or small non-noisy birds;
Liquor	means a beverage intended for human consumption that contains alcohol;
Litter Device	means in relation to dog or cat excrement, an apparatus designed for the purpose of removing dog or cat excrement and includes a paper, plastic bag or biodegradable bag;
Livestock	has the same meaning ascribed by the <i>Impounding of Livestock Act 1994</i> meaning an animal (including a bird) of any species used in connection with primary production or kept or used for recreational purposes or for the purposes of recreational sport, other than a dog or cat;

Motor Bike, or other Motorised Recreational Vehicle	<p>means a motor vehicle, whether registered or unregistered, used for recreational purposes on Private Land or Council Land but not on Roads, including but not limited to the following vehicles:</p> <ul style="list-style-type: none"> (a) a motor vehicle with two wheels, with or without a sidecar attached that is supported by a third wheel; (b) a motor vehicle with three wheels, that is ridden in the same way as a motor vehicle with two wheels; or (c) any other motorised recreational vehicle, including, but not limited to, mini-bikes, trail-bikes, motorised scooters, motorised go-carts and quad bikes, <p>but excludes a motorised wheelchair or other aid used by persons with disabilities and motorised farm vehicles being used for farming purposes;</p>
Movement of Stock	The walking of stock during daylight hours between adjoining or adjacent paddocks or separate properties as part of normal farming practices;
Municipal Building	means any building (and its grounds) owned, occupied, controlled or managed by the Council, which may have some or all areas designated for public or community access but may also have some or all areas designated for employee or staff only access;
Municipal District	means the district of Gannawarra Shire Council;
Municipal Place	means any place within the Municipal District, which is owned or occupied by the Council and/or controlled or managed by the Council, which the public may or may not have access to (whether an admittance fee is required or not), and includes a Municipal Reserve, Library, Municipal Building, Footpath or Road;
Municipal Reserve	means any land, or waterway or water course either owned or vested in, or under the control and management of the Council, and used or set aside as a reserve but excludes Roads and any areas leased to other parties;
Notice to Comply	means a Notice to Comply issued under this Local Law;
Outdoor Eating Facility	means any tables and/or chairs located out of doors at which food or drinks are served and may be consumed;
Penalty Unit	means a penalty unit under <i>the Sentencing Act 1991</i> ;
Permit	means a Permit issued by Council under this Local Law;
Person	includes a legal entity, whether a corporation, incorporated association or otherwise, but excludes Council;
Planning Scheme	means the Gannawarra Planning Scheme;
Private Land	means any land other than Council Land;

Procession	means an organised group of people along a Road or gathering for a ceremony or function and includes a fun run and bicycle event;
Recyclable Material	means any Recyclable Material in respect of which a separate Council or Council authorised or approved collection service applies;
Residential Land	means land zoned as a Residential Zone under clause 32 of the Gannawarra Planning Scheme;
Road	<p>has the meaning ascribed to it in section 3 of the Act and includes a Public Highway (as in the Act):</p> <ul style="list-style-type: none"> (a) a street; and (b) a right of way; and (c) any land reserved or proclaimed as a street or road under the Crown Land (Reserves) Act 1978 or the <i>Land Act 1958</i>; and (ca) a public road under the <i>Road Management Act 2004</i>; and (d) a passage; and (e) a cul de sac; and (f) a by-pass; and (g) a bridge or ford; and (h) a footpath, bicycle path or nature strip; and (i) any culvert or kerbing or other land or works forming part of the road.
RV Park	means a place where recreational vehicles are permitted to stay in allotted spaces;
Smoke Free Area	means an area of, or in, any Municipal Place, which has been declared by the Council as a “smoke free” or “non-smoking” area and has appropriate Smoke Free Area signage erected and maintained;
Street Festival	means an organised recreational, cultural, commercial or social gathering of people that is held on a Road;
Tree	means any perennial plant having one or more permanent, woody, self-supporting trunks and with branches, forming a crown, and includes all parts of the plant, whether above or below ground;
Unightly	<p>when used in relation to land, includes land which contains:</p> <ul style="list-style-type: none"> (a) unconstrained rubbish; (b) excessive building materials; (c) discarded, rejected, surplus or abandoned solid or liquid materials; (d) dilapidated structures; (e) graffiti; (f) machinery or machinery parts visibly stored for more than 28 days;

- (g) unregistered, unroadworthy, disassembled, incomplete or deteriorated motor vehicles, caravans, trailers or similar, visibly stored on the land for more than 2 months;
- (h) anything being built which is left incomplete and is detrimental to the appearance of the surrounding area; or
- (i) any other thing making the land visually unsightly or detrimental to the general amenity of the area, including land which is neglected or unsecured.

When used in relation to buildings, includes buildings which are:

- (a) derelict;
- (b) abandoned;
- (c) damaged;
- (d) neglected;
- (e) incomplete;
- (f) unsecured; or
- (g) any other thing making the building visually unsightly or detrimental to the general amenity of the area.

Vehicle

means a conveyance that is designed to be propelled or drawn by any means, whether or not capable of being so propelled or drawn, and includes –

- (a) a motor bike, vehicle, trailer or tram;
- (b) a bicycle;
- (c) an air-cushion vehicle;
- (d) motorised recreational vehicle; and
- (e) an animal that is being ridden or is drawing a Vehicle

but does not include a reference to –

- (i) a wheelchair other than a motorised wheelchair capable of a speed of 10 kilometres per hour or more;
- (ii) a Wheeled Non-Motorised Recreational Device;
- (iii) a Wheeled Child's Toy; or
- (iv) a train.

Wheeled Non-Motorised Recreational Device

means a wheeled device, built to transport a person propelled by human power or gravity, and ordinarily used for recreation or play and –

- (a) includes in-line wheeled skates, roller-skates, skateboards and similar wheeled devices; but
- (b) excludes a golf buggy, pram, stroller, trolley, bicycle, wheelchair or Wheeled Child's Toy; and

Wheeled Child's Toy means a Child's pedal car, scooter or tricycle or similar toy, but only when it is being used solely by a Child who is under 12 years old.

PART 2 – YOUR PROPERTY AND ANIMALS**DIVISION 1 - YOUR PROPERTY****10. ROAD NAMES**

A Person must not apply a name to a Road without the written consent of Council.

11. PROPERTY NUMBERS

Where Council has allocated a property number to a property, the owner of that property must -

- (a) mark the property with the number allocated by Council; and
- (b) ensure that the number is of a sufficient size and located in a position where the number can be clearly read from the nearest Road under normal lighting conditions.

12. UNSIGHTLY LAND

An owner or occupier of Private Land must not cause or allow that land to be kept in a manner which is –

- (a) unsightly; or
- (b) detrimental to the general amenity of the neighbourhood in which it is located.

13. DANGEROUS LAND

An owner or occupier of Private Land must not cause or allow that land to be kept in a manner which is dangerous or likely to cause danger to life or property.

14. DOMESTIC WASTE COLLECTION

The occupier of any Dwelling on Private Land or Council Land to which the Council provides a waste collection service must ensure that any Council issued bin is –

- (a) maintained in a clean and sanitary manner;
- (b) positioned for collection adjacent to the roadside at least half a metre clear of any other object or obstruction with the lid closed;
- (c) not overloaded to a weight exceeding 70 kilograms;
- (d) placed out for collection and returned inside the property boundary within 24 hours of collection;
- (e) only filled with refuse generated from the household to which the bin has been issued to; and
- (f) not filled with inappropriate materials including non-domestic waste, e-waste, hot or burning ashes, commercial materials or explosive, hazardous or dangerous materials.

15. REMOVING RECYCLABLE MATERIAL

Unless authorised by Council, a Person must not remove or interfere with any Recyclable Material left on a Road, or at any other collection point.

16. OPEN AIR BURNING

16.1 A Person must not, on land under 0.5 hectares, light a fire or allow a fire to remain alight in the open air, including in an Incinerator.

16.2 A Person must not burn or cause to be burnt, or allow to remain alight in the open air, including in an Incinerator or other similar device, in the Municipal District any:

- (a) offensive materials; or
- (b) materials that cause offensive emissions of smoke and odour to enter any neighbouring residential property.

16.3 The following matters are exempt from this Clause:

- (a) a fire lit for domestic cooking purposes in a permanent or portable Barbeque, a wood fire oven, copper stand burner or other similar cooking device;
- (b) a properly constructed fireplace including a metal brazier, chiminea or similar type structure lit for heating purposes;
- (c) persons authorised by Council to undertake controlled burning-off as a part of normal parks maintenance on any Council Land;
- (d) training or fire hazard reduction works being undertaken by the Country Fire Authority; or
- (e) special or unusual circumstances, such as emergencies, urgent circumstances or natural disasters where Council has granted a specific exemption.

17. CAMPING ON PRIVATE LAND

A Person must not, without a permit, camp or allow camping to occur on Private Land for more than 28 days in total over a 12 month period.

18. SHIPPING CONTAINERS

A Person must not, without a Permit, keep, store, repair or use a shipping container on:

- (a) Private Land which is less than 0.5 hectares, (excluding Farm Land); or
- (b) Council Land.

19. TREES AND PLANTS NOT TO OBSTRUCT

A Person must not, allow any Tree or plant in, or growing on, Private Land owned or occupied by that person:

- (a) overhang or protrude onto a Footpath at a height lower than 2.4 metres;

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- (b) extend, obstruct or obscure the passage of traffic; or
 - (c) constitute a danger to vehicles or pedestrians or compromise the safe and convenient use of the road.

20. TREES CAUSING DAMAGE TO A MUNICIPAL PLACE

An owner or occupier of Private Land must not allow any Tree or plant in, or growing on that land to cause damage to, or interference with a Municipal Place or drain vested in, or under the control of the Council.

DIVISION 2 – YOUR ANIMALS

21. KEEPING ANIMALS

An owner or occupier of Private Land must not, without a Permit, keep or allow to be kept on any one parcel of land at any time, any more than the number for each type of Animal listed in the table below:

Type of Animal	Residential Land or Land under 0.5 hectares other than Farm Land	Non-Residential Land or Land between 0.5 and 1 hectare	Land between 1 and 2 hectares, other than Farm Land	Farm Land
Dogs	2	2	2	Municipal Planning Scheme Applies
Cats	2	2	2	
Poultry (no roosters)	0	6	30	
Large or Noisy Birds	0	0	0	
Pigeons	0	50	150	
Domestic birds (caged)	2	50	100	
Horses/donkeys	Prohibited	0	2	
Cattle	Prohibited	0	5	
Sheep/goats	Prohibited	0	10	
Pigs	Prohibited	0	0	
Any other livestock	Prohibited	0	2	

- 0.5 hectares = 1.236 acres, 2 hectares = 4.94 acres
- For the purpose of calculating Animal numbers, the progeny of any dog or cat lawfully kept will be counted from 12 weeks after their birth.

22. ANIMAL ACCOMMODATION

The owner or occupier of Private Land on which an Animal is kept must provide accommodation for that Animal which is adequate and appropriate in the circumstances, taking into consideration the –

- type and number of Animals to be kept;
- capacity to maintain the housing in a sanitary and inoffensive condition;

-
- (c) capacity to protect neighbours from noise caused by the Animals on the land;
 - (d) size, height and location of the accommodation; and
 - (e) security of the accommodation.

23. ADEQUATE FENCING

Where an Animal is kept on Private Land, the owner or occupier of that land must ensure that the land is fenced in a way that will prevent the Animal from straying or escaping from that land.

24. ANIMAL EXCREMENT

A person in charge of any dog or cat on Council Land must –

- (a) not allow any part of the excrement of the dog or cat to remain on Council Land; and
- (b) carry a Litter Device suitable to clean up any excrement left by his or her dog or cat and must produce such Litter Device when requested to do so by an Authorised Officer.

25. ANIMAL AND BIRD NOISE

The owner or occupier of Private Land must take all necessary steps to prevent any Animal or Large and/or Noisy Birds on that land from sounding noise at unreasonable times that may adversely affect the comfort, convenience, quiet enjoyment or privacy of any other Person.

26. FODDER ON ROADS

A Person must not place, keep, store, or retrieve, or authorise another Person to place, keep, store or retrieve fodder on any part of a Road.

27. LIVESTOCK ON ROADS

A Person must not allow the Grazing of Livestock or the Droving of Livestock on a Road.

Note: This clause does not apply to the Movement of Livestock as defined.

28. ANIMAL WASTE

A Person responsible for the movement of animals must ensure that any waste that is dropped onto the Road from those animals that is likely to be a danger to Road users or offensive, is removed from the Road as soon as practical.

PART 3 – ROADS AND VEHICLES**29. STREET FESTIVALS**

A Person must not, without a Permit, (required to be obtained at least 21 days before the Street Festival or Procession commences,) hold a Street Festival or Procession on a Road.

30. STREET LITTER BINS AND RECYCLING BINS

- 30.1 A Person must not deposit any waste or other material in a street litter bin or Council recycling bin, contrary to any notice displayed on the bin detailing the type of waste that will be received in that bin.
- 30.2 A Person must not, without a Permit, place, cause or allow another Person to place a recycling, clothing or charitable bin on Council Land, including a Footpath or other part of a Road.

31. BULK RUBBISH CONTAINERS

A Person must not, without a Permit, place, cause or allow another Person to place a Bulk Rubbish Container on a Road.

32. MOTOR BIKES AND MOTORISED RECREATIONAL VEHICLES

A Person must not, without a Permit, use a Motor Bike or Motorised Recreational Vehicle on Council Land (other than on a Road), unless the Council Land has been designated for that purpose.

33. DISMANTLING VEHICLES ON A ROAD

A Person must not dismantle a Vehicle on a Road or allow another Person to do so.

34. DERELICT, ABANDONED AND UNREGISTERED VEHICLES

A Person must not, without a Permit, leave any derelict, abandoned or unregistered Vehicle on Council Land either temporarily or permanently.

35. USE OF HEAVY VEHICLES

A Person must not, without a permit, use a Heavy Vehicle contrary to any sign erected by Council regulating the use of those vehicles.

36. DAMAGE TO ROADS

- 36.1 A Person must not, without a Permit, behave in a way or undertake any activity that causes damage to, or is detrimental to any part of a Road.

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- 36.2 If Council considers that an activity or use on Private Land owned or occupied by a Person has resulted in damage to a Road, Council may serve a notice on the Person requiring that they repair the damage within the time specified

PART 4 - BUSINESS AND BUILDING WORKS

DIVISION 1 - BUSINESS

37. BUSKING AND PERFORMING

A Person must not, without a Permit, on any Road or Council Land, Busk or perform to the public, play any musical instrument or use any sound amplification equipment.

38. TRADING ON A ROAD OR COUNCIL LAND

A Person must not, without a Permit, erect or place on any Road or Council Land a Vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

39. REGULATION OF TRADING SITES

If Council has entered into an agreement (by way of Permit, lease, licence or otherwise) in relation to trading from a particular site, a second Person other than the Person with whom Council has the agreement with must not trade from that site, unless authorised by Council to do so.

40. OUTDOOR DINING ON COUNCIL LAND

- 40.1 A Person must not, without a Permit, use Council Land (including a Footpath or other part of a Road) for any commercial outdoor dining or eating.
- 40.2 A Permit Holder must move or remove the Outdoor Eating Facility to which the Permit relates when requested to do so by an Authorised Officer.

41. ADVERTISING SIGNS

A Person must not, without a Permit, erect or place an Advertising Sign on any part of a Road or Council Land, or cause or authorise another Person to do so.

42. COLLECTIONS

A Person must not, without a Permit, from any Council Land:

- (a) solicit or collect any gifts of money, subscriptions or waste materials; or
- (b) distribute any handbills, information brochures or books;

or cause or authorise another Person to do.

NOTE: Clause 42 does not apply to any solicitation or distribution of printed electoral material, the collection of signatures for a petition or fundraising by persons duly authorised by an educational, cultural or recreational facility or organisation located in the Municipal District for 2 years or more or a registered charity.

43. TRADE WASTE BINS AND TRADE RECYCLING BINS

- 43.1 An occupier of Private Land must arrange for the collection of trade waste from that land.
- 43.2 Where a trade waste, waste hopper or trade recycling bin is placed on Private Land the owner or occupier of that land must ensure that the trade bin or hopper is -
- (a) constructed of impervious material to prevent leakage;
 - (b) water-tight, fly and vermin proof;
 - (c) fitted with a fly and vermin proof lid with overlapping flanges which must be kept continuously closed;
 - (d) constructed with a removable drain plug for the purpose of cleaning; and
 - (e) maintained in a clean and sanitary manner.
- 43.3 A Person must not place any waste or material in a trade waste bin, waste hopper or recycling bin contrary to the notice displayed on that bin.

DIVISION 2 - BUILDING WORKS**44. OCCUPYING OR OPENING A ROAD / DRAINAGE TAPPING**

- 44.1 A Person must not, without a Permit, occupy or open any Road in the Municipal District.
- 44.2 A Person must not, without a Permit, tap into or interfere with any drain including opening any Road, for any purpose, where any part of the drain or Road is under the control of the Council.

45. VEHICLE CROSSINGS

- 45.1 The owner of Private Land must ensure that each point of Vehicle access from a Road to that land has a properly constructed Vehicle crossing between the Road and the boundary of the Private Land abutting the Road.
- 45.2 Any such Vehicle crossing must be properly constructed at the cost of the owner of that land in accordance with the Council's specifications and duly maintained.
- 45.3 For the purposes of this Clause, a Vehicle crossing is properly constructed if:
- (a) it was constructed by or in accordance with the terms of an approval by the Council; or
 - (b) the Council or Vic Roads has approved in writing the method of construction of the particular Vehicle crossing.

46. CONSTRUCTING / REMOVING A VEHICLE CROSSING

- 46.1 A Person must not, without a Permit, or written consent from Vic Roads, construct, install, remove or alter a Vehicle crossing, whether temporarily or permanently.
- 46.2 A Person must not, remove or damage any street Tree as a result of the construction, installation, removal or alteration of a Vehicle crossing.
- 46.3 Where works on Private Land involve the relocation or closure of a point of vehicular access, the owner and occupier of the Private Land who undertakes those works must ensure that any redundant part of a Vehicle crossing is removed and the kerb, drain, Footpath, or other part of the Road is reinstated to Council's satisfaction.

47. TEMPORARY VEHICLE CROSSINGS

- 47.1 Where it is likely that Building Works on Private Land will involve a Vehicle leaving the Road or entering the Private Land or the Private Land abuts a Road, the owner of the Private Land or the Person responsible for the Building Works must obtain a Permit for the construction of a temporary crossing, pay any inspection fee and protect all of the existing Road including the kerb, drains, street trees, footpaths, nature strip and any other part of the Road.
- 47.2 The owner of the Private Land on which the Building Works have been carried out must, to the satisfaction of the Council, repair any damage to the kerb, drains, Footpath, street Tree or existing Road caused by the carrying out of the Building Works.
- 47.3 Where an existing driveway crossing, Footpath, kerb, street Tree or other part of the Road has been damaged as a result of, or arising out of, the Building Works, the owner of the

Private Land on which the Building Works have been carried out must repair the damage or, when requested to do so by the Council, reimburse the Council for the cost and expense of the repair of such damage.

48. ASSET PROTECTION - BUILDING WORKS ON PRIVATE LAND

48.1 A Person must not cause or allow any Building Works to commence or continue on Private Land without:

- (a) notifying Council of the general nature of the works to be undertaken;
- (b) paying an inspection fee to Council not less than 5 business days prior to the commencement of the Building Works;
- (c) giving an opportunity for an Authorised Officer to inspect the Roads, Council Land and any other Council Assets in the vicinity of the Private Land; and
- (d) obtaining an Asset Protection Permit from Council.

48.2 A Person must not cause or permit any Building Works to commence or continue on Private Land without ensuring that:

- (a) the Private Land is properly fenced whether permanent or temporary and remains so for the duration of the Building Works;
- (b) a protective barrier is installed around any Tree which is -
 - (i) located on a Road or other Council Land within 4 metres of the building site unless reasonable grounds for its exclusion are determined by an Authorised Officer; and
 - (ii) nominated by an Authorised Officer as requiring a protective barrier;
- (c) building clean-up, wash-down, slurry or other wastes do not enter Council's stormwater system;
- (d) the Private Land is provided with proper site identification;
- (e) any Vehicle crossings to be temporarily or permanently installed, altered or removed are identified and included in the conditions of the Permit and the calculation of any bond; and
- (f) upon being requested by an Authorised Officer to do so, a traffic management plan and or a waste management plan is provided to the Council adequately addressing any parking or traffic or issues referable to the Building Works which have been identified by an Authorised Officer.

PART 5 – LIQUOR AND SMOKING

49. CONSUMPTION AND POSSESSION OF LIQUOR ON ROADS

Unless exempt under clause 52 a Person must not, at any time on a Road:

- (a) consume any Liquor; or
- (b) have in their possession or control any Liquor other than in a sealed container.

50. CONSUMPTION AND POSSESSION OF LIQUOR IN MUNICIPAL RESERVES

Unless exempt under clause 52 between the hours of 10.00pm and 8.00am, a Person must not, in a Municipal Reserve (including on any Road within a Municipal Reserve) or in any motor vehicle within a Municipal Reserve:

- (a) consume any Liquor; or
- (b) have in their possession or control any Liquor other than Liquor in a sealed container.

51. LIQUOR FREE AREAS

- 51.1 Council may, by resolution, declare in part or whole any Municipal Place, Road or other Council Land within the Municipal District to be an Alcohol Free Area as shown in the Maps in Schedule 2.
- 51.2 In those areas of the Municipal District declared alcohol-free area, Council must erect and maintain signage which indicates the boundaries and times of the Alcohol Free Area.
- 51.3 A Person must not, without a Permit, consume Liquor, or have in their possession or control any Liquor other than in a sealed container in any area declared by Council to be an Alcohol Free Area,

52. LIQUOR EXEMPTION

A Person who consumes Liquor or has in their possession Liquor in an unsealed container does not commit an offence if the person:

- (a) is taking part in a Procession, function, Street Festival or other activity on a Road or on or in a Municipal Reserve in respect of which Council has granted permission and in accordance with any other permit or licence required under any Act; or
- (b) is in Licensed Premises or an extension of Licensed Premises in respect of which the use of the area for consumption and possession of Liquor in unsealed containers is permitted in accordance with any other permit or licence required under any Act.

53. DECLARED SMOKE FREE AREAS

- 53.1 Council may declare in part or whole any Municipal Place, Road or other Council Land within the Municipal District to be a Smoke Free Area as shown in the Maps contained in Schedule 3.
- 53.2 Council must erect and maintain or cause to be erected and maintained in those parts of the Municipal District declared smoke-free, a sign which indicates that the area has been declared a Smoke Free Area.
- 53.3 A Person must not smoke in or on any part of the Municipal District that has been declared by the Council to be a Smoke Free Area.

PART 6 - COUNCIL LAND**54. BEHAVIOUR IN MUNICIPAL PLACES**

A Person must not, while in a Municipal Place, behave in a manner that endangers others or unreasonably interferes with the quiet enjoyment of the Municipal Place by any other Person.

55. DAMAGING OR DEFACING A MUNICIPAL PLACE

A Person must not, do the following in or on a Municipal Place:

- (a) destroy, damage or interfere with a Municipal Place;
- (b) destroy, damage, remove, plant or interfere with a Tree or plant on or within a Municipal Place;
- (c) remove anything belonging to the Council from any Municipal Place; or
- (d) destroy, damage or interfere with any other property or Council Assets owned or managed by the Council, located in or on any Municipal Place.

56. INTERFERENCE WITH A WATER COURSE

A Person must not, without a Permit, destroy, damage or interfere with a water course, ditch, creek, gutter, drain, tunnel, bridge, levee, culvert, or any directly adjoining fence or foreshore of a waterway, vested in or under the control of the Council.

57. OBSTRUCTIONS ON COUNCIL LAND

A person must not place or leave any object, material, thing or structure on any road or Council Land so as to:

- (a) cause an obstruction;
- (b) constitute a danger to any Person; or
- (c) be in the way of or likely to obstruct traffic.

58. PLACING GOODS ON COUNCIL LAND

A person must not place, store or keep any item or goods on Council land.

59. BEHAVIOUR WITHIN MUNICIPAL RESERVES

A Person must not, while in a Municipal Reserve, behave in a manner that endangers others or unreasonably interferes with the quiet enjoyment of the Municipal Reserve by any other Person.

60. ACCESS TO MUNICIPAL RESERVES

60.1 Except as determined otherwise by the Council or an Authorised Officer, all Municipal Reserves are open to the public on any day.

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- 60.2 Council may, in the case of any Municipal Reserve, set aside days and times upon which charges or entrance fees may be made for the use of the Municipal Reserve.
- 60.3 Council may restrict access to any part of a Municipal Reserve, whether for temporary works, for long or short-term lease use or any other purpose, and public access to such restricted areas may be non-existent, limited by condition or subject to a fee or donation.
- 60.4 A Person must not enter any Municipal Reserve, whether open to the public or subject to restricted access, other than via designated access points (where applicable), during hours of opening and subject to any conditions, fee or donation imposed, unless directed otherwise by a member of Council staff or authorised contractor in the course of their employment.

61. CAMPING ON COUNCIL LAND

- 61.1 A Person camping on Council land must ensure that they are camping within an RV Park or a Camping Area.
- 61.2 Any person camping on Council Land must not:
- (a) deliberately damage or destroy any Council property or vegetation;
 - (b) interfere with any Council structure, facility or equipment within the camping area;
 - (c) carry out domestic tasks unless in the appropriate area;
 - (d) use provided facilities in a way that makes them unclean or insanitary; and
 - (e) dispose of any liquid or solid waste other than at an approved waste transfer station or dump site provided for that purpose.

62. LIGHTING FIRES ON COUNCIL LAND

- 62.1 A Person must not, without a Permit, light or cause to be lit any fire in or on any Municipal Place or any Council Land other than a camp fire in a designated Camping Area or a permanent or portable Barbeque.
- 62.2 A Person must not, without a Permit, use or congregate around a fire which has been lit in or on any Municipal Place or any Council Land other than a camp fire in a designated Camping Area or a permanent or portable Barbeque.
- 62.3 A Person who, without a Permit lit or caused to be lit any fire, in or on any Municipal Place or any Council Land other than a camp fire in a designated Camping Area or a permanent or portable Barbeque, must not allow that fire to remain alight.

63. FILMING ON COUNCIL LAND

A Person must not, without a Permit, undertake any Filming on any Council Land where the film is for any commercial purpose and/or television broadcasting purpose other than news broadcasting.

64. PARKING ON MUNICIPAL RESERVES

A Person must not, without a Permit, park any motor car, motor cycle or other motor vehicle on any part of any Municipal Reserve other than in any parking area set aside for that purpose by Council.

65. USE OF WHEELED NON-MOTORISED RECREATIONAL DEVICES

- 65.1 Council may, by resolution, designate areas in which Wheeled Non-Motorised Recreational Devices and/or Wheeled Child's Toys must not be used as shown in Schedule 4.
- 65.2 If Council designates areas in which Wheeled Non-Motorised Recreational Devices and/or Wheeled Child's Toys must not be used, it must cause signs to be erected in or on the areas designated by it, clearly indicating the location and extent of the area in which Wheeled Non-Motorised Recreational Devices or Wheeled Child's Toys (as the case may be) must not be used.
- 65.3 A Person must not use a Wheeled Non-Motorised Recreational Device and/or Wheeled Child's Toy in an area designated by the Council as an area in which the use of such is prohibited as shown in Schedule 4.

66. BEHAVIOUR IN A MUNICIPAL BUILDING

A Person must not, in a Municipal Building, behave in a manner that endangers others or unreasonably interferes with the quiet enjoyment of the Municipal Building by any other Person.

67. AVAILABILITY AND HIRE

- 67.1 A Person must not organise, undertake or hold any event in a Municipal Building without the consent of the Council.
- 67.2 During any period for which a Municipal Building or any part of it has been hired out, the Manager may refuse admission to any other Person unconnected with the hiring purpose.

PART 7 – PERMITS & FEES**68. APPLICATION FOR PERMIT**

- 68.1 An application for a permit must be in the form prescribed by Council and must be accompanied by the appropriate fee prescribed by Council.
- 68.2 Council may require an Applicant to:
- (a) provide additional information; or
 - (b) give notice of the application or invite any person to make a submission or do both,
- before the application is determined.
- 68.3 A permit may include any condition which the Council considers to be reasonable and appropriate having regard to the activity to be authorised by the permit and the effects or anticipated effects of that activity.
- 68.4 Unless otherwise stated in the permit, a permit:
- (a) only authorises the person named in the permit to carry out the permitted activity;
 - (b) is not transferable; and
 - (c) will operate from the date it is granted; and
 - (d) will expire 12 months from the date of issue.

69. DECISION ON PERMIT APPLICATION

After considering all relevant documentation, Council may decide:

- (a) to grant a permit;
- (b) to grant a permit subject to conditions, including the requirement to lodge a bond with Council;
- (c) refuse to grant a permit; or
- (d) exempt a person or class of persons from the requirement to obtain a permit.

70. AMENDMENT, CANCELLATION & SUSPENSION OF PERMIT

- 70.1 Council may correct a permit if the permit contains a clerical mistake, error or omission.
- 70.2 Council may cancel, suspend or amend a permit at any time if:

- (a) it is requested to do so by the permit holder; or
 - (b) it considers that there has been:
 - (i) a material mis-statement or concealment of fact in relation to the application for the permit;
 - (ii) a material mistake in relation to the issue of the permit;
 - (iii) a material change of circumstances which has occurred since the grant of the permit; or
 - (iv) there has been a substantial failure to comply with the permit or a Notice to Comply.
- 70.3 Council must give written notice to a permit holder of any correction, cancellation, suspension or amendment of a permit.
- 70.4 Before it cancels a permit, the Council must provide the permit holder an opportunity to make a submission on the proposed cancellation.
- 70.5 If a permit holder is not the owner of the land and the owner's consent was required to be given to the application for the permit, the owner must be notified of any Notice to Comply subsequently issued by Council.

71. FEES

- 71.1 Council may by resolution determine fees and charges for the purposes of this Local Law.
- 71.2 Council may waive, reduce or defer payment of fees and charges in whole or in part, with or without conditions.

72. BONDS

If a permit holder is required to lodge a bond, Council may –

- (a) utilise those funds to remedy a breach of the permit or repair any damage caused by works carried out under the permit;
- (b) request the permit holder increase the bond amount;
- (c) release all or part of the bond back to the permit holder upon completion of any works under the permit; or
- (d) retain the bond amount and place it into Council's general revenue if the permit holder cannot be located or has not collected the bond payment within 12 months of notice being given.

PART 8 - ENFORCEMENT**73. OFFENCES**

A person who:

- (a) contravenes or fails to comply with any provision of this Local Law including any incorporated document;
- (b) contravenes or fails to comply with any condition contained in a permit issued under this Local Law;
- (c) knowingly provides false information in support of an application for a permit issued under this Local Law;
- (d) knowingly supplies false or misleading information to an Authorised Officer;
- (e) fails to comply with a verbal or written direction issued by an Authorised Officer;
- (f) fails to comply with a Notice to Comply served by an Authorised Officer;
- (g) fails to comply with a Notice of Impoundment served by an Authorised Officer;
- (h) fails to comply with a sign erected by Council; or
- (i) makes or attempts to make any agreement with an Authorised Officer to induce that authorised officer to compromise their duty -

is guilty of an offence.

74. POWER TO ISSUE A DIRECTION

74.1 Where an Authorised Officer reasonably believes that a person has committed an offence against this Local Law, the Authorised Officer may issue a direction, requiring the person to stop offending and do anything necessary to rectify the offence.

74.2 A direction may be verbal or written.

75. INFRINGEMENT NOTICES

75.1 Where an Authorised Officer reasonably believes that a person has committed an offence against this Local Law, an infringement notice may be issued and served on that person.

75.2 A person to whom an infringement notice has been issued must pay to Council the amount specified within 28 days.

75.3 The amount of the fixed penalty to be specified in an infringement notice is set out in Schedule 1.

76. NOTICE TO COMPLY

- 76.1 Where an Authorised Officer reasonably believes that a person has committed an offence against this Local Law, a Notice to Comply may be issued and served on that person.
- 76.2 A Notice to Comply must specify the time and date by which the person must comply with the specified directions, which must be reasonable having regard to the circumstances.

77. IMPOUNDMENT

- 77.1 An Authorised Officer may immediately move or impound any object, thing or animal (other than a cat or dog) which the officer reasonably believes contravenes or results in a contravention of this Local Law.
- 77.2 Following impoundment, an Authorised Officer must, if practicable, serve a Notice of Impoundment on the person whom the officer reasonably believes is the owner of the object, outlining the process for collection.
- 77.3 An Authorised Officer may sell, dispose of or destroy an object that isn't collected in the manner specified in the Notice of Impoundment, with any proceeds from the sale being placed into Council's consolidated revenue.
- 77.4 An Authorised Officer may direct any person responsible for causing or permitting an obstruction on Council land to remove the obstruction.

78. APPEALS

An Applicant who is aggrieved by a decision made under this Local Law may lodge a written submission with an Appeals Officer of Council and may request to be heard in support of their submission. An application for review under this clause does not remove the Person's obligation to act in accordance with any decision, direction or notice given to that Person.

79. URGENT CIRCUMSTANCES

In any urgent circumstance arising under this Local Law, an Authorised Officer may take any reasonable action.

80. EXEMPTIONS

- 80.1 Council or an Authorised Officer may exempt a person or class of persons from the operation of any provision of this Local Law if it is in the public interest to do so.
- 80.2 Any exemption under sub-clause 80.1:
- (a) must be in writing; and

- (b) may be subject to such reasonable conditions that Council or an Authorised Officer sees fit.

SCHEDULE ONE – INFRINGEMENT PENALTIES

Clause No	Offence	Infringement Penalty
10	Road Names	1
11	Property Numbers	1
12	Unsightly Land	2
13	Dangerous Land	2
14	Domestic Waste Collection	1
15	Removing Recyclable Material	1
16	Open Air Burning	2
17	Camping on Private Land	2
18	Shipping Containers	1
19	Trees and Plants not to Obscure	1
20	Trees Causing Damage to a Municipal Place	1
21	Keeping Animals	1
22	Animal Accommodation	1
23	Adequate Fencing	1
24	Animal Excrement	1
25	Animal and Bird Noise	1
26	Fodder on Roads	1
27	Livestock on Roads	1
28	Animal Waste	1
29	Street Festivals	1
30	Street Litter Bins and Recycling Bins	1
31	Bulk Rubbish Containers	1
32	Motor Bikes and Motorised Recreational Vehicles	1
33	Dismantling Vehicles on a Road	1
34	Derelict, Abandoned and Unregistered Vehicles	1
35	Use of Heavy Vehicles	2

36	Damage to Roads	2
37	Busking and Performing	1
38	Trading on a Road or on Council Land	2
39	Regulation of Trading Sites	2
40	Outdoor Dining on Council Land	2
41	Advertising Signs	1
42	Collections	1
43	Trade Waste Bins and Trade Recycling Bins	2
44	Occupying or Opening a Road	2
45	Vehicle Crossings	2
46	Constructing or Removing a Vehicle Crossing	2
47	Temporary Vehicle Crossings	2
48	Asset Protection	5
49	Liquor on Roads	1
50	Liquor in Municipal Places	1
51	Liquor Free Areas	1
53	Declared Smoke Free Areas	1
54	Behaviour in Municipal Places	1
55	Damaging or Defacing a Municipal Place	1
56	Interference with a Water Course	1
57	Obstructions on Council Land	2
58	Placing Goods on Council Land	1
59	Behaviour within Municipal Reserves	1
60	Access to Municipal Reserves	1
61	Camping on Council Land	1
62	Lighting Fires on Council Land	2
63	Filming on Council Land	1
64	Parking on Municipal Reserves	1
65	Use of Wheeled Non-Motorised Recreational Devices	1

66	Behaviour in a Municipal Building	1
67	Availability and Hire	1
73	Offences	1

SCHEDULE TWO – DECLARED ALCOHOL FREE AREAS

Under clause 61 Council may by resolution declare any part of the Municipal District Alcohol Free. That declaration may be unconditional, or limited to times of the day, days of the year, defined public holiday periods, special events and/or particular places. It is an offence to consume alcohol in any declared area without a permit during the declared alcohol-free times, dates or events.

The following areas have been declared Alcohol-Free without a permit, unconditionally:

- (1) From 10 pm until 8 am on all Council land including all Municipal Reserves within the Municipal District of Gannawarra Shire Council.
- (2) Kerang central township: an area declared where the consumption of alcohol may not be consumed without a permit unconditionally: being the area bounded by the following streets/roads as shown in the map below: Nolan, Scoresby, Fitzroy, Wyndham, Albert, Wellington, Victoria, Little Wellington Lane (back to Nolan).

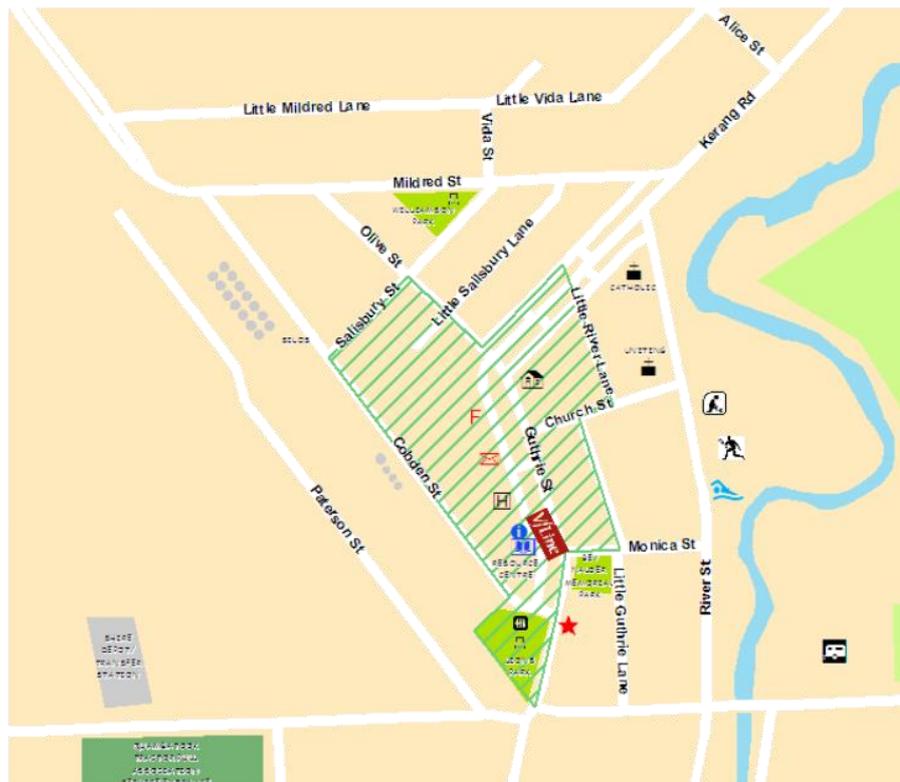
KERANG MAP



Declared Alcohol-Free Areas -1

- (3) Quambatook central township: an area declared where the consumption of alcohol may not be consumed without a permit unconditionally: being the area bounded by the following streets/roads as shown in the map below: Little River Lane, Church, Little Guthrie Lane, Monica, Guthrie, Cobden, Cobden, Salisbury, Olive, Kerang Rd (back to Little River Lane) (includes Leary's Park).

QUAMBATOOK MAP



Declared Alcohol-Free Areas 1

- (4) Koondrook central township: an area declared where the consumption of alcohol may not be consumed without a permit unconditionally: being the area bounded by the following streets/roads as shown in the map below: Punt Rd South, Tramway, riverside to Gunbower Pde & Maunder St, Forrest, Arbuthnot (back to Punt Rd Sth).

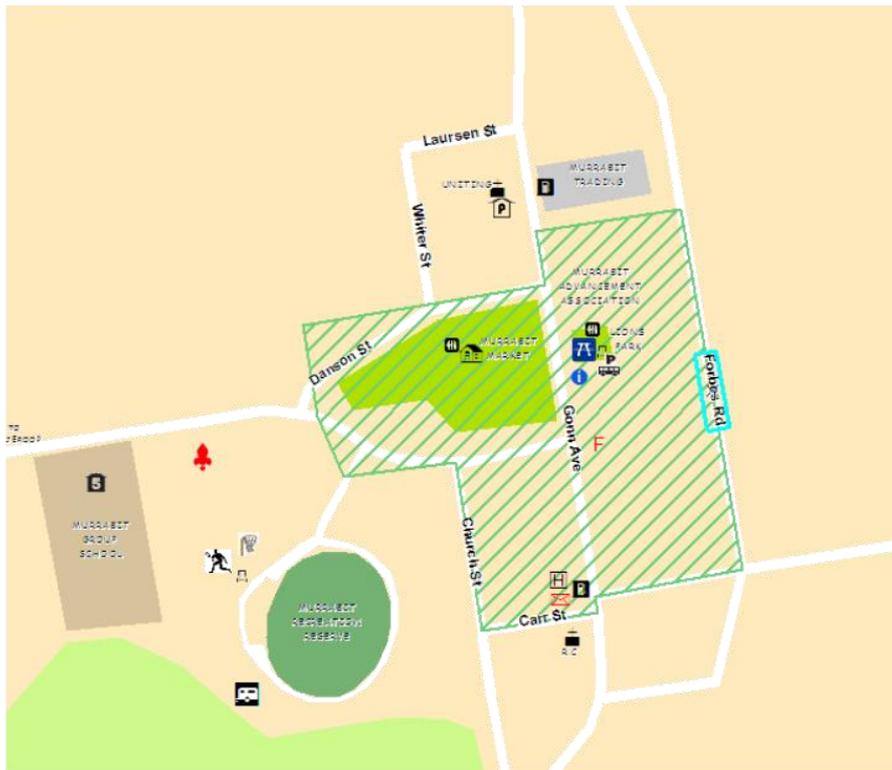
KOONDROOK MAP



Declared Alcohol-Free Areas - 1

- (5) Murrabit central township: an area declared where the consumption of alcohol may not be consumed without a permit unconditionally: being the area bounded by the following streets/roads as shown in the map below: Danson, Gonn, Forbes, Carr, Church, Browning (back to Danson).

MURRABIT MAP



Declared Alcohol-Free Areas - 1

- (6) Cohuna central township: an area declared where the consumption of alcohol may not be consumed without a permit unconditionally: being the area bounded by the following streets/roads as shown in the map below: King George St, Garden Park, Gunbower Creek, Cohuna Island Rd, King George St, Channel, Dunn (back to King George). Includes all Garden Park.

COHUNA MAP



SCHEDULE THREE – COUNCIL DECLARED SMOKE FREE ZONES

The following areas (as delineated and coloured red on the maps below) have been declared Smoke Free Zones at all times.

KERANG – Atkinson Park, Adams Court, Egg Park, Gannawarra Children’s Centre, Lyall Ave, McCann Crescent and Kerang Swimming Pool.







COHUNA – Youngs Park, Cohuna Swimming Pool, Cohuna Maternal Child & Health and Pre School Centre, Cullen Street Playground and Apex Park.





QUAMBATOOK – Swimming Pool, Recreation Reserve and Lions Park



LALBERT – Recreation Reserve and Lalbert Rest Stop



LEITCHVILLE – Trigg Park, Swimming Pool, Recreation Reserve, Keath Street Playground and Maternal Child & Health and playground





KOONDROOK – Apex Park and Maternal Child & Health Centre and swimming pool



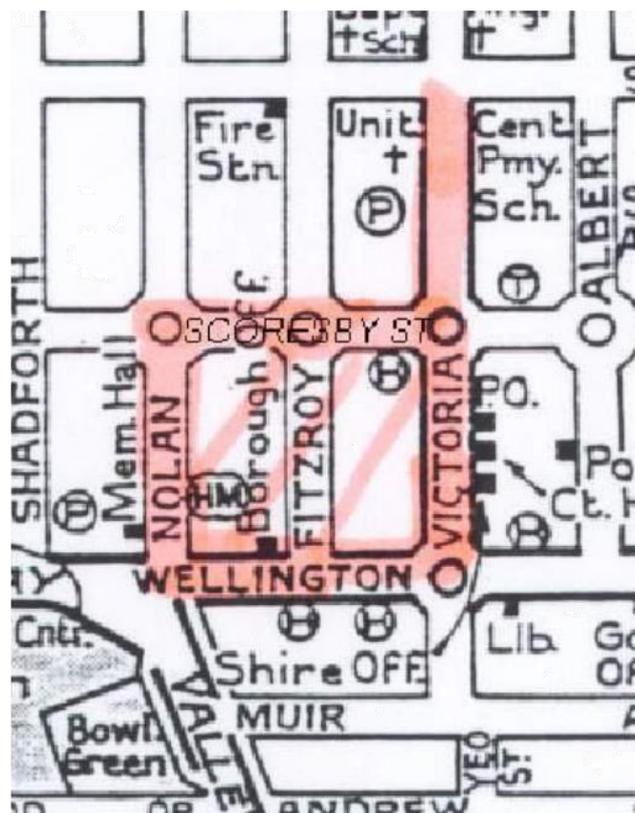
SCHEDULE FOUR - Declared Wheeled Device Free Areas

Under clause 81 Council may by resolution declare any part of the Municipal District Free of Wheeled Non-Motorised Recreational Devices and/or Wheeled Child’s Toys. That declaration may be unconditional, or limited to times of the day, days of the year, defined public holiday periods, special events and/or particular places. It is an offence to use a Wheeled Non-Motorised Recreational Device and/or Wheeled Child’s Toy in any declared area without a permit during the declared free times, dates or events.

Areas declared free of Wheeled Non-Motorised Recreational Devices and/or Wheeled Child’s Toys by Council resolution, as determined by Council from time to time are incorporated in Schedule 2 of this Local Law.

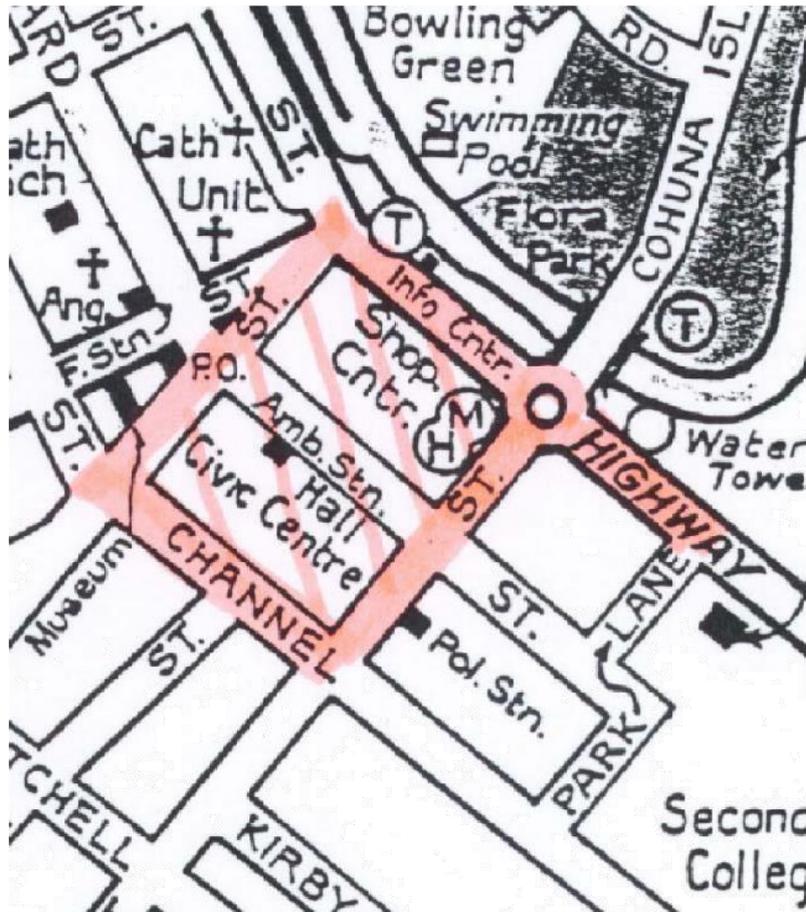
The following areas (as shown on the maps below) have been declared Free of Wheeled Non-Motorised Recreational Devices and/or Wheeled Child’s Toys without a permit, unconditionally:

- KERANG** – including an area bounded by the streets/roads: Wellington, Victoria, Scoresby, Nolan (back to Wellington), plus Victoria St from Scoresby to Wyndham.



Declared Wheeled Non-Motorised Recreational Devices and Wheeled Child's Toys Free - 2

COHUNA - - including an area bounded by the streets/roads: King George, Market, Channel, Cullen, (back to King George) plus King George to Park Lane East.



SCHEDULE FIVE – DECLARED ROADSIDE TRADING AREAS

In accordance with Gannawarra Shire Council Policy 123 – Roadside, Parks and Reserves Trading, the following areas (as delineated by white hatching on the maps below) have been declared specific sites for itinerant trading.

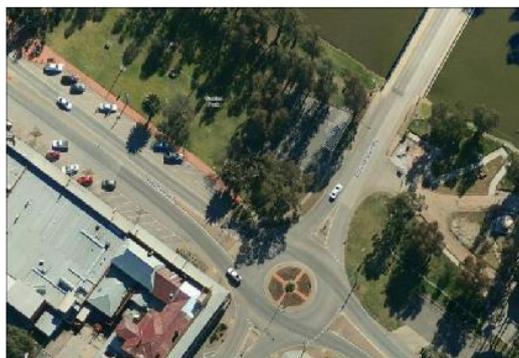
Atkinson Park, Kerang



RSL Drive, Kerang



Garden Park, Cohuna



7.6 PETITION - FLYING THE RAINBOW FLAG**Author:** Paul Fernee, Acting Director Community Wellbeing**Authoriser:** Tom O'Reilly, CEO**Attachments:** Nil**RECOMMENDATION****That Council**

- 1. Fly the rainbow flag on IDAHOBIT day in 2023 to promote inclusion for the LGBTIQ+ community;**
 - 2. Develop a Flag Flying Policy to address future requests to fly flags to promote causes within the municipality.**
-

EXECUTIVE SUMMARY

A petition calling for the rainbow flag to be flown on the International Day against Homophobia, Biphobia, Intersex discrimination and Transphobia (IDAHOBIT) each year has been received by Council.

As per clause 104 of the Governance Rules, Council resolved to lay the petition on the table until the November council meeting.

Council has committed to support inclusion for the LGBTIQ+ community through its Social Inclusion Strategy 2019-2023 and through partnerships and programs within Gannawarra as identified in the Council Plan 2021-2025.

PURPOSE

The purpose of this report is for Council to make a decision regarding the petition to fly the Rainbow Flag on Homophobia, Biphobia, Intersex discrimination and Transphobia (IDAHOBIT) day each year.

ATTACHMENTS

Petition – Flying the Rainbow Flag

DISCUSSION

A petition from the Local Government Rainbow Team containing 29 names, calling for the rainbow flag to be flown on the International Day against Homophobia, Biphobia, Intersex discrimination and Transphobia (IDAHOBIT) each year was received by Council at the October 2022 Council Meeting.

As per clause 104 of the Governance Rules, a petition or joint letter presented to Council must lay on the table until the next meeting of the Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council agrees to deal with it earlier.

The Australian National Flag and the Australian Aboriginal Flag are currently flown outside Council's Kerang Office and Gateway to Gannawarra Visitor Centre.

Council must comply with the Department of Prime Minister and Cabinet, Australian National Flag Protocols, with the Australian Flags Booklet advising the following:

The Australian Aboriginal Flag and the Torres Strait Islander Flag should be flown on additional flagpoles, where available, next to or near the Australian National Flag on Australian Government buildings and establishments.

If there is only one flagpole available, the Australian Aboriginal Flag and the Torres Strait Islander Flag should not replace the Australian National Flag.

If there are two flagpoles available, it is at the discretion of the authority concerned to determine which flag should be flown with the Australian National Flag.

Council's Draft Reconciliation Action Plan is currently being finalised with Elders and Reconciliation Australia and commits to flying the Australian Aboriginal Flag at Council and partnership agency facilities.

Council does not currently have a Policy that addresses the placement of flags for advocacy support to inform decisions such as what has been raised within this petition. Requests such as these are currently dealt with on an adhoc basis, whilst current placement of the Australian National Flag and Australian Aboriginal Flag are undertaken through reference to the *Flags Act 1953* and the *Australian National Flag Protocols*.

Council's Social Inclusion Strategy 2019-2023 states that "*The Gannawarra Shire Council will continue to foster the spirit of inclusiveness. Council will seek to identify and remove barriers that people face – particularly those within the Council's immediate sphere of influence.*" This places an emphasis on improving inclusiveness within Gannawarra particularly for youth, LGBTIQ+, Indigenous and people with a disability.

Through the implementation of the Social Inclusion Strategy and Council Plan (2017-2021 and 2021-2025) in recent years, Council works as part of GLAM (Gannawarra Local Agency Meeting) alongside agencies including; Northern District Community Health, Kerang District Health, Cohuna District Hospital, Mallee Family Care and Department of Families, Fairness and Housing (Victorian State Government) to address a number of key regional wellbeing issues, including support for the LGBTIQ+ community, mental health, addressing family violence, the Buloke Loddon Gannawarra (BLG) Health Partnership and many other community health and wellbeing issues.

There remains no specific reference or previous commitment to fly the rainbow flag by Council, so consideration must be made as to whether the proposed petition and request aligns with Council's current strategies and advocacy position and Council is prepared to commit to any infrastructure that may be required to fly the rainbow flag on 17 May each year.

RELEVANT LAW

Local Government Act 2020

Flags Act 1953

RELATED COUNCIL DECISIONS

Council made a decision at the October 2022 Council meeting to receive the petition, and as per clause 104 of the Governance Rules, the petition lays on the table until the next meeting of Council.

OPTIONS

The Australian National Flag and the Australian Aboriginal Flag are currently flown outside Council's Kerang Office and Garden Park, Cohuna. There is not currently a third flagpole erected outside Council's Kerang Office. If Council approve the request to fly the Rainbow Flag, the following options will need to be taken into consideration:

1. Erect a third flagpole outside Council's Kerang Office to allow for the flying of community type flags, including the Rainbow Flag on 17 May annually;
2. Utilise current infrastructure with flagpoles available on the Bendigo Road median, Garden Park, Cohuna and Atkinson Park soundshell, Kerang;
3. Erect a new flagpole in an appropriate location allowing for community flags to be flown when requested.
4. Develop a Flag Flying Policy to address future requests for flying flags for specific purposes.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The erection of a new flagpole/s will require funding either by Council, or the Rainbow Local Government Team, who have committed to support Council to source funding to erect a new flagpole if required to commit to raising the Rainbow Flag on IDAHOBIT day.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Department of Prime Minister and Cabinet, Australian National Flag Protocols.

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025;

Goal 1: Liveability – 1.1 Improve the health, safety and wellbeing of our community through partnerships, services and programs

Goal 3: Sustainability – 3.3 Be a creative employer of choice through our adherence to good governance and our inclusive culture.

Social Inclusion Strategy 2019-2023.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be presented in an open Council Meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in regards to this matter.

8 URGENT BUSINESS

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - 82

Author: Councillor Garner Smith

Authoriser: Tom O'Reilly, CEO

Attachments: Nil

I, Councillor Garner Smith , give notice that at the next Ordinary Meeting of Council be held on 16 November 2022, I intend to move the following motion:-

MOTION

The Gannawarra Council call on the State and Federal Government to hold an inquiry into the contribution of the management of rivers and water resources to flooding in the Gannawarra Shire.

10 QUESTION TIME

Question Time provides an opportunity for members of the public to submit questions, in advance, to gain a response at the Council meeting.

QUESTIONS FROM THE GALLERY

Completed Question Time forms must be submitted to the Chief Executive Officer via email council@gannawarra.vic.gov.au no later than 5.00 pm on the day prior to the Council meeting.

A maximum number of two questions may be submitted in writing by any one person.

Questions will be read by the Mayor or Chief Executive Officer.

The Mayor or Chief Executive Officer may indicate that they require further time to research an answer. In this case, an answer will be provided in writing generally within ten (10) business days.

Questions will be answered at the meeting, or later in writing, unless the Mayor or Chief Executive Officer has determined that the relevant question seeks confidential information defined in Section 3 of the Local Government Act 2020 such as:

- Council business information
- security information
- land use planning information
- law enforcement information
- legal privileged information
- personal information
- private commercial information
- confidential meeting information
- internal arbitration information
- Councillor Conduct Panel confidential information
- an issue outside the Gannawarra Shire Council core business

or if the question is:

- defamatory, indecent, abusive or objectionable in language or substance
- repetitive of a question already answered (whether at the same or an earlier meeting)
- asked to embarrass a Councillor or Council officer.

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

11 DELEGATES REPORTS

11.1 DELEGATES REPORTS

Author: Mel Mathers, Executive Assistant - Chief Executive Office

Authoriser: Tom O'Reilly, CEO

Attachments: Nil

EXECUTIVE SUMMARY

Council has memberships with peak Local Government associations, local and regional forums along with statutory committees. Some memberships require that a Councillor be appointed to act as a delegate to formally represent Council; typically in a voting capacity. This Agenda item provides an opportunity for Council appointed delegates to present a verbal update on any pertinent matters arising from Council's membership on the following associations.

Association	Appointed Council Delegate
Central Victorian Greenhouse Alliance	Cr Stanton
Community Halls Community Asset Committee	Cr Burt
Loddon Campaspe Group of Councils	Mayor
Municipal Association of Victoria	Cr Collier
Municipal Fire Management Planning Committee (MFMPC)	Cr Link
Murray River Group of Councils (MRGC)	Mayor
Rail Freight Alliance	Cr Stanton
Rural Councils Victoria	Cr Smith
Timber Towns Victoria	Cr Smith

NB: * Audit and Risk Committee - no delegate report is required as the Audit and Risk Committee formally reports back separately to Council in accord with the Audit and Risk Committee Charter.

12 CONFIDENTIAL ITEMS

Nil