



GANNAWARRA

Shire Council

Wednesday, 21 September 2022

10:00am

Senior Citizens Centre

Kerang

AGENDA

Council Meeting

Order Of Business

1	Welcome to Country.....	3
2	Opening Declaration.....	3
3	Apologies and Leave of Absence	3
4	Confirmation of Minutes	3
5	Declaration of Conflict of Interest	3
6	Briefing Sessions.....	5
6.1	Records of Councillor Briefings - 10 August to 13 September 2022	5
7	Business Reports for Decision	9
7.1	2022 Annual Financial Statements.....	9
7.2	Delegation Update - Council to Members of Council Staff	91
7.3	Christmas Closure 2022.....	232
7.4	Draft Domestic Animal Management Plan.....	235
8	Urgent Business.....	264
9	Notices of Motion.....	265
9.1	Notice of Motion - 81	265
10	Question Time.....	266
11	Delegates Reports	267
11.1	Delegates Reports	267
12	Confidential Items	268
	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 - 17 August 2022

Unscheduled Meeting - 25 August 2022

Unscheduled Meeting - 31 August 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 - 10 AUGUST TO 13 SEPTEMBER 2022

Author: Mel Mathers, Executive Assistant - Chief Executive Office

Authoriser: Tom O'Reilly, CEO

Attachments: 1 Councillor Briefing Record 29 August 2022
2 Councillor Briefing Record 12 September 2022

RECOMMENDATION

That Council note the records of Councillor Briefings from 10 August to 13 September 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

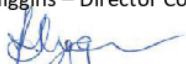


Type of Meeting	Councillor Briefing	
Date:	Monday 29 August 2022	
Time:	9:00am – 12:00pm	
Location:	Kerang Senior Citizens Centre	
In Attendance: (Councillors)	Cr Charlie Gillingham Cr Jane Ogden Cr Kelvin Burt Cr Travis Collier Cr Ross Stanton Cr Garner Smith	
Apologies:	Cr Keith Link	
In Attendance: (Officers)	Phil Higgins Paul Fernee Carole Wandin Kaylene Tuohey	
In Attendance: (Other)	Michael Goldsworthy (Australian Strategic Services) Aaron Goldsworthy (Australian Strategic Services) Daniel Cadart (Australian Strategic Services)	
Matters Discussed:	Community Care Business Plan	
Conflict of Interest Disclosures		
Matter No.	Councillor/Officer making disclosure	Councillor/Officer left meeting Yes/No
Nil		
Completed By:	Tom O'Reilly – Chief Executive Officer 	

RECORD OF A COUNCILLOR BRIEFING



Type of Meeting	Councillor Briefing
Date:	Monday, 12 September 2022
Time:	9:00am – 4:27pm
Location:	Virtual Video Conference Meeting via Zoom
In Attendance: (Councillors)	Cr Charlie Gillingham Cr Jane Ogden Cr Kelvin Burt Cr Travis Collier Cr Ross Stanton Cr Keith Link Cr Garner Smith
Apologies:	Nil
In Attendance: (Officers)	Geoff Rollinson, Paul Fernee, Phil Higgins, Mel Mathers, Roger Griffiths, Alissa Harrower, Wade Williams, Carole Wandin, Kyle Hodgkinson, Shana Johnny, Scott Bourne, Kaylene Tuohey
In Attendance: (Other)	Michael Goldsworthy – Principal Consultant, Australian Strategic Services Aaron Goldsworthy – Senior Consultant, Australian Strategic Services Kate Maddock – Managing Director, Otium Planning Group Ben Bainbridge – Associate, Otium Planning Group
Matters Discussed:	<p>Presentations:</p> <p>1.1 Draft Community Care Business Plan</p> <p>1.2 Draft Aquatic Strategy Community Engagement Outcomes</p> <p>Draft Council Agenda – September Meeting of Council</p> <p>Reports:</p> <p>7.1 2022 Annual Financial Statements</p> <p>7.2 Delegation Update – Council to Members of Council Staff</p> <p>7.3 Christmas Closure 2022</p> <p>7.4 Draft Domestic Animal Management Plan</p> <p>Councillor Briefing Updates:</p> <ul style="list-style-type: none"> • Councillor Training – Governance and Team Building • Protective Data Security Plan • 2023 Australia Day Arrangements • Local Law No. 1 Community Amenity Review – Preliminary Draft • Climate Change Strategy – Draft • Koondrook Retreat • Future Listing Report <p>Councillor Strategic Briefing Updates:</p> <ul style="list-style-type: none"> • 2021/2022 Year in Review • 2021-2022 Capital Works Program Update • Strategic Projects – Towards 2025 Update <p>Councillor Issues</p>

Conflict of Interest Disclosures		
Matter No.	Councillor/Officer making disclosure	Councillor/Officer left meeting Yes/No
Nil		
Completed By:	Phil Higgins – Director Corporate Services 	

7 BUSINESS REPORTS FOR DECISION

7.1 2022 ANNUAL FINANCIAL STATEMENTS

Author: Shana Johnny, Chief Financial Officer

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 2022 Draft Financial Statements
2 2022 Draft Performance Statement

RECOMMENDATION

That Council:

1. Acknowledge that the 'in principle' 2022 Financial Statements, and 'in principle' 2022 Performance Statement have been presented to and endorsed by the Audit and Risk Committee at its meeting on 6 September 2022.
2. Approve the 'in principle' 2022 Financial Statements and 'in principle' 2022 Performance Statement.
3. Approve the Chief Executive Officer to be authorised to effect any changes required by the Victorian Auditor-General's Office.
4. Nominate Cr Gillingham and Cr Smith to be authorised to certify on behalf of Council the 'final statement' 2022 Financial Statements, and 'final statement' 2022 Performance Statement, which are also to be signed by the Chief Executive Officer and the Principal Accounting Officer and submit to the Minister and Auditor-General.

EXECUTIVE SUMMARY

The 2022 Financial Statements and Performance Statement are presented to Council for 'in principle' approval. The statements, subject to final audit, present the financial position of the Council as at 30 June 2022. The audit position is unqualified at this stage and is subject to consideration by the Auditor-General.

PURPOSE

The purpose of this report is to seek Council's 'in principle' approval to sign the 2022 Financial Statements and Performance Statement.

ATTACHMENTS

2022 Draft Financial Statements

2022 Draft Performance Statement

DISCUSSION

The 'in principle' statements, together with a copy of the Council resolution, are required to be given to Council's external auditor (the contractor).

The Victorian Auditor-General's Office (VAGO) then reviews the 'in principle' statements and requests changes where appropriate and notifies the contractor of such changes. Council's

Principal Accounting Officer then considers the Auditor-General's requested changes and incorporates these changes into the 'in principle' statements where appropriate.

When Council has made the appropriate changes requested by the Auditor-General's office and adequately responds to any queries, the statements are signed by the delegated Councillors, the Chief Executive Officer and Principal Accounting Officer as the 'final statements' to be forwarded to the contractor.

The Auditor-General's report is issued to Council once formally signed statements have been received and checked by his office.

The following documents in draft form were presented to and reviewed by Council's Audit and Risk Committee on 6 September 2022:

- 2022 Financial Statement,
- 2022 Performance Statement,
- Audit Closing Report, and
- Management Letter.

The Audit and Risk Committee resolved to "Recommend that Council approve the 'in principle' 2022 Financial Statements and 2022 Performance Statement".

Council is now required to give 'in principle' approval for the 2022 Financial Statements and 2022 Performance Statement and submit them to the Auditor-General and the Minister.

Council is also required to authorise two Councillors, on behalf of Council, to certify the statements once amendments or changes requested by the Auditor-General have been made. Recommended Councillors include the Mayor and a representative from the Audit and Risk Committee.

RELEVANT LAW

- Section 98, 99 and 100 *Local Government Act 2020* – Annual Report requirements;
- Section 101 and 105 *Local Government Act 2020* – Financial management principles and accounts and records;
- Section 54 *Local Government Act 2020* – ARC functions and responsibilities.

RELATED COUNCIL DECISIONS

Budget adoption 16 June 2021

Quarterly Financial Reports – 17 November 2021, 16 February 2022 and 18 May 2022.

OPTIONS

To submit the Financial Statements to the Minister, the Council is required to pass a resolution giving 'in principle' approval to the statements.

SUSTAINABILITY IMPLICATIONS

The Performance Statement attached to this report includes various economic, social, environmental and climate change indicators. These provide a sound guide on the Council's sustainability results.

COMMUNITY ENGAGEMENT

The Financial Statements provide key data that is utilised on the “Know Your Council” website that is widely used by the community.

INNOVATION AND CONTINUOUS IMPROVEMENT

The Performance Statements are regularly reviewed and updated as part of a continuous improvement process. The audit of the Financial Statements is subject to audit improvement recommendations in the closing report and management letter.

COLLABORATION

The Financial Statements are audited by the Victorian Auditor General’s Office.

The Audit and Risk Committee form an important component of the stewardship and independent evaluation of the Council’s finances.

FINANCIAL VIABILITY

The Financial Statements present the actual financial position to 30 June 2022, subject to final audit. They show a total comprehensive result of \$35.382 million surplus, which includes \$27.642 million worth of asset revaluation increments.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Financial Statements must comply with the *Local Government Act 2020*, the Local Government (Planning and Reporting) Regulations 2020, the Australian Accounting Standards and other mandatory professional reporting requirements.

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025: Sustainability – “Maintaining financial sustainability of Council”.

The completion of the 2022 Financial Statements is the actual end of year result. This links with the adoption of the budget and the quarterly performance reporting that occurs during the financial year. The results will also be included in the adoption of the Annual Report.

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 this matter.

**Gannawarra Shire Council
ANNUAL FINANCIAL REPORT**

For the Year Ended 30 June 2022

**Gannawarra Shire Council
Financial Report
Table of Contents**

FINANCIAL REPORT		Page
Certification of the Financial Statements		1
 Financial Statements		
Comprehensive Income Statement		4
Balance Sheet		5
Statement of Changes in Equity		6
Statement of Cash Flows		7
Statement of Capital Works		8
 Notes to Financial Statements		
Note 1	Overview	9
Note 2	2.1 Performance against budget	
	2.1.1. Income and expenditure	11
	2.1.2. Capital works	14
	2.2 Analysis of Council results by program	17
Note 3	Funding for the delivery of our services	
	3.1. Rates and charges	19
	3.2. Statutory fees and fines	19
	3.3. User fees	20
	3.4. Funding from other levels of government	21
	3.5. Contributions	23
	3.6. Net gain/(loss) on disposal of property, infrastructure, plant and equipment	24
	3.7. Other income	24
Note 4	The cost of delivering services	
	4.1. Employee costs	25
	4.2. Materials and services	26
	4.3. Depreciation	26
	4.4. Bad and doubtful debts	27
	4.5. Borrowing costs	27
	4.6. Other expenses	27
Note 5	Our financial position	
	5.1. Financial assets	28
	5.2. Non-financial assets	30
	5.3. Payables	30
	5.4. Interest-bearing liabilities	31
	5.5. Provisions	32
	5.6. Financing arrangements	34
	5.7. Commitments	35
Note 6	Assets we manage	
	6.1. Property, infrastructure plant and equipment	36
	6.2. Investment property	44

**Gannawarra Shire Council
Financial Report
Table of Contents**

FINANCIAL REPORT		Page
Note 7	People and relationships	
	7.1. Council and key management remuneration	45
	7.2. Related party disclosure	46
Note 8	Managing uncertainties	
	8.1. Contingent assets and liabilities	47
	8.2. Change in accounting standards	48
	8.3. Financial instruments	48
	8.4. Fair value measurement	51
	8.5. Events occurring after balance date	52
Note 9	Other matters	
	9.1. Reserves	53
	9.2. Reconciliation of cash flows from operating activities to surplus	54
	9.3. Superannuation	54
Note 10	Change in accounting policy	58

Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the Local Government Act 2020, the Local Government (Planning and Reporting) Regulations 2020, the Australian Accounting Standards and other mandatory professional reporting requirements.

Shana Johnny, CPA

Principal Accounting Officer

Date : 21-Sep-22

Kerang

In our opinion the accompanying financial statements present fairly the financial transactions of Gannawarra Shire Council for the year ended 30 June 2022 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Charlie Gillingham

Councillor

Date : 21-Sep-22

Kerang

Gamer Smith

Councillor

Date : 21-Sep-22

Kerang

Tom O'Reilly

Chief Executive Officer

Date : 21-Sep-22

Kerang

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Comprehensive Income Statement For the Year Ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Income			
Rates and charges	3.1	13,935	13,490
Statutory fees and fines	3.2	409	527
User fees	3.3	2,910	3,122
Grants - operating	3.4	10,924	10,399
Grants - capital	3.4	7,552	5,850
Contributions - monetary	3.5	90	150
Contributions - non monetary	3.5	-	83
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.6	360	(954)
Fair value adjustments for investment property	6.2	-	49
Other income	3.7	4,432	3,558
Total income		40,612	36,273
Expenses			
Employee costs	4.1	17,374	16,092
Materials and services	4.2	8,620	9,942
Depreciation	4.3	6,381	6,350
Bad and doubtful debts	4.4	176	119
Borrowing costs	4.5	18	26
Other expenses	4.6	303	432
Total expenses		32,872	32,961
Surplus for the year		7,740	3,312
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment	6.1	27,642	7,573
Total other comprehensive result		27,642	7,573
Total comprehensive result		35,382	10,885

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet As at 30 June 2022

	Note	2022 \$'000	2021 \$'000
Assets			
Current assets			
Cash and cash equivalents	5.1 (a)	13,110	12,510
Trade and other receivables	5.1 (c)	2,961	2,879
Other financial assets	5.1 (b)	5,709	2,503
Inventories	5.2 (a)	356	150
Other assets	5.2 (b)	299	262
Total current assets		22,435	18,304
Non-current assets			
Property, infrastructure, plant and equipment	6.1	247,644	214,458
Investment property	6.2	1,030	1,030
Total non-current assets		248,674	215,488
Total assets		271,109	233,792
Liabilities			
Current liabilities			
Trade and other payables	5.3 (a)	1,391	991
Trust funds and deposits	5.3 (b)	559	813
Provisions	5.5	3,707	3,599
Unearned income	5.3 (c)	5,466	3,768
Interest-bearing liabilities	5.4	95	106
Total current liabilities		11,218	9,277
Non-current liabilities			
Provisions	5.5	1,494	1,404
Interest-bearing liabilities	5.4	155	250
Total non-current liabilities		1,649	1,654
Total liabilities		12,867	10,931
Net assets		258,242	222,860
Equity			
Accumulated surplus		102,325	94,585
Reserves	9.1	155,917	128,275
Total Equity		258,242	222,860

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity For the Year Ended 30 June 2022

	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000
2022				
Balance at beginning of the financial year		222,860	94,585	128,275
Surplus for the year		7,740	7,740	-
Net asset revaluation increment	6.1	27,642	-	27,642
Balance at end of the financial year		258,242	102,325	155,917

		Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000
2021				
Balance at beginning of the financial year		211,975	91,273	120,702
Surplus for the year		3,313	3,312	-
Net asset revaluation increment		7,573	-	7,573
Balance at end of the financial year		222,860	94,585	128,275

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows For the Year Ended 30 June 2022

		2022 Inflows/ (Outflows) \$'000	2021 Inflows/ (Outflows) \$'000
	Note		
Cash flows from operating activities			
Rates and charges		13,860	13,885
Statutory fees and fines		409	527
User fees		2,913	3,254
Grants - operating		11,191	10,375
Grants - capital		8,982	9,347
Contributions - monetary		90	150
Interest received		15	30
Trust funds and deposits taken/(repaid)		(253)	96
Other receipts		4,400	3,573
Net GST refund/(payment)		(187)	285
Employee costs		(17,219)	(15,559)
Materials and services		(8,403)	(9,351)
Other payments		(303)	(451)
Net cash provided by/(used in) operating activities	9.2	15,495	16,161
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.1	(12,235)	(11,673)
Proceeds from sale of property, infrastructure, plant and equipment		670	559
Sale of / (Payments for) investments		(3,206)	1,968
Net cash provided by/(used in) investing activities		(14,771)	(9,146)
Cash flows from financing activities			
Finance costs		(106)	(26)
Repayment of borrowings		(18)	(100)
Net cash provided by/(used in) financing activities		(124)	(126)
Net increase (decrease) in cash and cash equivalents		600	6,889
Cash and cash equivalents at the beginning of the financial year		12,510	5,621
Cash and cash equivalents at the end of the financial year		13,110	12,510
Financing arrangements	5.6	350	456
Restrictions on cash assets	5.1	560	813

The above statement of cash flows should be read in conjunction with the accompanying notes.

Statement of Capital Works For the Year Ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Property			
Land		268	171
Land improvements		91	1,743
Total land		359	1,915
Buildings		699	147
Building improvements		100	33
Total buildings		799	180
Total property		1,158	2,095
Plant and equipment			
Plant, machinery and equipment		663	611
Fixtures, fittings and furniture		106	-
Computers and telecommunications		103	274
Library books		96	69
Total plant and equipment		969	954
Infrastructure			
Roads		2,442	3,447
Bridges		-	570
Footpaths and cycleways		1,132	210
Kerb and channel		128	144
Drainage		1,490	89
Recreational, leisure and community facilities		1,571	240
Waste management		123	7
Parks, open space and streetscapes		3,128	2,864
Other infrastructure		121	1,059
Total infrastructure		10,137	8,630
Total capital works expenditure		12,264	11,678
Represented by:			
New asset expenditure		5,140	4,107
Asset renewal expenditure		5,163	5,971
Asset expansion expenditure		1,106	489
Asset upgrade expenditure		855	1,111
Total capital works expenditure		12,264	11,678

The above statement of capital works should be read in conjunction with the accompanying notes.

Notes to the Financial Report For the Year Ended 30 June 2022

Note 1 OVERVIEW

Introduction

The Gannawarra Shire Council was established by an Order of the Governor in Council on 20 January 1995 and is a body corporate.

The Council's main office is located at 47 Victoria Street, Kerang.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 2020, and the Local Government (Planning and Reporting) Regulations 2020.

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

(a). Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3)

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

Notes to the Financial Report For the Year Ended 30 June 2022

(b). Impact of Covid-19

On 16 March 2020 a state of emergency was declared in Victoria due to the global pandemic COVID-19 virus, known as coronavirus. A state of disaster was declared on 2 August 2020. The state of disaster was withdrawn on 28 October 2020 and the state of emergency on 15 December 2021. Council has noted the following significant impacts on its financial operations, in respect to the year ended 30 June 2022.

*** Additional Revenue include**

Community services grants of \$285k.

Business support grants of \$60k.

Working for Victoria grant of \$153k.

Infrastructure stimulus capital grants of \$5.36m of which unearned grants at 30 June 2022 is \$1.25m.

*** Revenue Reductions include**

Reduction in swimming pool income due to a significant decrease in attendance along with the impact from reduced operating hours due to staff affected by Covid isolation rules.

Reduced income due to the social meal and social support group programs being suspended during the covid restriction period.

Council's COVID-19 Hardship Policy adopted on 15 April 2020 provided relief to ratepayers experiencing temporary financial hardship by withholding interest on outstanding rates.

*** Additional costs -**

COVID-19 grant funding has been offset by expenditure to provide additional services.

Council has also incurred additional cleaning costs associated with the pandemic.

*** Asset Valuations -**

Council has undertaken the Land & Buildings revaluations as at 30 June 2022.

The real estate market has been impacted by the uncertainty that the COVID-19 (Coronavirus disease) outbreak has caused. As at the date of valuation, the valuers state that there is a significant market uncertainty and this valuation is current at the date of valuation only. The value assessed may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation). There is not yet any comparable market evidence available to determine what, if any, impact the current COVID-19 pandemic may have on the value or marketability of the valued properties, particularly in the short and medium terms.

Council has assessed the impacts of COVID-19 on the value of roads, bridges, footpaths & cycleways, kerb & channel and drainage classes of assets. Though these assets were revalued as at 30 June 2021, there has been a significant increase in road & bridge construction cost. As a result, a management adjustment of 8.3% indicative of this increase has been made to these asset classes as at 30 June 2022.

Notes to the Financial Report For the Year Ended 30 June 2022

Note 2.1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold on the variance of higher of 10 percent and \$50k where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

These notes are prepared to meet the requirements of the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

2.1.1. Income and expenditure	Budget 2022 \$'000	Actual 2022 \$'000	Variance \$'000	Variance %	Ref
Income					
Rates & Charges	13,740	13,935	195	1%	1
Statutory fees and fines	399	409	10	2%	
User fees	3,359	2,910	(449)	-13%	2
Grants - operating	10,477	10,924	447	4%	3
Grants - capital	8,781	7,552	(1,229)	-14%	4
Contributions - monetary	60	90	30	51%	5
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	365	360	(5)	-1%	
Other income	3,747	4,432	685	18%	6
Total income	40,928	40,612	(316)	-1%	
Expenses					
Employee costs	16,065	17,374	(1,309)	-8%	7
Materials and services	8,498	8,620	(122)	-1%	8
Depreciation	6,639	6,381	258	4%	9
Bad and doubtful debts	3	176	(173)	-5262%	10
Borrowing costs	20	18	2	11%	
Other expenses	320	303	17	5%	
Total expenses	31,546	32,872	(1,327)	-4%	
Surplus for the year	9,382	7,740	(1,643)	-18%	

Notes to the Financial Report For the Year Ended 30 June 2022

(i) Explanation of material variations

1 Rates & Charges

Supplementary valuations processed during the year and additional bin services have generated additional rates income (\$115k). 2021/22 budgeted interest on rates was set at a conservative estimate in line with the COVID relief policy. Actual interest on rates has been higher than the conservative estimate (\$79k).

2 User fees

The decrease in user fees primarily relates to lesser than anticipated income from long day care services (\$239k). Budgeted internal allocation of cleaning costs across the organisation has been removed at year end (\$460k). These decreases have been offset by increase in user fees from family day care services (\$289k).

3 Grants - operating

Increase in operating grants is primarily due to advance payment of 2022/23 Victoria Grants commission annual allocation (\$1.67m). This increase is offset by reclassification of Roads to Recovery annual allocation (\$1.3m) to capital grants. Council also received COVID safe outdoor activation funding to support businesses (\$130k). Grants operating also takes into account unearned income brought forward from 2020/21 and is reduced by unearned income carried forward into 2022/23.

4 Grants - Capital

Roads to recovery allocation (\$1.3m) has been reclassified as capital grants.

Part of the decrease is related to unsuccessful grant applications for projects including Apex Bridge (\$150k) and Kerang to Koondrook Rail Trail (\$2.2m). It must be noted that Council has been successful in grant funding for design works on Kerang to Koondrook Rail Trail (\$500k) which is treated as unearned income.

5 Contributions - Monetary

Increase in contributions relate to public open space contributions received.

6 Other Income

The increased demand in National Disability Insurance Scheme (NDIS) services and Community Care Brokerage services has generated additional income of \$243k and \$176k respectively. Workcover reimbursements during the year total \$171k. This item is unbudgeted.

7 Employee costs

The major increase in employee costs relate to the following services - NDIS (\$587k), Community Care Brokerage Services (\$146k) and Children's services (\$314k). Workcover payments (\$171k) are offset by reimbursements from the Workcover provider.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

8 Materials and services

The major increase in materials & services relate to family day care educator payments (\$290k) which is offset by user fees mentioned above. Fuel costs have also contributed to this increase (\$91k). These increases are offset by operational efficiencies across the organisation. Budgeted internal allocation of cleaning costs across the organisation has been removed at year end (\$457k).

9 Depreciation

Variance in depreciation is a result of carryforward of capital works.

10 Bad and Doubtful debts

Provision for bad and doubtful debts have been increased to allow for long outstanding NDIS debts.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

2.1.2 Capital works	Budget 2022 \$'000	Actual 2022 \$'000	Variance \$'000	Variance %	Ref
Property					
Land	-	268	268	100%	1
Land improvements	229	91	(138)	-60%	2
Total land	229	359	130	57%	
Buildings	475	699	224	47%	3
Building improvements	920	100	(820)	-89%	4
Total buildings	1,395	799	(596)	-43%	
Total property	1,624	1,158	(466)	-29%	
Plant and equipment					
Plant, machinery and equipment	731	663	(68)	-9%	5
Fixtures, fittings and furniture	50	106	56	112%	6
Computers and telecommunications	170	103	(67)	-39%	7
Library books	100	96	(4)	-4%	
Total plant and equipment	1,051	969	(82)	-8%	
Infrastructure					
Roads	3,964	2,442	(1,522)	-38%	8
Bridges	300	-	(300)	-100%	9
Footpaths and cycleways	2,504	1,132	(1,372)	-55%	10
Kerb and channel	-	128	128	100%	11
Drainage	1,314	1,490	176	13%	12
Recreational, leisure and community facilities	3,092	1,571	(1,521)	-49%	13
Waste management	60	123	63	105%	14
Parks, open space and streetscapes	2,110	3,128	1,018	48%	15
Other infrastructure	523	121	(402)	-77%	16
Total infrastructure	13,867	10,137	(3,730)	-27%	
Total capital works expenditure	16,542	12,264	(4,278)	-26%	
Represented by:					
New asset expenditure	8,048	5,140	(2,908)	-36%	
Asset renewal expenditure	6,544	5,163	(1,381)	-21%	
Asset expansion expenditure	983	1,106	123	13%	
Asset upgrade expenditure	966	855	(111)	-12%	
Total capital works expenditure	16,542	12,264	(4,278)	-26%	

Notes to the Financial Report For the Year Ended 30 June 2022

(i) Explanation of material variations

1 Land

Industrial estate expansion at Tate Drive, Kerang has been moved from land improvements to land.

2 Land Improvements

Decrease relates to industrial estate expansion at Tate Drive, Kerang being moved from land improvements to land (\$268k). This decrease is offset by grant funded outdoor dining projects (\$73k) - grant funding was received post adoption of the budget.

3 Buildings

Increase primarily relates to the continuation of works at the Kerang Children's centre. The project commenced in 2020/21.

4 Building Improvements

Works on the Morton Garner Pavillion has been moved into recreation & leisure asset class.

5 Plant, machinery and equipment

Global supplies of plant & machinery has been impacted due to COVID-19. Part of this program has been deferred due to supply constraints.

6 Fixtures, fittings and furniture

Variance relates to office renovations undertaken as part of return to work modifications - this was budgeted under building renewals.

7 Computers and telecommunications

There has been delays in lead time between placing orders for IT equipment and delivery. Confirmed orders are in place for equipment to be delivered in 22/23.

8 Roads

Kerang CBD improvements were primarily works on footpaths and has been capitalised into the footpaths class of assets. Remaining unspent funds have been earmarked for the continuation of the Beautification Murrabit project and is part of carried forward funds.

9 Bridges

Apex Bridge project has not been successful in receiving grant funding.

10 Footpaths and cycleways

Decrease relates to the budgeted Kerang to Koondrook rail trail project (\$2.2m) which has not been successful in receiving grant funding. This decrease has been partly offset by Kerang CBD improvements being moved to the footpaths class (\$953k).

11 Kerb and Channel

Kerb and Channel was included under the asset class - other infrastructure - in the 2021/22 Budget.

12 Drainage

The increase relates to continuation of the Murrabit Stormwater (Stages 5 & 6) project which received grant funding under the Local Roads & Community Infrastructure program Stage 3 - grant funding was received post adoption of the budget. This is a multi-year project.

13 Recreational, leisure and community facilities

Cohuna CBD improvements were primarily works on parks, open space and community facilities and has been capitalised into the parks, open space and streetscapes class of assets.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

14 Waste Management

Increase relates to grant funded transfer station upgrades - grant funding was received post adoption of the budget.

15 Parks, open space and streetscapes

Increase relates to the Cohuna CBD improvements works on parks, open space and community facilities being capitalised into this class of assets.

16 Other Infrastructure

The decrease is on account of budget for strategic program development being used for preplanning of infrastructure works across all asset classes.

Kerb and Channel was included under the asset class - other infrastructure - in the 2021/22 Budget.

There were a number of multi-year projects underway at 30 June 2022. Please refer note 5.3 (c) regarding funds carried forward to facilitate completion of these projects.

Notes to the Financial Report For the Year Ended 30 June 2022

Note 2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

2.2.1 Programs

Liveability

To achieve our objective of Liveability, the following are our strategic priorities:

1. Improve the health, safety and wellbeing of our community through partnerships, services and programs.
2. Build unique transformational infrastructure that enhances liveability and passive and active recreation.
3. Construct a regional community wellbeing centre.
4. Respond to key community needs through innovative, commercially focused services including aged care and early childhood services.

Growth

To achieve our objective of Growth the following are our strategic priorities:

1. Facilitate infrastructure, programs and policies that support economic development and productivity, whilst considering our natural environment.
2. Facilitate the implementation of new energy infrastructure and energy projects.
3. Advocate for improvements in digital connectivity and services.
4. Support the creation of destinations in the Gannawarra to attract visitors to our region.
5. Continue to support existing agriculture and facilitate diversification to improve regional productivity through sustainable planning.
6. Support growth through land rezoning for future rural residential development opportunities.

Sustainability

To achieve our objective of Sustainability, the following are our strategic priorities:

1. Generate additional revenue through new energy infrastructure and commercially viable services.
2. Carefully monitor expenditure to ensure value for money and monitor our long term financial plan to maintain financial sustainability.
3. Be a creative employer of choice through our adherence to good governance and our inclusive culture.
4. Support community resilience through climate adaptation, clean energy, environmental sustainability and waste management programs.

Rates and charges

To achieve a fair and equitable distribution of rates across all rating categories.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

2.2.2 Summary of revenues, expenses, assets and capital expenses by program

	Income	Expenses	Surplus	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2022					
Liveability	15,866	22,143	(6,277)	9,456	201,262
Growth	1,103	1,801	(698)	60	9,097
Sustainability	2,140	8,928	(6,788)	1,391	60,750
Rates And Charges	13,935	-	13,935	-	-
Victoria Grants Commission	7,568	-	7,568	7,568	-
	40,612	32,872	7,740	18,475	271,109

	Income	Expenses	Surplus	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
2021					
Connectivity	1,013	1,703	(691)	984	1,343
Economic Diversity, growth and prosperity	654	1,498	(844)	62	8,646
Sustainable natural and built environment	5,290	12,209	(6,919)	4,389	178,065
Good governance and a healthy organisation	3,985	5,994	(2,009)	4,550	23,854
Strong healthy organisation	11,903	11,557	346	6,264	21,883
Rates and charges	13,430	-	13,430	-	-
	36,273	32,961	3,312	16,249	233,792

Note:

The Council Plan 2021-2025 was adopted on 18 August 2021 and the 2022 data is based on the strategic objectives in the current Council Plan. The 2021 data is based on the strategic objectives in the previous Council Plan.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 3. Funding for the delivery of our services	2022	2021
3.1 Rates and charges	\$'000	\$'000

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is its value at which the unencumbered land might be expected to realise in an open market at the time of the valuation.

The valuation base used to calculate general rates for 2021/22 was \$1,989 million (2020/21 \$1,841 million).

	2021-2022 cents in the dollar	2020-2021 cents in the dollar
General rates	0.006019	0.632300
Commercial/industrial	0.006415	0.649600
Farm irrigation district	0.005168	0.531800
Farm dryland	0.003879	0.429200
Cultural and recreational	0.003010	0.316100
General rates	10,935	10,651
Municipal charge	648	642
Waste management charge	2,077	1,973
Interest on rates and charges	154	104
Revenue in lieu of rates	121	120
Total rates and charges	13,935	13,490

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2022, and the valuation will be first applied in the rating year commencing 1 July 2022.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2. Statutory fees and fines

Animal control	93	109
Health and preventative services	-	8
Town planning and building control	308	403
Other	8	6
Total statutory fees and fines	409	526

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

3.3. User fees	2022	2021
	\$'000	\$'000
Aged and health services	295	319
Child care/children's programs	1,842	1,824
External Works	313	559
Hall hire	12	4
Health and preventative services	52	50
Library, arts and culture	6	4
Office services	31	37
Recreation	113	94
Tourism	11	7
Waste and environment	206	187
Other fees and charges	29	37
Total user fees	2,910	3,122

User fees by timing of revenue recognition

User fees recognised at a point in time	2,910	3,122
Total user fees	2,910	3,122

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

3.4. Funding from other levels of government	2022	2021
Grants were received in respect of the following :	\$'000	\$'000
Summary of grants		
Commonwealth funded grants	12,931	10,678
State funded grants	5,545	5,571
Total grants received	18,476	16,250
(a) Operating Grants		
<i>Recurrent - Commonwealth Government</i>		
Financial Assistance Grants - unallocated	4,756	3,877
Financial Assistance Grants - local roads	2,812	2,056
Children and families	87	124
Aged Care	934	1,039
<i>Recurrent - State Government</i>		
Libraries	144	139
Children and families	1,217	1,635
Heritage and culture	6	1
Preventative services	50	35
Community services	31	159
Aged care	307	448
School crossings	25	24
Children and families - COVID-19	-	45
Municipal emergency	73	133
Roadside weeds and pest control	68	62
Recreation	22	225
Other	46	53
Total recurrent operating grants	10,578	10,055
<i>Non-recurrent - Commonwealth Government</i>		
Australia Day	-	20
<i>Non-recurrent - State Government</i>		
Working for Victoria	153	202
COVID Support	60	62
Office equipment	-	50
Other Non-Recurrent State	133	10
Total non-recurrent operating grants	346	344
Total operating grants	10,924	10,399

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(b) Capital Grants	2022	2021
<i>Recurrent - Commonwealth Government</i>	\$'000	\$'000
Roads to recovery	1,357	1,977
<i>Recurrent - State Government</i>		
Library	6	6
Total recurrent capital grants	1,363	1,983
<i>Non-recurrent - Commonwealth Government</i>		
Buildings	460	-
Bridges	-	122
Drainage	1,285	-
Recreation	286	185
Parks and streetscapes	854	391
Community Resilience Support Program	100	786
Other	-	100
<i>Non-recurrent - State Government</i>		
Land improvements	262	958
Buildings	-	-
Building improvements	604	73
Recreation	1,799	799
Office equipment	7	119
Drainage	-	21
Waste management	100	-
Parks and streetscapes	432	244
Other	-	70
Total non-recurrent capital grants	6,189	3,867
Total capital grants	7,552	5,850
(c) Unspent grants received on condition that they be spent in a specific manner		
<i>Operating</i>		
Balance at start of year	128	411
Received during the financial year and remained unspent at balance date	396	128
Received in prior years and spent during the financial year	(129)	(411)
Balance at year end	395	128
<i>Capital</i>		
Balance at start of year	3,639	687
Received during the financial year and remained unspent at balance date	5,070	3,639
Received in prior years and spent during the financial year	(3,639)	(687)
Balance at year end	5,070	3,639

Notes to the Financial Report For the Year Ended 30 June 2022

(d) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with AASB 15 Revenue from Contracts with Customers. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies AASB 1058 Income for Not-for-Profit Entities.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

	2022	2021
	\$'000	\$'000
Income recognised under AASB 1058 Income of Not-for-Profit Entities		
General purpose	7,568	5,934
Specific purpose grants to acquire non-financial assets	7,552	5,850
Other specific purpose grants	779	596
Revenue recognised under AASB 15 Revenue from Contracts with Customers		
Specific purpose grants	2,577	3,869
	18,476	16,250

3.5. Contributions

Monetary	90	150
Non-monetary	-	83
Total contributions	90	233

Contributions of non monetary assets were received in relation to the following asset classes.

Land Improvements	-	83
Total non-monetary contributions	-	83

Monetary and non monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

3.6. Net gain/(loss) on disposal of property, infrastructure, plant and equipment	2022	2021
	\$'000	\$'000
Proceeds of sale	670	559
Written down value of assets disposed	(310)	(1,513)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	360	(954)

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7. Other income

Interest	32	23
Investment property rental	263	244
Reimbursements - welfare and childrens services	3,734	3,104
Reimbursements - garbage collection and recycling	15	-
Reimbursements - other	354	174
Other	34	13
Total other income	4,432	3,558

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 4. The cost of delivering services	2022	2021
4.1. (a) Employee costs	\$'000	\$'000
Wages and salaries	12,560	11,937
WorkCover	390	170
Superannuation	1,415	1,259
Fringe benefits tax	112	144
Annual leave and long service leave	1,550	1,597
Other leave	1,311	1,030
Salaries capitalised	(95)	(252)
Other	131	206
Total employee costs	17,374	16,092
(b) Superannuation		
Council made contributions to the following funds:		
Defined benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	43	49
	<u>43</u>	<u>49</u>
Employer contributions payable at reporting date.	-	-
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	759	671
Employer contributions - other funds	612	539
	<u>1,371</u>	<u>1,210</u>
Employer contributions payable at reporting date.	-	-
Total superannuation costs	1,415	1,259
Refer to note 9.3 for further information relating to Council's superannuation obligations.		

**Notes to the Financial Report
For the Year Ended 30 June 2022**

4.2. Materials and services	2022	2021
	\$'000	\$'000
Operational materials	1,602	1,697
Operational services	3,713	4,654
Contract payments	340	239
Building maintenance	71	91
General maintenance	8	11
Utilities	361	385
Office administration	285	273
Information technology	505	477
Insurance	460	427
Consultants	591	338
Contributions	411	1,078
Bank charges	37	39
Other	236	234
Total materials and services	8,620	9,942

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

4.3. Depreciation

Property

Land improvements	140	97
Buildings - non specialised	509	507
Building improvements	35	34
Total depreciation - property	684	638

Plant and equipment

Plant machinery and equipment	935	979
Computers and telecomms	243	203
Library books	74	70
Total depreciation - plant and equipment	1,252	1,253

Infrastructure

Roads	2,742	2,810
Bridges	252	252
Footpaths and cycleways	136	142
Drainage	259	260
Waste management	53	52
Recreation, parks and open spaces	420	357
Aerodromes	44	78
Kerb and channel	242	223
Other infrastructure	297	285
Total depreciation - infrastructure	4,445	4,459
Total depreciation	6,381	6,350

Refer to note 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

4.4. Bad and doubtful debts	2022	2021
	\$'000	\$'000
Local laws	9	4
Rates debtors	17	100
Other debtors	150	15
Total bad and doubtful debts	176	119

Movement in provisions for doubtful debts

Balance at the beginning of the year	372	271
New provisions recognised during the year	176	106
Amounts already provided for and written off as uncollectible	-	(5)
Balance at end of year	548	372

Provision for doubtful debt is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

4.5. Borrowing costs

Interest - Borrowings	18	26
Total borrowing costs	18	26

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

4.6. Other expenses

Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	58	54
Auditors' remuneration - Internal Audit	4	27
Councillors' allowances	221	198
Valuations	17	11
Election expenses	1	98
Councillor induction	-	34
Council plan	2	10
Total other expenses	303	432

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 5. Our financial position**5.1. Financial assets**

	2022	2021
	\$'000	\$'000
(a) Cash and cash equivalents		
Cash on hand	2	2
Cash at bank	3,199	2,700
Term deposits	9,909	9,808
Total cash and cash equivalents	13,110	12,510
(b) Other financial assets		
Term deposits - current	5,709	2,503
Total other financial assets	5,709	2,503
Total financial assets	18,819	15,013

Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

- Trust funds and deposits (Note 5.3)	559	813
Total restricted funds	559	813
Total unrestricted cash and cash equivalents	12,551	11,697

Intended allocations

Although not externally restricted the following amounts have been allocated for specific future purposes by Council:

- cash held to fund carried forward capital works	981	448
- cash held to fund carried forward community grants project	100	-
- Grant monies received but not yet expended	5,465	3,768
Total funds subject to intended allocations	6,546	4,216

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022	2021
	\$'000	\$'000
(c) Trade and other receivables		
Current		
<i>Statutory receivables</i>		
Rates debtors	2,056	1,981
Provision for doubtful debts - rates	(290)	(272)
Fire services debtor levy	301	283
Net GST receivable	187	-
Infringement debtors	40	48
Provision for doubtful debts - infringements	(36)	(27)
Other debtors	925	938
Provision for doubtful debts - other debtors	(69)	(72)
Provision for doubtful debts - NDIS	(153)	-
Total current trade and other receivables	<u>2,961</u>	<u>2,879</u>

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	540	450
Past due by up to 31 and 60 days	74	122
Past due between 61 and 90 days	5	86
Past due by more than 90 days	84	208
Total trade and other receivables	<u>703</u>	<u>866</u>

(e) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$222k (2021: \$72k) were impaired. The amount of the provision raised against these debtors was \$222k (2021: \$72k). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Past due by more than 1 year	222	72
Total trade & other receivables	<u>222</u>	<u>72</u>

**Notes to the Financial Report
For the Year Ended 30 June 2022**

5.2. Non-financial assets	2022	2021
(a) Inventories	\$'000	\$'000
Inventories held for distribution	356	150
Total inventories	356	150

Inventories held for distribution represent gravel stockpile and are measured at chargeout rates based on gravel extraction, processing and cartage rates.

(b) Other assets

Prepayments	278	257
Accrued income	22	5
Total other assets	299	262

5.3. Payables, trust funds and deposits and unearned income/revenue

(a) Trade and other payables

Trade payables	639	889
Accrued expenses	752	102
Total trade and other payables	1,391	991

(b) Trust funds and deposits

Refundable deposits	72	37
Fire services levy	303	588
Retention amounts	137	147
Other refundable deposits	48	41
Total trust funds and deposits	560	813

(c) Unearned income

Grants received in advance - operating	396	128
Grants received in advance - capital	5,070	3,639
Total unearned income	5,466	3,768

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of grants received. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

Notes to the Financial Report For the Year Ended 30 June 2022

Purpose and nature of items

Refundable Deposits - Deposits are taken by Council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

5.4. Interest-bearing liabilities

	2022	2021
	\$'000	\$'000
Current		
Borrowings - secured	95	106
	95	106
Non-current		
Borrowings - secured	155	250
	155	250
Total	250	356

Borrowings are secured by rates.

(a) The maturity profile for Council's borrowings is:

Not later than one year	95	106
Later than one year and not later than five years	155	250
	250	356

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

5.5. Provisions

	Employee	Landfill restoration	Total
	\$ '000	\$ '000	\$ '000
2022			
Balance at beginning of the financial year	3,821	1,182	5,003
Additional provisions	1,751	196	1,947
Amounts used	(1,240)	-	(1,240)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(357)	(152)	(509)
Balance at the end of the financial year	3,975	1,226	5,201
2021			
Balance at beginning of the financial year	3,288	900	4,188
Additional provisions	1,749	403	2,152
Amounts used	(922)	-	(922)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(294)	(121)	(415)
Balance at the end of the financial year	3,821	1,182	5,003

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022	2021
	\$'000	\$'000
(a) Employee provisions		
Current provisions expected to be wholly settled within 12 months		
Annual leave	1,020	1,024
Long service leave	1,785	1,689
	2,805	2,713
Current provisions expected to be wholly settled after 12 months		
Annual leave	307	323
Long service leave	595	563
	902	886
Total current employee provisions	3,707	3,599
Non-current		
Long service leave	268	222
Total non-current employee provisions	268	222
Aggregate carrying amount of employee provisions:		
Current	3,707	3,599
Non-current	268	222
Total aggregate carrying amount of employee provisions	3,975	3,821

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting

Annual leave

A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:

- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave

Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:	2022	2021
- discount rate	3.69%	1.49%
- index rate	3.85%	2.95%

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022	2021
	\$'000	\$'000
(b) Landfill restoration		
Non-current	1,226	1,182
	1,226	1,182

Council is obligated to restore Denyer's site to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Key assumptions:	2022	2021
- discount rate	3.69%	1.49%
- index rate	6.14%	3.80%

5.6. Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2022.

Credit card facilities	100	100
Loans	250	356
Total facilities	350	456
Used facilities	270	382
Unused facilities	80	74

**Notes to the Financial Report
For the Year Ended 30 June 2022**

5.7. Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

a) Commitments for expenditure

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
2022					
Operating					
Interest on loans	14	8	2	-	24
Garbage & Recycling Collection	916	992	3,499	2,846	8,253
Major Community Project Fund	100				100
Total	1,030	1,000	3,501	2,846	8,377
Capital					
Recreation and Community	2,845	-	-	-	2,845
Office Equipment	75	-	-	-	75
Total	2,921	-	-	-	2,921

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
2021					
Operating					
Interest on loans	21	24	-	-	45
Total	21	24	-	-	45
Capital					
Recreation and Community	5,070	-	-	-	5,070
Total	5,070	-	-	-	5,070

b) Operating lease receivables

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	2022 \$'000	2021 \$'000
Not later than one year	263	285
Later than one year and not later than five years	313	424
Later than five years	154	160
	730	869

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 6. Assets we manage

6.1. Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2021 \$'000	Additions \$'000	Contributions \$'000	Revaluation \$'000	Depreciation \$'000	Disposal \$'000	Transfers \$'000	Carrying amount 30 June 2022 \$'000
Property	26,527	1,050	-	7,093	(684)	(273)	5,020	38,734
Plant and equipment	5,634	969	-	-	(1,252)	(37)	-	5,314
Infrastructure	179,856	8,501	-	20,548	(4,445)	-	(2,973)	201,488
Work in progress	2,440	1,744	-	-	-	-	(2,076)	2,108
	214,458	12,264	-	27,642	(6,381)	(310)	(29)	247,644

Summary of Work in Progress

	Opening WIP \$'000	Additions \$'000	Transfers \$'000	Closing WIP \$'000
Property	1,193	113	(1,084)	222
Infrastructure	1,247	1,631	(992)	1,886
Total	2,440	1,744	(2,076)	2,108

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(a) Property

	Land - specialised	Land - non specialised	Land improvements - specialised	Land improvements - non specialised	Land under roads	Total Land & Land Improvements	Buildings - non specialised	Building improvements	Total Buildings	Work In Progress	Total Property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	3,248	1,580	4,916	514	3,800	14,057	27,583	878	28,461	1,193	43,711
Accumulated depreciation at 1 July 2021	-	-	(1,068)	(94)	-	(1,162)	(14,576)	(253)	(14,829)	-	(15,991)
	3,248	1,580	3,848	420	3,800	12,895	13,008	624	13,632	1,193	27,720
Movements in fair value											
Additions	-	268	73	-	-	341	699	10	709	113	1,163
Revaluation	522	558	531	-	700	2,310	3,213	50	3,263	-	5,572
Disposal	-	(273)	-	-	-	(273)	-	-	-	-	(273)
Transfers	1,374	3,609	514	(514)	-	4,983	37	-	37	(1,084)	3,936
	1,896	4,162	1,118	(514)	700	7,361	3,949	60	4,009	(971)	10,398
Movements in accumulated depreciation											
Depreciation and amortisation	-	-	(140)	-	-	(140)	(509)	(35)	(544)	-	(684)
Revaluation	-	-	(91)	-	-	(91)	1,657	(45)	1,612	-	1,521
Transfers	-	-	(94)	94	-	-	-	-	-	-	-
	-	-	(325)	94	-	(231)	1,148	(80)	1,068	-	837
At fair value 30 June 2022	5,144	5,742	6,034	-	4,500	21,419	31,532	937	32,469	222	54,110
Accumulated depreciation at 30 June 2022	-	-	(1,393)	-	-	(1,393)	(13,428)	(333)	(13,761)	-	(15,154)
Carrying amount	5,144	5,742	4,640	-	4,500	20,025	18,104	604	18,708	222	38,955

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(b) Plant and Equipment

	Plant machinery and equipment \$'000	Fixtures fittings and furniture \$'000	Computers and telecomms \$'000	Library books \$'000	Total plant and equipment \$'000
At fair value 1 July 2021	10,062	110	2,431	1,533	14,135
Accumulated depreciation at 1 July 2021	(5,900)	(104)	(1,604)	(893)	(8,501)
	4,162	6	826	640	5,634
Movements in fair value					
Additions	663	106	103	96	969
Disposal	(475)	-	-	-	(475)
	188	106	103	96	494
Movements in accumulated depreciation					
Depreciation and amortisation	(935)	-	(243)	(74)	(1,252)
Accumulated depreciation of disposals	438	-	-	-	438
	(497)	-	(243)	(74)	(814)
At fair value 30 June 2022	10,250	216	2,533	1,629	14,629
Accumulated depreciation at 30 June 2022	(6,396)	(104)	(1,847)	(968)	(9,315)
Carrying amount	3,854	112	686	662	5,314

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(c) Infrastructure

	Roads	Bridges	Footpaths and cycleways	Drainage	Waste Management	Recreation, parks and open spaces	Aerodromes	Kerb and channel	Other infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	183,741	24,792	10,305	20,745	3,399	24,902	2,680	19,398	16,168	1,247	307,377
Accumulated depreciation at 1 July 2021	(75,327)	(8,265)	(3,774)	(9,483)	(947)	(9,439)	(1,337)	(7,364)	(10,337)	-	(126,274)
	108,414	16,527	6,531	11,262	2,452	15,463	1,343	12,034	5,832	1,247	181,103
Movements in fair value											
Additions	2,442	-	1,051	1,183	123	3,457	3	128	114	1,631	10,132
Revaluation	15,251	2,058	855	1,722	251	2,229	335	1,610	2,221	-	26,532
Transfers	650	-	-	171	(682)	(2,261)	(270)	123	(704)	(992)	(3,965)
	18,343	2,058	1,906	3,076	(307)	3,425	68	1,861	1,631	639	32,699
Movements in accumulated depreciation											
Depreciation and amortisation	(2,742)	(252)	(136)	(259)	(53)	(420)	(44)	(242)	(297)	-	(4,445)
Revaluation	(6,252)	(686)	(313)	(787)	(139)	(72)	(115)	(612)	2,992	-	(5,984)
	(8,994)	(938)	(449)	(1,046)	(192)	(492)	(159)	(854)	2,695	-	(10,429)
At fair value 30 June 2022	202,084	26,850	12,211	23,821	3,092	28,327	2,747	21,259	17,799	1,886	340,076
Accumulated depreciation at 30 June 2022	(84,321)	(9,203)	(4,224)	(10,530)	(1,139)	(9,931)	(1,496)	(8,218)	(7,642)	-	(136,703)
Carrying amount	117,763	17,647	7,987	13,291	1,953	18,396	1,251	13,041	10,157	1,886	203,374

Notes to the Financial Report For the Year Ended 30 June 2022

Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit
<i>Asset recognition thresholds and depreciation periods</i>	Years	\$'000
Land & land improvements		
Land	Not depreciated	2,000
Land improvements	40 - 50 years	5,000
Buildings		
Buildings	50 years	5,000
Building and leasehold improvements	50 years	5,000
Plant and Equipment		
Plant, machinery and equipment	2 - 10 years	2,000
Fixtures, fittings and furniture	2 - 10 Years	2,000
Computers and telecommunications	2 - 10 Years	2,000
Library books	15 - 20 years	1,000
Infrastructure		
Roads - pavements, substructure, formation and earthworks	15 - 100 years	10,000
Roads - kerb, channel and minor culverts	80 years	5,000
Bridges	100 years	5,000
Footpaths and cycleways	20 - 40 years	5,000
Drainage	80 years	10,000
Aerodromes	40 - 90 years	5,000
Recreational, leisure and community facilities	40 - 90 years	5,000
Parks, open space and streetscapes	40 - 90 years	5,000
Waste management	40 - 90 years	5,000

Notes to the Financial Report For the Year Ended 30 June 2022

Land under roads

Council recognises land under roads it controls at fair value. Valuation of land under roads was undertaken by a qualified independent valuer, Preston Rowe Paterson Horsham & Wimmera Pty. Ltd. Land under roads has been valued based on land sales, sales of unused roads and sales of channel easements with adjustments made for location and overall land area.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer, Preston Rowe Paterson Horsham & Wimmera Pty. Ltd. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Land & Buildings revaluation at 30 June 2022 has been assessed for the impact of COVID-19. This revaluation also includes land & buildings within the following asset classes - waste management, recreation, parks and open spaces, aerodromes and other infrastructure.

The real estate market has been impacted by the uncertainty that the COVID-19 outbreak has caused. As at the date of valuation, the valuers state that there is a significant market uncertainty and this valuation is current at the date of valuation only. The value assessed may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation).

There is not yet any comparable market evidence available to determine what, if any, impact the current COVID-19 pandemic may have on the value or marketability of the valued properties, particularly in the short and medium terms.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

Notes to the Financial Report For the Year Ended 30 June 2022

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
	\$'000	\$'000	\$'000	
Land	-	5,742	5,144	30/06/2022
Land Improvements	-	-	4,640	30/06/2022
Land under roads	-	-	4,500	30/06/2022
Buildings	-	-	18,104	30/06/2022
Building Improvements	-	-	604	30/06/2022
Total	-	5,742	32,992	

Valuation of infrastructure

Valuation of infrastructure assets has been determined in accordance with a valuation undertaken by Council staff using Confirm asset management software.

The date of the current valuation is detailed in the following table.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation. Council has assessed the impacts of COVID-19 on the value of roads, bridges, footpaths & cycleways, kerb & channel and drainage classes of assets. Though these assets were revalued as at 30 June 2021, there has been a significant increase in road & bridge construction cost. As a result, a management adjustment of 8.3% based on ABS construction indices indicative of this increase has been made to these asset classes as at 30 June 2022.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1	Level2	Level 3	Date of Valuation
	\$'000	\$'000	\$'000	
Roads	-	-	117,763	30/06/2021
Bridges	-	-	17,647	30/06/2021
Footpaths and cycleways	-	-	7,987	30/06/2021
Drainage	-	-	13,291	30/06/2021
Waste management	-	-	1,953	30/06/2022
Parks, open space and streetscapes	-	-	18,396	30/06/2022
Aerodromes	-	-	1,251	30/06/2022
Kerb and channel	-	-	13,041	30/06/2022
Other infrastructure	-	-	10,157	30/06/2022
Total	-	-	201,487	

Notes to the Financial Report For the Year Ended 30 June 2022

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 30% and 80%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$7.50 and \$425 per square metre.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$330 to \$5,500 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 4 to 50 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 15 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2022	2021
	\$'000	\$'000
Reconciliation of specialised land		
Land	5,144	3,248
Land improvements	4,640	3,848
Land under roads	4,500	3,800
Total specialised land	14,284	10,896

**Notes to the Financial Report
For the Year Ended 30 June 2022**

6.2 Investment property	2022	2021
	\$'000	\$'000
Balance at beginning of financial year	1,030	1,152
Transfers	-	(171)
Fair value adjustments	-	49
Balance at end of financial year	<u>1,030</u>	<u>1,030</u>

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

Valuation of investment property

Valuation of investment property has been determined in accordance with an independent valuation in 2021 by Eishold Property (Simon Eishold, Certified Practising Valuer) who has experience in the location and category of the property being valued. The valuation is at fair value, based on the current market value for the property as at 1 June 2021.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022	2021
Note 7. People and relationships		
7.1. Council and key management remuneration		
(a) Related Parties		
<i>Parent entity</i>		
Council is the parent entity.		
<i>Subsidiaries and Associates</i>		
Mystic Park Cemetery Trust has not been consolidated into the accounts of the parent entity as the level of transactions is immaterial.		
(b) Key Management Personnel		
Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Gannawarra Shire Council. The Councillors, Chief Executive Officer and Directors are deemed KMP.		
Details of KMP at any time during the year are:		
Councillors		
Councillor Charlie Gillingham (Mayor)		
Councillor Jane Ogden (Deputy Mayor 8 November 2021 - Current)		
Councillor Ross Stanton		
Councillor Kelvin Burt		
Councillor Travis Collier		
Councillor Keith Link		
Councillor Garner Smith (Deputy Mayor 23 November 2020 to 8 November 2021)		
Chief Executive Officer		
Director - Corporate Services		
Director - Community Wellbeing		
Director - Infrastructure and Development		
	No.	No.
Total Number of Councillors	7	13
Total of Chief Executive Officer and other Key Management Personnel	4	4
Total Number of Key Management Personnel	<u>11</u>	<u>17</u>
(c) Remuneration of Key Management Personnel		
	\$'000	\$'000
Total remuneration of key management personnel was as follows:		
Short-term benefits	991	933
Long-term benefits	17	16
Post employment benefits	72	65
Total	<u>1,080</u>	<u>1,014</u>

**Notes to the Financial Report
For the Year Ended 30 June 2022**

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2022 No.	2021 No.
\$0 - \$9,999	-	5
\$10,000 - \$19,999	-	6
\$20,000 - \$29,999	5	1
\$30,000 - \$39,999	1	-
\$40,000 - \$49,999	-	1
\$70,000 - \$79,999	1	-
\$180,000 - \$189,999	-	2
\$190,000 - \$199,999	2	-
\$200,000 - \$209,999	1	1
\$240,000 - \$249,999	-	1
\$260,000 - \$269,999	1	-
	<u>11</u>	<u>17</u>

(d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000

The number of Senior Officers are shown below in their relevant income bands:

Income Range:	No.	No.
Less than \$151,000	-	1
\$151,001 - \$159,999	1	-
	<u>1</u>	<u>1</u>
	\$'000	\$'000
Total Remuneration for the reporting year for Senior Officers included above, amounted to:	144	137

7.2. Related party disclosure

(a) Transactions with related parties

During the period Council entered into the following transactions with related parties.

Nil Nil

(b) Outstanding balances with related parties

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties

Nil Nil

(c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party as follows:

Nil Nil

(d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil Nil

Notes to the Financial Report For the Year Ended 30 June 2022

Note 8. Managing uncertainties

8.1. Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council. At balance date, Council held the following bank guarantees for contract works being undertaken.

	Start Date	Amount \$'000
CJ & BT McLoughlan Pty Ltd - G10-2020 (Practical Completion)	11/06/2021	15
CJ & BT McLoughlan Pty Ltd - G10-2020 (Defects Liability)	11/06/2021	15
David Knight Building Services Pty Ltd - G04-2021 (Defects Liability)	5/08/2021	30
S & R Engineering - G08-2020 (Defects Liability)	19/11/2021	30
Boral Asphalt - G06-2021 (Practical Completion)	21/12/2021	45
CJ & BT McLoughlan Pty Ltd - G07-2021 (Practical Completion)	13/12/2021	28
CJ & BT McLoughlan Pty Ltd - G07-2021 (Defects Liability)	13/12/2021	28
CJ & BT McLoughlan Pty Ltd - G08-2021 (Practical Completion)	16/02/2022	24
CJ & BT McLoughlan Pty Ltd - G08-2021 (Defects Liability)	16/02/2022	24

(b) Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council; or
- present obligations that arise from past events but are not recognised because:
 - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
 - the amount of the obligation cannot be measured with sufficient reliability.

Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Insurance claims

Council is unaware of any major insurance claims that could have a material impact on future operations.

Notes to the Financial Report For the Year Ended 30 June 2022

Legal matters

Council is unaware of any major legal matters that could have a material impact on future operations.

Building cladding

Council is unaware of any potential contingents that may exist in relation to rectification works or other matters associated with building cladding that may have the potential to adversely impact on Council.

Liability Mutual Insurance

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

(c) Guarantees for loans to other entities

The amount disclosed for financial guarantee in this note is the nominal amount of the underlying loan that is guaranteed by the Council, not the fair value of the financial guarantee. This amount is determined by the Environment Protection Authority to cover the Council's landfill rehabilitation requirements.

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that the right will be exercised.

The following Bank Guarantee is held by State of Victoria - Environment Protection Authority on behalf of Council:

	Start Date	Amount \$'000
Kerang Landfill Financial Assurance	11/04/2013	247

8.2. Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2022 reporting period. Council assesses the impact of these new standards. As at 30 June 2022 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2023 that are expected to impact Council.

8.3. Financial instruments

(a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

Notes to the Financial Report For the Year Ended 30 June 2022

(b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk.

Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

Given rate debtors are secured by charge over the rateable property, any increased credit risk as the result of the COVID-19 pandemic is not considered to be significant in relation to financial assets. There are no indicators of increased impairment of debtor balances at 30 June 2022 as the result of COVID-19.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

(d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(b), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +1.5% and -1.5% in market interest rates (AUD) from year-end rates of 2.75%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

Notes to the Financial Report For the Year Ended 30 June 2022

8.4. Fair value measurement

Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 3 to 4 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5. Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Note 9. Other matters

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
9.1. Reserves			
(a) Asset revaluation reserves			
2022			
Property			
Land and land improvements	1,320	2,219	3,539
Buildings	5,678	4,874	10,552
	6,998	7,093	14,091
Infrastructure			
Roads	97,038	8,998	106,036
Bridges	6,207	1,372	7,579
Footpaths and cycleways	2,605	542	3,147
Drainage	5,051	935	5,986
Waste management	71	112	183
Recreation, parks and open space	1,193	2,158	3,351
Aerodromes	599	220	819
Kerb and channel	5,619	998	6,617
Other infrastructure	2,893	5,213	8,106
	121,276	20,548	141,825
Total asset revaluation reserves	128,275	27,642	155,917
2021			
Property			
Land and land improvements	690	630	1,320
Buildings	5,678	-	5,678
	6,368	630	6,998
Infrastructure			
Roads	90,320	6,718	97,038
Bridges	6,659	(452)	6,207
Footpaths and cycleways	3,448	(843)	2,605
Drainage	5,043	8	5,051
Waste management	71	-	71
Recreation, parks and open space	1,193	-	1,193
Aerodromes	974	(375)	599
Kerb and channel	3,733	1,886	5,619
Other infrastructure	2,893	-	2,893
	114,334	6,942	121,276
Total asset revaluation reserves	120,702	7,572	128,275

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

	2022	2021
	\$'000	\$'000
9.2. Reconciliation of cash flows from operating activities to surplus		
Surplus for the year	7,740	3,313
Profit/(loss) on disposal of property, infrastructure, plant and equipment	(360)	954
Depreciation	6,381	6,350
Borrowing costs	18	26
Fair value adjustments for investment property	-	(49)
Contributions - Non-monetary assets	-	(83)
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	(83)	912
(Increase)/decrease in prepayments	(21)	(41)
Increase/(decrease) in accrued income	(17)	704
Increase/(decrease) in trade and other payables	400	(226)
Increase/(Decrease) in unearned income	1,697	2,814
(Decrease)/increase in other liabilities	(253)	96
(Increase)/decrease in inventories	(206)	576
Increase/(decrease) in provisions	199	815
Net cash provided by/(used in) operating activities	15,495	16,161

9.3. Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in Comprehensive Operating Statement when they are made or due.

Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2022, this was 10.0% as required under Superannuation Guarantee (SG) legislation (2021: 9.5%)).

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119 Employee Benefits.

Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2021, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 109.8%. The financial assumptions used to calculate the VBI were:

- Net investment returns 4.75% pa
- Salary information 2.75% pa
- Price inflation (CPI) 2.25% pa.

As at 30 June 2022, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2022.

Vision Super has advised that the VBI at 30 June 2022 was 102.2%. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). The financial assumptions used to calculate this VBI were:

- Net investment returns 5.5% pa
- Salary information 2.5%pa to 30 June 2023, and 3.5% pa thereafter
- Price inflation (CPI) 3.0% pa.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2021 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

Employer contributions

(A) Regular contributions

On the basis of the results of the 2021 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2022, this rate was 10.0% of members' salaries (9.5% in 2020/21). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

(B) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

**Notes to the Financial Report
For the Year Ended 30 June 2022**

The 2021 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2021 and the last full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2021 (Interim) \$m	2020 (Triennial) \$m
- A VBI Surplus	214.7	100.0
- A total service liability surplus	270.3	200.0
- A discounted accrued benefits surplus	285.2	217.8

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2021.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2021.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2021.

Council was notified of the 30 June 2021 VBI during August 2021 (2020: August 2020).

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$45k

**Notes to the Financial Report
For the Year Ended 30 June 2022**

The 2022 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2022 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2022. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

10. Change in accounting policy

There have been no changes to accounting policies in the 2021-22 year.

There are no pending accounting standards that are likely to have a material impact on council



Gannawarra Shire Council
Performance Statement
For the year ended 30 June 2022

Performance Statement

For the year ended 30 June 2022

Description of municipality

The Gannawarra is a region loaded with natural features; our rivers, lakes, swamps, marshes and wetlands, all surrounded by majestic forests.

These special natural places of interest in The Gannawarra are all within a three hour drive from Melbourne and around one hour from the neighbouring centres of Swan Hill, Echuca and Bendigo.

Our Mediterranean climate has seen us take advantage of the sun for renewable energy activity – in fact The Gannawarra is home to Australia's largest integrated solar farm and battery storage facility.

Our primary centres are Kerang, Cohuna and Koondrook. Smaller outlying communities include Leitchville, Quambatook, Murrabit, Lake Charm, Lalbert, Macorna and Mystic Park, making up a population of 10,438, covering 2,278 kilometres.

Gannawarra is a place of strong community pride where our communities inspire each other to make The Gannawarra a great place to live, visit and do business.

Overview of 2021/2022

During the financial year, Council experienced restrictions associated with the COVID-19 pandemic which resulted in the temporary closure of a number of facilities including Council's Aquatic and Library facilities. Council continued to review and amend its COVID-19 Financial Hardship Policy to assist ratepayers impacted by the pandemic.

Despite the above restrictions, the Council completed a significant number of community and capital projects during the year, which have enhanced the liveability of our communities.

Sustainable Capacity Indicators

For the year ended 30 June 2022

Indicator/measure	Results				Material Variations
	2019	2020	2021	2022	
Population					
Expenses per head of municipal population [Total expenses / Municipal population]	\$2,543.34	\$2,832.51	\$3,169.33	\$3,149.26	The continued growth in Community Care Services has increased this indicator over the years. The decrease between 2020/21 and 2021/22 relate to Drought Communities funded projects in 2020/21.
Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$17,654.12	\$18,220.40	\$19,380.96	\$21,806.76	The increase between 2020/21 and 2021/22 is as a result of land and buildings revaluation and management adjustment increase to the roads, bridges and drainage classes of assets as a result of significant increase in road and bridge constructions cost.
Population density per length of road [Municipal population / Kilometres of local roads]	4.64	4.58	4.55	4.58	Council road length and population have remained stable.
Own-source revenue					
Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,711.77	\$1,786.96	\$1,866.92	\$2,112.09	An increase is attributed to continued growth in Community Care Services and Children’s Services.

Indicator/measure	Results				Material Variations
	2019	2020	2021	2022	
Recurrent grants					
Recurrent grants per head of municipal population	\$919.50	\$1,053.00	\$1,157.50	\$1,144.09	Recurrent grants increased in 2021/22, due to the early payment of the Federal Assistance Grants of 75% of the 2022/23 annual allocation. Recurrent grants were higher in 2020/21 due to additional Roads to Recovery funding in 2020/21.
[Recurrent grants / Municipal population]					
Disadvantage					
Relative socio-economic disadvantage	3.00	3.00	3.00	3.00	There has been no change in Council’s Relative Socio-Economic Disadvantage.
[Index of Relative Socio-economic Disadvantage by decile]					
Workforce turnover					
Percentage of staff turnover	13.6%	12.1%	9.0%	11.48%	An increase in staff turnover rate is due to a higher number of resignations in 2021/22 than anticipated.
[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x 100					

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council¹

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

¹ Council has utilised the March 2022 Australian Bureau of Statistics release for population estimate.

Service Performance Indicators

For the year ended 30 June 2022

Service/indicator/measure	Results				Material Variations
	2019	2020	2021	2022	
Aquatic facilities					
Utilisation					Utilisation of aquatic facilities saw a slight decrease in 2021/22 as services were partly closed due to COVID-19 restrictions and directions.
Utilisation of aquatic facilities	4.61	3.45	3.27	3.03	
[Number of visits to aquatic facilities / Municipal population]					
Animal management					
Health and safety					
Animal management prosecutions	New in 2020	0.00%	0.00%	0.00%	There were no animal management prosecutions in 2021/22.
[Number of successful animal management prosecutions / Number of Animal management prosecutions] x100					
Food safety					
Health and safety					
Critical and major non-compliance notifications	0.00%	0.00%	100.00%	100.00%	Five major non-compliance outcome notifications for a food premises were received and followed up in accordance with the Food Act 1984.
[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about a food premises] x100					

Service/indicator/measure	Results				Material Variations
	2019	2020	2021	2022	
Governance					
Satisfaction					There were a number of contentious projects, planning matters and strategies that the community were concerned about in 2021/22 that may have contributed to this result.
Satisfaction with council decisions	52.00	39.00	55.00	46.00	
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]					
Libraries					
Participation					A reduction in the number of active library borrowers is attributed to the temporary closure of library branches due to the COVID-19 Pandemic. Gannawarra Library Service is committed to the Public Libraries State wide 'Return Yourself to the Library' campaign to increase library membership.
Active library borrowers in municipality	16.75%	16.65%	13.50%	11.47%	
[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100					
Maternal and Child Health					
Participation					Participation in the Maternal and Child Health Service is down slightly due to COVID-19. Services were restricted at times throughout the year with young and vulnerable families prioritised.
Participation in the MCH service	70.95%	86.88%	85.60%	80.77%	
[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100					
Participation					Participation in the Maternal and Child Health Service by Aboriginal children has slightly decreased. Staff will continue to work in partnership with Aboriginal services to encourage participation.
Participation in the MCH service by Aboriginal children	61.90%	100%	97.37%	83.33%	
[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100					

7

Service/indicator/measure	Results				Material Variations
	2019	2020	2021	2022	
Roads					
Satisfaction					Results for community satisfaction with sealed local roads has seen a decrease of four points. Council is aware that residents find it difficult to ascertain a council maintained road compared to roads maintained by other authorities.
Satisfaction with sealed local roads	50.00	47.00	54.00	50.00	
[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]					
Statutory Planning					
Decision making					There were no VCAT appeals in the 2021/22 financial year.
Council planning decisions upheld at VCAT	0.00%	0.00%	0.00%	0.00%	
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100					
Waste Collection					
Waste diversion					There has been a reduction in the amount of recycling collected in 2021/22 compared to the previous year. Council attributes this to the introduction of new glass drop off services and the impact of COVID-19 restrictions in 2020/21, resulting in increased recycling from the community. Council has a strong focus on reducing waste and continues to support the community in waste education.
Kerbside collection waste diverted from landfill	42.16%	37.15%	44.88%	37.99%	
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100					

Definitions

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library member" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under section 98 of the Act

"CALD" means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the *Food Act 1984*

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council ²

² Council has utilised the March 2022 Australian Bureau of Statistics release for population estimate.

Financial Performance Indicators

For the year ended 30 June 2022

	Results				Forecasts				
Dimension/ <i>indicator/ measure</i>	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations
Efficiency					The number of assessments is anticipated to remain fairly constant, with most costs in line with market forces. The continued growth in Community Care Services has increased this indicator. The decrease between 2020/21 and 2021/22 relates to extra grant funding received in 2021 for COVID support and Drought Communities support.				
Expenditure level									
Expenses per property assessment	\$3,877.29	\$4,339.72	\$4,708.71	\$4,696.00					
[Total expenses / Number of property assessments]									
Revenue level					This increase is in line with the rate cap.				
Average rate per property assessment									
[General rates and Municipal charges / Number property assessments]	New in 2020	\$1,611.12	\$1,613.29	\$1,654.71					

Dimension/ indicator/ measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
Liquidity									
Working capital									
<i>Current assets compared to current liabilities</i>	272.15%	255.12%	197.32%	199.99%	291.46%	296.72%	293.82%	290.72%	Position sound and aided by the increase in cash due to the early payment of Federal Assistance Grants of 75% for the 2022/23 annual allocation. Current liabilities are higher than previous years due to the receipt of capital grants in advance which have been treated as unearned income. There is a corresponding increase in current assets as a result of the early payment of Federal Assistance Grants and capital grants in advance. The indicator increases in the forward years as Council does not budget for unearned grants which is an unknown factor.
[Current assets / Current liabilities] x100									
Unrestricted cash									
<i>Unrestricted cash compared to current liabilities</i>	70.05%	48.76%	80.64%	54.41%	174.08%	180.01%	177.47%	176.41%	Unrestricted cash is sufficient to cover Council's current obligation towards employee provisions, loan liabilities and trade payables. Unrestricted cash excludes Other Financial Assets i.e. term deposits with maturity greater than 90 days. Other Financial Assets are higher in 2021/22 and as a result, this indicator is lower than prior year.
[Unrestricted cash / Current liabilities] x100									

Dimension/ indicator/ measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
Obligations									
Loans and borrowings									
<i>Loans and borrowings compared to rates</i>	4.42%	3.46%	2.64%	1.79%	1.08%	0.36%	0.00%	9.81%	Council has a low level of debt. Based on current borrowings, Council will be debt free in 2024/25. Council's Adopted Budget 2022/23 proposes new loan borrowings for the construction of the Regional Wellbeing Centre in 2025/26.
[Interest bearing loans and borrowings / Rate revenue] x100									
Loans and borrowings									
<i>Loans and borrowings repayments compared to rates</i>	1.11%	1.07%	0.93%	0.89%	0.76%	0.75%	0.37%	0.89%	Council has a low level of debt. Based on current borrowings, Council will be debt free in 2024/25. Council's Adopted Budget 2022/23 proposes new loan borrowings for the construction of the Regional Wellbeing Centre in 2025/26.
[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100									
Indebtedness									
<i>Non-current liabilities compared to own source revenue</i>	8.35%	7.71%	8.36%	7.48%	6.16%	5.97%	5.92%	10.99%	Council has a low level of debt. This debt is reducing and rates income is increasing in line with the rate cap. In 2020/21, this indicator was higher due to the increase in landfill rehabilitation provision to meet the Environmental protection Authority (EPA) obligations. Council's Adopted Budget 2022/23 proposes new loan borrowings for the construction of the Regional Wellbeing Centre in 2025/26.
[Non-current liabilities / Own source revenue] x100									

	Results				Forecasts				
Dimension/ <i>indicator/ measure</i>	2019	2020	2021	2022	2023	2024	2025	2026	Material Variations
Asset renewal and upgrade									The 2021/22 result is lower than previous years due to the continuation of multi-year road projects into 2022/23. Funds have been earmarked for the completion of these projects. This indicator increases in 2024/25 and 2025/26 on account of budgeted renewal and upgrade works on Kerang CBD and the Regional Wellbeing Centre in 2024/25 and 2025/26.
<i>Asset renewal and upgrade compared to depreciation</i>	New in 2020	112.16%	111.53%	94.31%	113.30%	100.29%	144.10%	173.29%	
[Asset renewal and upgrade expense / Asset depreciation] x100									
Operating position									This result is higher in 2021/22 due to the early payment of 75% of the 2022/23 annual allocation of Federal Assistance Grants (1.6M). The corresponding decrease in 2022/23 is due to the recognition of this early payment in 2021/22.
Adjusted underlying result									
<i>Adjusted underlying surplus (or deficit)</i>	2.96%	-0.26%	-2.23%	4.45%	-3.47%	0.32%	-0.25%	0.20%	
[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100									
Stability									Rates proportion of adjusted underlying revenue has been declining due to growth in community services.
Rates concentration									
<i>Rates compared to adjusted underlying revenue</i>	46.09%	44.51%	41.84%	40.50%	43.05%	41.83%	41.83%	41.85%	
[Rate revenue / Adjusted underlying revenue] x100									

Dimension/ indicator/ measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
Rates effort									
<i>Rates compared to property values</i>	0.76%	0.73%	0.72%	0.69%	0.55%	0.55%	0.55%	0.56%	Rates compared to property values remains consistent due to rate capping.
[Rate revenue / Capital improved value of rateable properties in the municipality] x100									

Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"population" means the resident population estimated by council³

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

³ Council has utilised the March 2022 Australian Bureau of Statistics release for population estimate.

Former Measures

The following indicators were retired in the year ended 30 June 2021.

Service/indicator/measure	Results			Material Variations
	2018	2019	2020	
Animal Management				
Health and Safety				
Animal Management prosecutions	0.00	2.00	Retired in 2020	
[Number of successful animal management prosecutions]				
Efficiency				
Revenue Level				
Average residential rate per residential property assessment	\$1,158.40	\$1,272.31	Retired in 2020	
[Residential rate revenue / Number of residential property assessments]				
Obligations				
Asset Renewal				
Asset renewal compared to depreciation	92.72%	99.11%	Retired in 2020	
[Asset renewal expense / Asset depreciation] x 100				

Other Information

For the year ended 30 June 2022

1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. *The Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 29 June 2022 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

Shana Johnny, CPA

Principal Accounting Officer

Dated:

In our opinion, the accompanying performance statement of the Gannawarra Shire Council for the year ended 30 June 2022 presents fairly the results of council's performance in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify this performance statement in its final form.

Cr Charlie Gillingham

Councillor

Dated:

Cr Garner Smith

Councillor

Dated:

Tom O'Reilly

Chief Executive Officer

Dated:

7.2 DELEGATION UPDATE - COUNCIL TO MEMBERS OF COUNCIL STAFF

Author: Alissa Harrower, Acting Manager Governance

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 Instrument of Delegation to Members of Council Staff

RECOMMENDATION

That Council in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

EXECUTIVE SUMMARY

Gannawarra Shire Council has functions and duties which it must perform and powers which it may exercise, pursuant to the *Local Government Act 1989* (the 1989 Act), the *Local Government Act 2020* (the 2020 Act) as well as a range of other Acts and regulations. Legislation referred to in the attached instrument of delegation provides for Council to delegate certain powers, duties or functions to members of staff rather than having all functions and duties dealt with by Council resolution.

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

This report addresses delegations to members of Council staff.

PURPOSE

The purpose of this report is for Council to consider delegating a range of powers, duties and functions to members of Council staff.

ATTACHMENTS

Instrument of Delegation to Members of Council Staff.

DISCUSSION

As a statutory entity, Council is only able to do those things which it is authorised by statute to do. As a legal entity and not a 'natural person', Council can act in only one of two ways: by resolution

or through others acting on its behalf. The power for Council to act by resolution is set out in section 59 of the 2020 Act.

“59(1) Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council.”

Alternatively, a Council can act through others. A number of acts and regulations provide for Council to delegate certain powers, duties or functions to members of Council staff.

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

This report seeks to update the Instrument of Delegation to Members of Council Staff to reflect the following:

Cemeteries and Crematoria Act 2003

- Section 74 of the Act has been amended to insert subsection (3) and remove reference to provision commencing 1 March 2022;
- Sections 83(2) and 110(1A) of the Act have been amended to remove reference to the provision commencing on 1 March 2022;
- Section 84I(4) of the Act has been inserted by virtue of the *Cemeteries and Crematoria Amendment Act 2021*, which relates to the power to exercise the rights of a holder of a right of interment;

Planning and Environment Act 1987

- Section 4I of the Act has been amended to refer to the duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with the public available requirements;
- Amendment of a typographical error at s 14 of the Act;
- Sections 18,21(2), 26(2), 46V(3) of the Act have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements;
- Section 22(1) of the Act has been amended to clarify which submissions must be considered;
- Section 22(2) of the Act has been inserted on two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions;
- Section 96J of the Act has been amended to refer to the duty rather than as a power;
- Section 185B of the Act has been inserted, which relates to the duty to comply with a request from the Minister for information.

RELEVANT LAW

Cemeteries and Crematoria Act 2003

Cemeteries and Crematoria Amendment Act 2021

Domestic Animals Act 1994

Food Act 1984

Heritage Act 2017

Local Government Act 1989

Local Government Act 2020

Planning and Environment Act 1987

Residential Tenancies Act 1997

Road Management Act 2004

Cemeteries and Crematoria Regulations 2015

Planning and Environment Regulations 2015

Planning and Environment (Fees) Regulations 2016

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020

Road Management (General) Regulations 2016

Road Management (Works and Infrastructure) Regulations 2015

RELATED COUNCIL DECISIONS

Council most recently reviewed delegations to Council staff at its meeting on 20 April 2022.

OPTIONS

The delegation from Council to members of Council staff must be regularly reviewed to maintain compliance with relevant legislation.

SUSTAINABILITY IMPLICATIONS

Not applicable

COMMUNITY ENGAGEMENT

Not applicable

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable

COLLABORATION

Not applicable

FINANCIAL VIABILITY

Not applicable

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025: Sustainability – 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.

S6. Instrument of Delegation – Members of Staff

Gannawarra Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

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

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

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

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 21 September 2022; and

3.2 the delegation:

- 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
- 3.2.2 remains in force until varied or revoked;
- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

- 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy;
 - (b) strategyadopted by Council; or

- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The Common Seal of the GANNAWARRA SHIRE COUNCIL)
was hereunto affixed in accordance Gannawarra Shire)
Council Governance Rules.)

(signature) Chief Executive Officer

_____ Full name

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	Provision Not Delegated	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Provision Not Delegated	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	Provision Not Delegated	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Provision Not Delegated	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) -	Provision	Where Council is a Class A cemetery trust

Page 5 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(e) in exercising its functions	Not Delegated	
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	Provision Not Delegated	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	Provision Not Delegated	
s 15(4)	Duty to keep records of delegations	MG, GCC	
s 17(1)	Power to employ any persons necessary	Provision Not Delegated	
s 17(2)	Power to engage any professional, technical or other assistance	MG, GCC	

Page 6 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	considered necessary		
s 17(3)	Power to determine the terms and conditions of employment or engagement	Provision Not Delegated	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	MG, GCC	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Provision Not	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to	Provision Not	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	a community advisory committee	Delegated	
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Provision Not Delegated	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that	Provision	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	specifies the items set out in paragraphs (a)-(d)	Not Delegated	
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Provision Not Delegated	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Provision Not Delegated	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Provision Not Delegated	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	MG, GCC	
s 20(1)	Duty to set aside areas for the interment of human remains	Provision Not Delegated	
s 20(2)	Power to set aside areas for the purposes of managing a public	Provision	

Page 11 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	cemetery	Not Delegated	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	Provision Not Delegated	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Provision Not Delegated	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Provision Not Delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Provision Not Delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	MG, GCC	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Provision Not Delegated	Provided the street was constructed pursuant to the Local Government Act 1989
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	MG, GCC	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	MG, GCC	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	MG, GCC	
s 60(2)	Power to charge fees for providing information	MG, GCC	

Page 13 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	MG, GCC	
s 64B(d)	Power to permit interments at a reopened cemetery	Provision Not Delegated	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Provision Not Delegated	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DCS, MG	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	MG, GCC	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70(2)	Duty to make plans of existing place of interment available to the public	MG, GCC	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	Provision Not Delegated	
s 71(2)	Power to dispose of any memorial or other structure removed	DCS, MG	
s 72(2)	Duty to comply with request received under s 72	MG, GCC	
s 73(1)	Power to grant a right of interment	MG, GCC	
s 73(2)	Power to impose conditions on the right of interment	DCS, MG,	

Page 15 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		GCC	
s 74(3)	Duty to offer a perpetual right of interment	DCS, MG	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	MG, GCC	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	MG, GCC	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	MG, GCC	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	MG, GCC	
s 80(2)	Function of recording transfer of right of interment	MG, GCC	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	MG, GCC	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	MG, GCC	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	MG, GCC	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	MG, GCC	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the	MG, GCC	

Page 17 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	surrender of a right of interment under s 84C(2), (3) or (5)		
s 84H(4)	Power to exercise the rights of a holder of a right of interment	MG, GCC	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	DCS, MG	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	MG, GCC	
s 84I(6)(a)	Power to remove any memorial on the place of interment	DCS, DID	
s 84I(6)(b)	Power to grant right of interment under s 73	MG, GCC	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	MG, GCC	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	MG, GCC	Does not apply where right of interment relates to remains of a deceased veteran.

Page 18 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	DCS, MG	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Provision Not Delegated	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DCS, MG	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DCS, MG	

Page 19 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DCS, MG	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	DCS, MG	
s.86(5)	duty to provide notification before taking action under s.86(4)	MG, GCC	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	MG, GCC	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	MG, GCC	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	MG, GCC	
s 91(1)	Power to cancel a right of interment in accordance with s 91	MG, GCC	

Page 20 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91(3)	Duty to publish notice of intention to cancel right of interment	MG, GCC	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	MG, GCC	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	MG, GCC	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	MG, GCC	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	MG, GCC	

Page 21 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 100(1)	Power to require a person to remove memorials or places of interment	MG, GCC	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	MG, GCC	
s 100(3)	Power to recover costs of taking action under s 100(2)	DCS	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	MG, GCC	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	MG, GCC	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	MG, GCC	
s 103(1)	Power to require a person to remove a building for ceremonies	MG, GCC	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	MG, GCC	
s 103(3)	Power to recover costs of taking action under s 103(2)	DCS	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	MG, GCC	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 106(2)	Power to require the holder of the right of interment to provide for an examination	MG, GCC	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	MG, GCC	
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	MG, GCC	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCS, DID, MG	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DCS, DID, MG	

Page 24 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 108	Power to recover costs and expenses	DCS, MG	
s 109(1)(a)	Power to open, examine and repair a place of interment	MG, GCC	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCS, MG	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DCS, MG	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	DCS, MG	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	DID, MOS	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DCS, MG	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCS, MG	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	MG, GCC	
s 112	Power to sell and supply memorials	Provision Not Delegated	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	MG, GCC	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	MG, GCC	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Provision Not Delegated	
s 119	Power to set terms and conditions for interment authorisations	Provision Not Delegated	
s 131	Function of receiving an application for cremation authorisation	MG, GCC	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Provision Not	Subject to s 133(2)

Page 27 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	MG, GCC	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	MG, GCC	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	MG, GCC	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	MG, GCC	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	MG, GCC	

Page 28 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 151	Function of receiving applications to inter or cremate body parts	MG, GCC	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DCS, MG, GCC	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	MG, GCC	
sch 1 cl 8(8)	Power to regulate own proceedings	DCS, MG	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of	Provision Not	Where Council is a Class A cemetery trust

Page 29 of 138

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	communication	Delegated	
sch 1A cl 8(8)	Power to regulate own proceedings	Provision Not Delegated	Where Council is a Class A cemetery trust Subject to cl 8

Domestic Animals Act 1994			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	LLO2, DID, MPRS, LLO1	Council may delegate this power to a Council authorised officer

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	EHO	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO	Where Council is the registration authority

Page 32 of 138

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19CB(4)(b)	Power to request copy of records	EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	MCH, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	MCH, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	DCW, MCH, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	MCH, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCS, DCW	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO	Where Council is the registration authority

Page 34 of 138

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHO	Where Council is the registration authority
	Power to register or renew the registration of a food premises	EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	EHO	Where Council is the registration authority

Page 35 of 138

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36B	Duty to pay the charge for use of online portal	EHO	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO	Where Council is the registration authority not exceeding the prescribed time limit defined

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	MCH, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	MCH, EHO	

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39A	Power to register, or renew the registration of a food premises despite minor defects	EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	MCH, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	MCH, EHO	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40D(1)	Power to suspend or revoke the registration of food premises	DCW, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	MCH, EHO	
s 40F	Power to cancel registration of food premises	EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	MCH, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	MCH, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 45AC	Power to bring proceedings	MCH, EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHO	Where Council is the registration authority

Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Provision Not Delegated	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	Provision Not Delegated	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DID, MPRS	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DID, MPRS	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	DID, MPRS, PO	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other	DID,	

Page 42 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	documents available in accordance with public availability requirements	MPRS, PO	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DID, MPRS	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	Provision Not Delegated	
s 8A(5)	Function of receiving notice of the Minister's decision	DID, MPRS	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DID, MPRS	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Provision Not	

Page 43 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	DID, MPRS, PO	
s 12B(1)	Duty to review planning scheme	DID, MPRS	
s 12B(2)	Duty to review planning scheme at direction of Minister	DID, MPRS	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DID, MPRS	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(1)	Duty of giving copy amendment to the planning scheme	DID, MPRS, PO	
s 17(2)	Duty of giving copy s 173 agreement	DID, MPRS, PO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DID, MPRS	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DID, MPRS, PO	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DID, MPRS	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DID, MPRS	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DID, MPRS, PO	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	DID, MPRS	
s 22(1)	Duty to consider all submissions received before the date specified in the	DID, MPRS	Except submissions which request a change to the

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notice		items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	DID, MPRS	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DID, MPRS	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	Provision Not Delegated	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DID, MPRS	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DID, MPRS, PO	

Page 47 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DID, MPRS, PO	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DID, MPRS	
s 28(1)	Duty to notify the Minister if abandoning an amendment	DID, MPRS	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DID, MPRS	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DID, MPRS	
s 30(4)(a)	Duty to say if amendment has lapsed	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(b)	Duty to provide information in writing upon request	DID, MPRS	
s 32(2)	Duty to give more notice if required	DID, MPRS	
s 33(1)	Duty to give more notice of changes to an amendment	DID, MPRS	
s 36(2)	Duty to give notice of approval of amendment	DID, MPRS	
s 38(5)	Duty to give notice of revocation of an amendment	DID, MPRS	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Function of lodging copy of approved amendment	DID, MPRS	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DID, MPRS, PO	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	MPRS, PO	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DID, MPRS, PO	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Provision Not Delegated	Where Council is a responsible public entity and is a planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	DID, MPRS	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DID, MPRS	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DID, MPRS	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the	DID, MPRS	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	declared area		
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	DID, MPRS	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DID, MPRS	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DID, MPRS	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DID, MPRS	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DID, MPRS	
s 46GP	Function of receiving a notice under s 46GO	DID, MPRS	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	DID, MPRS	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	DID, MPRS	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DID, MPRS	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DID, MPRS	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DID, MPRS	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	attending the conference		
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DID, MPRS	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DID, MPRS	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	DID, MPRS	
s 46GV(3)	f)Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DID, MPRS	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DID, MPRS	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DID, MPRS	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DID, MPRS	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DID, MPRS	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	DID, MPRS	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	DID, MPRS	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions	DID, MPRS	Where Council is the collecting agency

Page 55 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	plan		
s 46GY(1)	Duty to keep proper and separate accounts and records	DCS, CFO	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	DCS, CFO	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	DID, MPRS	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DID, MPRS	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	DID, MPRS	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	DID, MPRS	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DID, MPRS	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	DID, MPRS	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	DID, MPRS	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	DID, MPRS	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	DID, MPRS	<p>If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	DID, MPRS	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(1)	Duty to keep proper and separate accounts and records	DCS, CFO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	DCS, CFO	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DID, MPRS	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DID, MPRS	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DID, MPRS	Where Council is the development agency under an approved infrastructure contributions plan

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

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

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

Page 63 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	amount is adjusted under s 46LB (2)		
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DID, MPRS, PO	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DCS, DID, MPRS	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DCS, DID, MPRS	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	DCS, DID, MPRS	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DCS, DID, MPRS	

Page 64 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DCS, DID, MPRS	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DCS, DID	
s 46Q(1)	Duty to keep proper accounts of levies paid	DCS, CFO	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DCS, DID, MPRS	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DCS, DID, MPRS	

Page 65 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DID, MPRS	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	DID, MPRS	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DID, MPRS	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	DID, MPRS	With the consent of, and in the manner approved by, the Minister

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46QC	Power to recover any amount of levy payable under Part 3B	Provision Not Delegated	
s 46QD	Duty to prepare report and give a report to the Minister	DID, MPRS	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Provision Not Delegated	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Provision Not Delegated	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Provision Not Delegated	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Provision Not Delegated	
s 47	Power to decide that an application for a planning permit does not comply with that Act	DID, MPRS	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DID, MPRS, PO	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(4)	Duty to amend application	DID, MPRS, PO	
s 50(5)	Power to refuse to amend application	DID, MPRS	
s 50(6)	Duty to make note of amendment to application in register	DID, MPRS, PO	
s 50A(1)	Power to make amendment to application	DID, MPRS	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DID, MPRS, PO	
s 50A(4)	Duty to note amendment to application in register	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	DID, MPRS, PO	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DID, MPRS, PO	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	DID, MPRS, PO	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DID, MPRS, PO	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DID, MPRS, PO	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DID, MPRS, PO	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DID, MPRS, PO	
s 52(3)	Power to give any further notice of an application where appropriate	DID, MPRS, PO	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DID, MPRS, PO	
s 54(1)	Power to require the applicant to provide more information	DID, MPRS, PO	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DID, MPRS, PO	
s 54(1B)	Duty to specify the lapse date for an application	DID, MPRS, PO	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DID, MPRS	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	DID, MPRS	

Page 72 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DID, MPRS, PO	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DID, MPRS	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DID, MPRS, PO	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	DID, MPRS, PO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57A(5)	Power to refuse to amend application	DID, MPRS	
s 57A(6)	Duty to note amendments to application in register	DID, MPRS, PO	
s 57B(1)	Duty to determine whether and to whom notice should be given	DID, MPRS, PO	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DID, MPRS, PO	
s 57C(1)	Duty to give copy of amended application to referral authority	DID, MPRS, PO	
s 58	Duty to consider every application for a permit	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	DID, MPRS	
s 60	Duty to consider certain matters	DID, MPRS	
s 60(1A)	Duty to consider certain matters	DID, MPRS	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DID, MPRS	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DID, MPRS	<p>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006</p> <p>Power to refuse a permit application 61(1)(c) can only be undertaken by Council</p>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DID, MPRS	

Page 75 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Provision Not Delegated	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Provision Not Delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Provision Not Delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Provision Not Delegated	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(2)	Power to include other conditions	DID, MPRS	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DID, MPRS	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DID, MPRS	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DID, MPRS	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DID, MPRS	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DID, MPRS	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DID, MPRS	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DID, MPRS, PO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	DID, MPRS	This provision applies also to a decision to grant an amendment to a permit - see s 75

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

Page 79 of 138

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	DID, MPRS, PO	
s 71(1)	Power to correct certain mistakes	DID, MPRS	
s 71(2)	Duty to note corrections in register	DID, MPRS, PO	
s 73	Power to decide to grant amendment subject to conditions	DID, MPRS	
s 74	Duty to issue amended permit to applicant if no objectors	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DID, MPRS, PO	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DID, MPRS, PO	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DID, MPRS, PO	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DID, MPRS, PO	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DID, MPRS, PO	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DID, MPRS	
s 83	Function of being respondent to an appeal	DID, MPRS, PO	
s 83B	Duty to give or publish notice of application for review	DID, MPRS, PO	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DID, MPRS	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DID, MPRS	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	DID, MPRS	
s 84AB	Power to agree to confining a review by the Tribunal	DID, MPRS	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	DID, MPRS	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DID, MPRS	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91(2)	Duty to comply with the directions of VCAT	DID, MPRS, PO	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DID, MPRS	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DID, MPRS, PO	
s 93(2)	Duty to give notice of VCAT order to stop development	DID, MPRS, PO	
s 95(3)	Function of referring certain applications to the Minister	DID, MPRS	
s 95(4)	Duty to comply with an order or direction	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DID, MPRS, PO	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Provision Not Delegated	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DID, MPRS, PO	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DID, MPRS, PO	
s 96F	Duty to consider the panel's report under s 96E	Provision Not Delegated	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to	Provision	

Page 86 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	Not Delegated	
s 96H(3)	Power to give notice in compliance with Minister's direction	DID, MPRS, PO	
s 96J	Duty to issue permit as directed by the Minister	DID, MPRS	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DID, MPRS, PO	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DID, MPRS, PO	
s 97C	Power to request Minister to decide the application	Provision Not	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DID, MPRS, PO	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DID, MPRS, PO	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	DID, MPRS, PO	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DID, MPRS, PO	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DID, MPRS, PO	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DID, MPRS	
s 97O	Duty to consider application and issue or refuse to issue certificate of	DID, MPRS	

Page 88 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	compliance		
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DID, MPRS, PO	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DID, MPRS, PO	
s 97Q(4)	Duty to comply with directions of VCAT	DID, MPRS, PO	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DID, MPRS, PO	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DCS, DID, MG, MPRS	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DID, MPRS	
s 101	Function of receiving claim for expenses in conjunction with claim	DCS, DID,	

Page 89 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MG, MPRS	
s 103	Power to reject a claim for compensation in certain circumstances	DCS, DID, MG	
s.107(1)	function of receiving claim for compensation	DCS, DID, MG, MPRS	
s 107(3)	Power to agree to extend time for making claim	DCS, DID, MG, MPRS	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	Provision Not Delegated	
s 114(1)	Power to apply to the VCAT for an enforcement order	DID, MPRS, PO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DID, MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DID, MPRS, PO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DID, MPRS	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Provision Not Delegated	Except Crown Land
s 129	Function of recovering penalties	DCS, CFO	
s 130(5)	Power to allow person served with an infringement notice further time	DID, MPRS	
s 149A(1)	Power to refer a matter to the VCAT for determination	DID, MPRS, PO	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DID, MPRS	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and	DCS, DID,	Where Council is the relevant planning authority

Page 91 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	MPRS	
s 171(2)(f)	Power to carry out studies and commission reports	DID, MPRS	
s 171(2)(g)	Power to grant and reserve easements	DID, MPRS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DCS, DID	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DCS, DID	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DCS, DID	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	Provision	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Not Delegated	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Provision Not Delegated	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	DID, MPRS	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	DID, MPRS	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Provision Not Delegated	

Page 93 of 138

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Provision Not Delegated	
s 178A(1)	Function of receiving application to amend or end an agreement	DID, MPRS, PO	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DID, MPRS	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DID, MPRS	
s 178A(5)	Power to propose to amend or end an agreement	Provision Not Delegated	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an	DID, MPRS	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		Delegated	Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Provision Not Delegated	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	Provision Not Delegated	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	Provision Not Delegated	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Provision Not Delegated	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Provision Not Delegated	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	Provision Not Delegated	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DID, MPRS	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DID, MPRS	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	Provision Not Delegated	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DID, MPRS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DID, MPRS	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	DID, MPRS, PO	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DID, MPRS, PO	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DID, MPRS, PO	
s 182	Power to enforce an agreement	DID, MPRS, PO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DID, MPRS, PO	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	Provision Not Delegated	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision	Provision	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	after an application is made to VCAT for review of a failure to amend or end an agreement	Not Delegated	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	Provision Not Delegated	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DID, MPRS, PO	
s 184G(2)	Duty to comply with a direction of the Tribunal	DID, MPRS, PO	
s 184G(3)	Duty to give notice as directed by the Tribunal	DID, MPRS, PO	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the	MPRS, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Minister is required to give notice		
s 198(1)	Function to receive application for planning certificate	DID, MPRS, PO	
s 199(1)	Duty to give planning certificate to applicant	DID, MPRS, PO	
s 201(1)	Function of receiving application for declaration of underlying zoning	DID, MPRS, PO	
s 201(3)	Duty to make declaration	DID, MPRS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DID, MPRS	
	Power, in relation to any planning scheme or permit, to consent or refuse	DID, MPRS	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to consent to any matter which requires the consent or approval of Council		
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DID, MPRS	
	Power to give written authorisation in accordance with a provision of a planning scheme	DID, MPRS	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DID, MPRS	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DID, MPRS	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHO	
s 522(1)	Power to give a compliance notice to a person	MBS, EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Provision Not Delegated	
s 525(4)	Duty to issue identity card to authorised officers	MG	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO	
s 526A(3)	Function of receiving report of inspection	EHO	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	MBS, EHO	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DID	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	DID	
s 11(9)(b)	Duty to advise Registrar	DID	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DID, MAD	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DID, MAD	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	Provision Not Delegated	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	DID, MAD	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	Provision Not Delegated	Duty of coordinating road authority where it is the discontinuing body

Page 105 of 138

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

Page 106 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DID	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DID	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DID	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DID	
s 15(2)	Duty to include details of arrangement in public roads register	DID, MAD	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	DID	
s 16(8)	Duty to enter details of determination in public roads register	DID, MAD, MOS	
s 17(2)	Duty to register public road in public roads register	DID, MAD, MOS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DID	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DID, MAD, MOS	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general	DID	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	public use		
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	DID, MAD, MOS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DID	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	DID, MAD	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DID, MAD	
s 19(4)	Duty to specify details of discontinuance in public roads register	DID, MAD	

Page 109 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(5)	Duty to ensure public roads register is available for public inspection	DID, MAD	
s 21	Function of replying to request for information or advice	DID, MAD	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DID	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DID	
s 22(5)	Duty to give effect to a direction under s 22	DID	
s 40(1)	Duty to inspect, maintain and repair a public road.	DID, MAD, MOS	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DID	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DID, MAD, MOS	
s 42(1)	Power to declare a public road as a controlled access road	DID	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	Provision Not Delegated	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DID, MAD	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight	DID	Where Council is the coordinating road authority

Page 111 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	road		If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DID	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DID, MAD	
s 49	Power to develop and publish a road management plan	Provision Not Delegated	
s 51	Power to determine standards by incorporating the standards in a road management plan	Provision Not Delegated	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DID, MAD	
s 54(2)	Duty to give notice of proposal to make a road management plan	DID, MAD	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DID	
s 54(6)	Power to amend road management plan	Provision Not Delegated	
s 54(7)	Duty to incorporate the amendments into the road management plan	DID	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DID, MAD	

Page 113 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63(1)	Power to consent to conduct of works on road	DID, MAD, MOS	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DID, MAD, MOS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DID, MAD, MOS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DID, MAD, MOS	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DID, MPRS	Where Council is the coordinating road authority
s 67(3)	Power to request information	DID, MPRS,	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MOS	
s 68(2)	Power to request information	DID, MPRS, MOS	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	Provision Not Delegated	
s 72	Duty to issue an identity card to each authorised officer	MG, GCC	
s 85	Function of receiving report from authorised officer	DID	
s 86	Duty to keep register re s 85 matters	DID, MPRS, LLO1	
s 87(1)	Function of receiving complaints	DID, MPRS, MAD, MOS,	

Page 115 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		LLO1	
s 87(2)	Duty to investigate complaint and provide report	DID, MPRS, MAD, MOS, LLO1	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DID	
s 112(2)	Power to recover damages in court	DID	
s 116	Power to cause or carry out inspection	DID	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DID	
s 120(1)	Power to exercise road management functions on an arterial road (with the	DID, MAD,	

Page 116 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	consent of the Head, Transport for Victoria)	MOS	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DID, MAD, MOS	
s 121(1)	Power to enter into an agreement in respect of works	DID, MAD, MOS	
s 122(1)	Power to charge and recover fees	DCS, DID	
s 123(1)	Power to charge for any service	DCS, DID	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DID	
sch 2 cl	Duty to make policy about controlled access roads	DID, MAD	

Page 117 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
3(1)			
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Provision Not Delegated	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DID	
sch 2 cl 5	Duty to publish notice of declaration	DID, MAD, MOS	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DID, MAD, MOS	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DID, MAD, MOS	Where Council is the infrastructure manager or works manager

Page 118 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DID, MAD, MOS	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DID, MAD, MOS	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DID, MAD, MOS	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DID, MAD, MOS	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DCS, DID	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DID, MAD, MOS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DID	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DID	Where Council is the infrastructure manager

Page 120 of 138

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(1)	Power to consent to proposed works	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DID, MAD, MOS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DID, MAD	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl18(1)	Power to enter into an agreement	DID	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DID, MAD, MOS	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	LLO2, DID, MPRS, MAD, MOS, LLO1	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DID, MAD	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DID	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DID	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DID	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DID, MOS	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DID, MOS	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DCS, DID	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Provision Not Delegated	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Provision Not Delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Provision Not Delegated	
r 30(2)	Power to release cremated human remains to certain persons	Provision Not Delegated	Subject to any order of a court

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Provision Not Delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Provision Not Delegated	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Provision Not Delegated	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Provision Not Delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	MBS, DID	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	MG, GCC	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	MG, GCC	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs	DID, MOS	

Page 125 of 138

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	(a)-(b)		
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Provision Not Delegated	
r 40	Power to approve a person to play sport within a public cemetery	DCS, MG	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DCS, MG	
r 42(1)	Power to approve hunting within a public cemetery	DCS, MG	
r 43	Power to approve camping within a public cemetery	DCS, MG	
r 45(1)	Power to approve the removal of plants within a public cemetery	DID, MG	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCS, MG	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 47(3)	Power to approve the use of fire in a public cemetery	DID, MG	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DID, MG	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Provision Not Delegated	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DID, MG	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	MG, GCC	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	MG, GCC	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCS, MG	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	MG, GCC	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCS, MG	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	MG, MOS	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	MG, MOS	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCS, DID, MG, GCC	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DID, MG	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DID, MG	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DID, MG	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DID, MG	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DID, MP RS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible	DID, MP RS,	

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

Planning and Environment (Fees) Regulations 2016

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DID	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DID	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DID, MPRS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	DID	
r 10	Function of receiving application for registration	MBS, EHO	
r 11	Function of receiving application for renewal of registration	EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	MBS, EHO	

Page 131 of 138

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MBS, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	MBS, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO	
r 12(4) & (5)	Duty to issue certificate of registration	EHO	
r 14(1)	Function of receiving notice of transfer of ownership	EHO	
r 14(3)	Power to determine where notice of transfer is displayed	EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	MBS, EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15(2)	Duty to issue a certificate of transfer of registration	EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Provision Not Delegated	
r 17	Duty to keep register of caravan parks	EHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO	
r 18(6)	Power to determine where certain information is displayed	EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	MBS, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency	EHO	

Page 133 of 138

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	warnings		
r 25(3)	Duty to consult with relevant floodplain management authority	MBS, EHO	
r 26	Duty to have regard to any report of the relevant fire authority	MBS, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MBS, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MBS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MBS	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 41(4)	Function of receiving installation certificate	MBS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MBS	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	DID	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to produce written report of review of road management plan and make report available	DID, MAD	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DID	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DID, MAD	
r 13(1)	Duty to publish notice of amendments to road management plan	DID, MAD	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	DID, MAD, MOS	
r 16(3)	Power to issue permit	DID, MAD	Where Council is the coordinating road authority

Page 136 of 138

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 18(1)	Power to give written consent re damage to road	DID, MAD	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	DID, MPRS	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DID, MPRS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	LLO2, DID, MPRS, MAD, MOS, LLO1	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	LLO2, DID, MPRS, MAD, MOS, LLO1	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DID	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DID	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DCS, DID	Where Council is the coordinating road authority

7.3 CHRISTMAS CLOSURE 2022

Author: Phil Higgins, Director Corporate Services

Authoriser: Tom O'Reilly, CEO

Attachments: Nil

RECOMMENDATION

That Council:

- 1. Acknowledge the closure of Council offices to the public over the Christmas/New Year period from 2.00 pm on Friday 23 December 2022 through to and including Monday 2 January 2023.**
 - 2. Advertise the office closure in the local newspaper, website and social media.**
-

EXECUTIVE SUMMARY

As has occurred in prior years, to enable Council staff to spend the Christmas holiday period with family and friends, it is proposed that Council close its main administration offices, libraries, Gannawarra Shire Children's Centre administration and Works Depot from 2.00 pm Friday, 23 December, 2022 and re-open on Tuesday, 3 January, 2023.

PURPOSE

To seek approval for Council to close its services over the Christmas holiday period and to advertise the closure in the local media.

ATTACHMENTS

Nil

DISCUSSION

This holiday season, Christmas Day and Boxing Day are on a Sunday and Monday respectively, with both days recognised Public Holidays and Tuesday 27 December a day in lieu of Christmas Day.

In the spirit of a family friendly workplace, it is recommended to close Council's main administration offices, libraries, Gannawarra Shire Children's Centre administration and Works Depot from 2.00 pm on Friday, 23 December, 2022.

Whilst the above offices and depot will be closed, certain key and emergency services will be maintained. These include Community Care, Local Laws and emergency call out arrangements in the case of fire, flood, storm or other such significant event. These arrangements and contacts will be communicated with the closure.

Other services will close for three days (29-31 December), outlined in the table below:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					23/12/21 (Close offices, etc at 2.00 pm)	24/12/21
25/12/22 (Christmas Day)	26/12/22 (Boxing Day)	27/12/22 (Day in lieu of Christmas Day)	28/12/22 (Closed)	29/12/22 (Closed)	30/12/22 (Closed)	31/12/22
1/1/23 (New Year's Day)	2/1/23 (Day in lieu of New Year's Day)	3/1/23 (Business as usual)				

RELEVANT LAW

The Christmas closure is detailed in the Enterprise Bargaining Agreement (EBA).

RELATED COUNCIL DECISIONS

Council considers Christmas closure annually. Last year the closure was for three days.

OPTIONS

Council has the following options:-

- Close the offices from 2.00pm Friday 23/12/22 until Tuesday 3/1/23 (three day closure);
- Close the offices from close of business (COB) Friday 23/12/22 until Tuesday 3/1/23 (three day closure); and
- Close the offices for greater than three days.

SUSTAINABILITY IMPLICATIONS

The Christmas to new-year period is traditionally aligned to a stronger social focus around families.

COMMUNITY ENGAGEMENT

The outcome will be advertised to the community via local media and social media channels.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Any closure greater than the three days between Christmas and new-year would require appropriate negotiation with staff.

FINANCIAL VIABILITY

The Christmas to new-year period is a time where staff can take leave and from a financial perspective, can reduce leave liabilities on the balance sheet.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Council Plan 2021-2025: Sustainability – Be a creative employer of choice through our adherence to good governance and our inclusive culture. The leave proposed aligns with the Council's Enterprise Bargaining Agreement.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that as an employee of Council, all staff are affected by office closures and leave taking for all staff. The above conditions are in accordance with EBA conditions so there is no conflict of interest in this matter.

7.4 DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN

Author: Kellie Burmeister, Manager Planning and Regulatory Services

Authoriser: Geoff Rollinson, Director Infrastructure and Development

Attachments: 1 Domestic Animal Management Plan 2022-2025

RECOMMENDATION

That Council adopt the Domestic Animal Management Plan 2022-2025 and provide a copy of the plan to the Secretary of the Department of Jobs, Precincts and Regions.

EXECUTIVE SUMMARY

The *Domestic Animal Act 1994* (the Act) requires Council to prepare and implement a Domestic Animal Management Plan (DAMP) every four years.

The Plan must set out a method for evaluating whether the animal management services provided by Council are adequate to give effect to requirements of the Act and the Domestic Animal Regulations 2015.

PURPOSE

The purpose of this report is to consider the submissions received during the community consultation period and adopt the new Domestic Animal Management Plan 2022–2025.

ATTACHMENTS

Draft Domestic Animal Management Plan 2022-2025

DISCUSSION

The aim of the Gannawarra Shire Council Domestic Animal Management Plan 2022-2025 is to ensure the effective management of domestic animals. Council aims to provide a safe and harmonious environment for all whilst promoting responsible pet ownership across the municipality.

The plan identifies Council's responsibilities for education and compliance and provides a framework on how it will effectively manage its statutory responsibilities associated with domestic animal management. The plan will be reviewed annually and be implemented over a four year period.

The format of the DAMP is based on a template provided by Animal Welfare Victoria. The content must include current programs, services and plans for:

- Training of authorised officers;
- Responsible pet ownership programs;
- Over population and high euthanasia;
- Registration and identification;
- Nuisance;
- Dog attacks;

- Dangerous, menacing and restricted breed dogs;
- Domestic Animal Businesses;
- Other animal matter; and
- Annual review of the plan.

RELEVANT LAW

Domestic Animal Act 1994

Domestic Animal Regulations 2015

RELATED COUNCIL DECISIONS

The Domestic Animal Management Plan 2017 – 2021 was adopted by Council on 21 March 2018.

The annual review of the Domestic Animal Management Plan 2017-2021 was noted by Council on 18 May 2022.

The draft Domestic Animal Management Plan 2022-2025 was endorsed by Council on 17 August 2022 for community engagement.

OPTIONS

To ensure legislative compliance, Council must prepare and implement a Domestic Animal Management Plan every four years.

SUSTAINABILITY IMPLICATIONS

Council plays an important leadership role in supporting and promoting responsible pet ownership, community safety and active and healthy lifestyles.

Council recognises that improved health and wellbeing can be attributed directly to animal ownership and understands the need to balance the requirements of the community, animal owners and the animal, that are such a significant part of many people's lives.

It is important that Council adopts a multi-faceted approach in the DAMP. Council must improve community awareness of the benefits of responsible pet ownership through targeted education programs and positive incentives aimed at greater compliance.

COMMUNITY ENGAGEMENT

Community consultation was conducted via Council's 'Have Your Say' webpage from 18 August 2022 until 2 September 2022.

Two submissions were received during this period. The submissions are detailed below.

- The plan does not address wandering animals that defecate, urinate and fight throughout the town constantly. Visitors from other municipalities always comment on this. Having a plan has not made any difference to the number of wandering animals. The plan is not working, not being implemented or requires significant change.
- Reduced fees should only apply to all desexed cats and dogs. A male cat can breed at 14 years, so the over 10 years is not enough. I understand giving a discount to seniors, working dogs but not to anyone else. All animals not desexed should pay double the current fees to stop unwanted breeding. \$260 is not much when you are selling a puppy in the thousands. Seniors should only pay \$5 to register their pet if it is desexed. A senior

living at home with a pet is much healthier – saving the council money in services. There is still a large number of feral cats so raising the costs of not desexed animals might help this problem. There is no consequences for a dog who bits in a public area or killing stock. It should be compulsory to have the animal put down – it will bite and kill again. Dogs must remain on your property – this should be enforced for cat owners too. Why have different rules?

The submissions have been noted and where appropriate, incorporated into the new Domestic Animal Management Plan.

INNOVATION AND CONTINUOUS IMPROVEMENT

The data and information gathered during the implementation of the DAMP will be used to improve services and processes as necessary.

COLLABORATION

Not applicable

FINANCIAL VIABILITY

The DAMP has been prepared so that the majority of objectives can be completed within the operational budget and current resources.

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 welling 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

DOMESTIC ANIMAL MANAGEMENT PLAN



2022-2025



Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



Amendment Details

Plan no.	Page	Description	Date	Amendment details
2022.01	All	Adoption	<< Date >>	Domestic Animal Management Plan adopted by Council
2022.01	All	Submission to Department of Jobs, Precincts and Regions (DJPR)	<< Date >>	DAM Plan submitted to DJPR

Table of Contents

1	Introduction and context	Page 3
2	Training of Authorised Officers	Page 6
3	Responsible pet ownership and compliance with legislation	Page 8
4	Overpopulation and high euthanasia	Page 11
5	Registration and identification	Page 13
6	Nuisance animals	Page 16
7	Dog attacks	Page 18
8	Dangerous, Menacing and Restricted breed dogs	Page 20
9	Domestic Animal Businesses	Page 22
10	Other matters	Page 24
11	Annual review of plan and annual reporting	Page 25

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



1 Introduction and context

1.1 PURPOSE OF DOMESTIC ANIMAL MANAGEMENT PLAN

The *Domestic Animals Act 1994* (**the Act**) requires Council to prepare a Domestic Animal Management Plan (**DAM Plan or the Plan**) every four years.

The Plan must set out a method for evaluating whether the animal management services provided by Council are adequate to give effect to requirements of the Act and the Domestic Animal Regulations 2015.

The Plan must also outline programs for the training of authorised officers along with programs, services and strategies to:

- ensure that people comply with the Act, the regulations and any related legislation; and
- minimise the risk of attacks by dogs on people and animals; and
- address any over-population and high euthanasia rates for dogs and cats; and
- encourage the registration and identification of dogs and cats; and
- minimise the potential for dogs and cats to create a nuisance; and
- effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and
- provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and
- provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
- provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

Council is also required to review and where appropriate amend the plan and publish an evaluation of the implementation of the plan in Council Annual Report.

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



1.2 PROCESS APPLIED IN DEVELOPING THE PLAN

The Plan was developed by Council's Local Laws staff with information from the annual reviews of the 2017-2021 DAM Plan and observations of trends in complaints to Council and incidents involving domestic animals in the Gannawarra Shire. Local vet clinics were also consulted regarding issues that they believe are important to local residents and animal owners. The Local Laws team have aimed to set realistic objectives which have measurable goals.

The DAM Plan was available for public consultation after the draft was approved at the Council meeting in August 2022. This consultation involved face to face meetings, newspaper content and social media posts.

1.3 DEMOGRAPHIC AND PROFILE OF COUNCIL

Gannawarra Shire is a three hour drive from Melbourne and has an area of 3,736 square kilometers, bordered by the Murray River to the north. Gannawarra is a diverse agricultural region within the Loddon Murray Region of northern Victoria and strategically located along the Murray River between Echuca and Swan Hill. It includes the main service centers of Kerang, Cohuna and Koondrook along with the villages of Murrabit, Quambatook, Lalbert, Macorna, Lake Charm, Leitchville and Mystic Park. Gannawarra Shire's population is approximately 10,500, including around 4,200 households with a median household income of \$908 per week.



Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



1.4 CONTEXT AND CURRENT SITUATION

Program/Service	Service Level
Identification & registration - dogs	2,047.5 dogs registered (average over past 4 years)
Identification & registration - cats	406.5 cats registered (average over past 4 years)
Identification & registration - door-knock campaigns	Due to limited resources in Local Laws department this activity has not occurred over the past DAM Plan period.
Domestic animal complaints	Approvals and inspections etc. within 10 days General non urgent complaints within 5 days Urgent issues within 2 days
Dangerous Dogs complaints	Response time - within 48 hours
Routine street patrols	Demand driven
Pound	8 hours per day / 5 days per week by appointment
Microchipping and/or desexing programs	Being developed for 2022/23
RPO School information sessions	As requested
After hours emergency service	On call 365 days per year

1.5 DOMESTIC ANIMAL STATISTICS

The domestic animal statistics and charts summarised below are shown in the relevant section of the DAM Plan.

Content and data	Section and title
Registered dogs / cats	Section 5 Registration and identification
Declared dogs	Section 8 Dangerous, Menacing and Restricted breed dogs
Registered domestic animal businesses	Section 9 Domestic Animal Businesses
Animals seized or surrendered	Section 4 Overpopulation and high euthanasia
Cats and dogs reclaimed, rehomed or euthanased	Section 4 Overpopulation and high euthanasia
Complaints relating to cats and dogs	Section 6 Nuisance animals

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



2 Training of Authorised Officers

This section outlines current qualifications and future training programs for authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district. *Compliant with Section 68A(2)(b) of the Act.*

2.1 CONTEXT AND CURRENT SITUATION

Gannawarra Shire Council currently employs the following animal management staff:

Current staff			
Officer	EFT	Position	Training and qualifications (completed)
Officer 1	1 EFT	Local Laws Coordinator / Ranger (Authorised Officer)	Diploma of Leadership and Management BSB519 Cert IV Government Investigations PSP40416 Cert III Rural Operations AHC32816 Work in Public Safety Organisation – PUATE004C Contribute to Community Safety PUACOM014B Conduct Community Safety Activities PUACOM015B Risk Management BSBRK401 Harassment & Bullying - Hazcon Pty Ltd Managing Peoples Performance - Pro-Focus Pty Ltd Authorised Persons Workshop - LGA of Qld Bark Busters QLD – Animal Psychology Firearm Safety and Training Council AHCPMG304
Commenced in position February 2021			
Officer 3	0.6 EFT	Local Laws Administration Officer	Cert IV in Animal Control and Regulation Cert IV in Local Government (Statutory Compliance) ATC Court Procedure and Prosecutor Course Management Systems Auditing Course Privacy Awareness training K9 Self Preservation and Harm Reduction Strategies Assertive communication skills
Commenced in position in 2010			
Recruitment in process			
Officer 2	1 EFT	Local Laws Officer / Ranger (Authorised Officer)	Local Laws Officers are required to hold or be undertaking the relevant training of Certificate IV in Local Government (Statutory Compliance) and Certificate IV in Animal Control and Regulation or equivalent qualification.

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



2.2 OUR PLANNED TRAINING FOR AUTHORISED OFFICERS

Authorised Officers are required to be suitably qualified with a sound understanding and knowledge of a range of legislation including the *Domestic Animals Act 1994*. Apart from being able to administer and enforce the legislation, officers need to be able to communicate with all members of the community, defuse difficult situations and safely handle animals.

Authorised Officer Training	Planned (2021-2025)
Cert IV in Animal Control and Regulation or equivalent qualification*	Any new Officers (if not already qualified) to commence within first 12 months
Cert IV in Local Government (Statutory Compliance) or equivalent qualification*	For any new Officers (if not already qualified) to commence within first 12 months
Cert IV in Government Investigations	For any new Officers (if not already qualified) to commence within first 12 months
Online Induction Compliance Training <i>Occupational Health & Safety, Information Privacy, Fraud and Corruption, Workplace Bullying and Harassment, Victorian Charter of Human Rights and Responsibilities & Child Safe Standards</i>	For any new Officers Comprehensive induction within first week and rest of required modules within first three months.
Traffic control - animals on roads	New staff within first 12 months with annual refresher training
OH&S - Dealing with aggressive customers	Any new Officers (if not already qualified) to commence within first 12 months
Industry Training - prosecutions	Optional / senior staff training
Firearms Training	Licensing and safety course are required for any Officer required to use a firearm
First Aid	As scheduled by Council's HR department

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



2.3 OUR PLAN

Local Laws Officers are to receive relevant training to ensure tasks are performed in a safe and effective manner and within relevant legislation.

Objective 2.1 New and Relief Local Laws Officers to receive induction training		
Activity	When	Evaluation
New and Relief Local Laws Officers undertake Councils induction programs for new staff	Upon commencement	Employee completes standard inductions
Staff to undertake and complete role specific induction programs for Local Laws Officers.	During first 2 weeks of employment, then annual reviews.	Inductions completed and records stored in Personnel file with Human Resources

Objective 2.2 Ensure animal management officers have the skills necessary to support the community and effectively perform their regulatory role		
Activity	When	Evaluation
Identify minimum required skills for Local Laws Officers	Prior to commencement of new staff, then annually to meet needs.	All role specific deficiencies and requirements are identified
Source specific training to increase Local Laws Officers skill levels	As required	Training successfully completed
Officers to complete all required relevant training, including upskilling.	As required	Copy of completion certificates for training kept on file with HR

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



3 Responsible pet ownership and compliance with legislation

This section outline programs, services and strategies which the Council intends to pursue in its municipal district to promote and encourage the responsible ownership of dogs and cats.

Compliant with Section 68A(2)(c)(i) of the Act.

3.1 CONTEXT AND CURRENT SITUATION

Local Laws Officers frequently provide one on one education and information to ensure animal owners fully understand their obligations and liabilities should their animals cause any incident.

For those who refuse to adjust their behaviors regarding compliance, Local Laws Officers can first issue verbal or written warnings, however, if issues are ongoing they can escalate actions with Notices to Comply and Infringements being issued as a last attempt to gain compliance from pet owners prior to advancing to sterner measures such as prosecution.

3.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 37 - Keeping Animals

Local Law regulating the numbers of dogs and/or cats that can be kept at a property

Clause 39 - Adequate Fencing

Local Law requiring Private Land to be fenced in a way that will prevent animals from straying or escaping

Clause 40 - Animal Excrement

Local Law requiring dog owners to carry a Litter Device and remove and dispose of faeces deposited by their dogs in public places

Clause 41 - Animal and Bird Noise

Local Law regarding prevention of any Animal or Large and/or Noisy Birds on the Private Land from sounding noise at unreasonable times

Council Policy No. 068 / Dogs & Cats – Designated Areas

Policy to:

- prohibit dogs from certain areas;
- prohibit cats from certain areas; and
- permit dogs in certain areas, but only on a leash.

3.3 OUR PLAN

Objective 3.1 Promote 'Safe Cat, Safe Wildlife' messaging among residents		
Activity	When	Evaluation
Display of Safe Cat, Safe Wildlife education material (brochures) at Customer Service counters	Commencing by end of January 2023	Reduction in number of cats impounded overall with focus on numbers in the month following the targeted Facebook posts
Social media promotion via link on Council website to www.safecat.org.au	Before end December 2022	
Facebook post and information in Gannawarra News page	November, February, May and August	

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



Objective 3.2 Education campaign on the importance of registering and microchipping dogs and cats		
Activity	When	Evaluation
Facebook post and information in Gannawarra News page	March, June, September and December	Map trends on registered dogs and cats from data in Synergy database
GSC brochure on keeping contact details up to date with microchip registry to be distributed to animal owners with registration tag	Brochure to be updated by end September 2022 Ongoing from August 2022	Map trends of microchipping in animals impounded by Council

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



4 Overpopulation and high euthanasia

This section outline programs, services and strategies which the Council intends to pursue in its municipal district to address any over-population and high euthanasia rates for dogs and cats.

4.1 CONTEXT AND CURRENT SITUATION

Council makes every effort to reunite lost pets prior to impounding them.

However, current registration and up to date contact details on the pet's microchip records are vital for this to be truly successful. Far too many owners of lost microchipped animals cannot be contacted because phone numbers have been disconnected or the microchip is still under the breeder's or last owner's name.

Unidentified animals are impounded and advertised on Council's website and Facebook page for eight days. Animals that are claimed by owners are required to be registered and microchipped before they can be released from the pound. After 8 days any unclaimed animals that are suitable to be rehomed are transferred to a rehoming organisation via a section 84Y agreement.

Stray and feral cats continue to be an issue in the municipality. Issues we experience range from uncontrolled breeding to attacks on domestic cats and ongoing wildlife predation. Council assists with cat trap hire to remove unwanted and unowned cats with the vast majority of stray or wild cats being caught in a Council provided trap.

It is important that community members are educated and take responsibility for their cats by registering, microchipping, de-sexing and securely confining them to their property. Because of this over the next 4 years Councils intends stepping up public awareness campaigns to try and rectify many of these issues.

Our current data

Dogs & Cats Impounded & Euthanased	2018	2019	2020	2021
Dogs impounded	76	45	39	39
Dogs Euthanased	11	11	5	1
Domestic Cats Impounded	43	61	27	43
Domestic Cats Euthanased	0	1	1	2
Wild-cats trapped & Euthanased				
Wild-cats trapped	79	109	60	96
Wild-cats Euthanased	79	109	60	96

4.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 37 - Keeping Animals

Local Law regulating the numbers of dogs and/or cats that can be kept at a property.

Clause 39 - Adequate Fencing

Local Law requiring Private Land to be fenced in a way that will prevent animals from straying or escaping.

Under the Act, a reduced registration fee is applicable to sterilised dogs and cats.

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



Our current education/promotion activities

- Provide education on responsible pet ownership and on confinement of cats
- Promote microchip identification and de-sexing of animals

Our current compliance activities

- Operation of a domestic animal pound for impounded animals
- Advice to public regarding animals currently in the Council Pound on the Council website and Facebook page
- Council trapping program for wildcats
- Rehousing of suitable animals under Section 84Y agreement
- Investigate reports of unregistered breeders

4.3 OUR PLAN

To increase levels of responsible pet ownership of cats, reduce unwanted and uncontrolled breeding in domestic animals and retain low euthanasia rates for impounded animals.

Objective 4.1		Provide education on responsible pet ownership and on confinement of cats	
Activity		When	Evaluation
Owners of trapped cats to be made aware of responsibilities of cat ownership		Ongoing	Reduction of reoccurring offences of impounding of cats
Media releases - newspaper, Facebook		Ongoing but focus on times of increased cat breeding cycles	Record number of media releases and Facebook posts
Website links to AWW information			Information placed onto website
Objective 4.2		To educate community regarding wildcat population / reduce wildcat population	
Activity		When	Evaluation
Purchase additional cat traps		December 2023	Increase total number of cat traps owned by Council
Investigate (and instigate if viable) Council Order to confine cats		December 2022	Council Order in place
Investigate (and instigate if viable) cat de-sexing program		Ongoing	Assessment of viability of cat de-sexing program completed. If viable, apply for grant and if successful, implement program. Data reported in DAM Plan.
Objective 4.3		To continue Section 84Y agreement/s with approved animal rescue organisation/s	
Activity		When	Evaluation
Maintain current 84Y agreements		Ongoing	Agreements renewed
Investigate and instigate additional 84Y agreements		As required	Suitable agreements implemented

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



5 Registration and identification

This section outline programs, services and strategies which the Council intends to pursue in its municipal district to encourage the registration and identification of dogs and cats.

Compliant with Section 68A(2)(c)(v) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act

5.1 CONTEXT AND CURRENT SITUATION

Our current data

Animal registration	2018	2019	2020	2021
No. of registered dogs	2063	2046	1923	2158
No. of registered cats	402	415	383	426
No. of registered declared dogs	2	2	1	1

Infringements issued	2018	2019	2020	2021
Failure to register dog or cat	0	5	3	1
Failure to renew registration of dog or cat	0	0	0	0

Fee Structure 2022/23

Full fee Unsterilised dog or cat \$130.00

Full fee Dangerous Menacing Dog \$130.00

Councils Registration Concessions.

Reduced fee – Sterilised \$46.00

Reduced Fee – Aged dog or cat (over 10 years) \$46.00

Reduced Fee – Applicable organisation \$46.00

Reduced Fee – Obedience trained dog \$46.00

Reduced Fee – Working dog \$46.00

Reduced Fee – Eligible pensioner 50% of applicable fee

5.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 37 - Local Law regulating the numbers of dogs and/or cats that can be kept at a property

Procedures

Animal registration timeline	
1-Mar	approximate date renewals for animal registration will be posted to animal owners
1-Mar	information on local radio regarding animal registration renewals due on 10 April
1-Apr	information in Gannawarra News page of the Gannawarra Times regarding animal registration renewals due on 10 April
10-Apr	Renewals for animal registration due
18-Apr	Reminder letters to be generated including late payment fee
18-Apr	Late payment fee to be charged on animal registration renewal payments
10-May	Phone calls to follow up on un-renewed animal registration.
June	Infringements to be generated for 'Failure to renew registration' under <i>Domestic Animals Act 81/1994 S.10(2) - 2747</i>

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



Our current education/promotion activities

- Education of pet owners to continually check and update contact details at microchip registries
- Provision of Council animal registration application and link to online registration form to owner by vet clinic when an animal is microchipped
- Education and information provided to animal owners on an ad hoc basis

Our current compliance activities

- Registration and identification for domestic animals (dogs and cats)
- Registration renewal notices sent in March with follow up reminder notices sent during April
- Follow up with animal owners who fail to renew registration of their domestic animals
- Follow up on registration of animals adopted from Rehousing Organisations or purchased from domestic animal breeding businesses
- Follow up and correction of all information in Council's animal registration register
- Registration and identification of dangerous, menacing and restricted breed dogs
- Mandatory registration and microchipping of animals prior to release from pound
- Permanent identification number registration tags
- Investigation and compliance service

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



5.3 OUR PLAN

To increase the number of registered dogs and cats in the Municipality by 3 – 5%.

Objective 5.1 Increase in the number of animal registrations each year		
Activity	When	Evaluation
Targeted inspections of both urban and rural areas	As resources allow	Data analysed to show total number of animals identified as registered/unregistered and compliance after follow up
Return to home incentives for registered and microchipped pets found wandering for the first time.	Ongoing	To be assessed from impound numbers.

Objective 5.2 Education regarding awareness of requirement for Council registration		
Activity	When	Evaluation
Media releases - newspaper Facebook	January & July each year January & July each year	Record number of media releases Record number of Facebook posts
Links on Council website to AWV information	Ongoing	Maintain links on the Council website to the following: AWV, Dogs Cats Neighbours & you, and RSPCA Victoria.
Issue warnings prior to penalties to promote education.	Permanent ongoing practice	Observe registration numbers and reduction in wandering pets.

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



6 Nuisance Animals

This section outlines programs, services and strategies which the Council intends to pursue in its municipal district to minimise the potential for dogs and cats to create a nuisance.

6.1 CONTEXT AND CURRENT SITUATION

The most common complaints received by Council's Local Laws Department relate to roaming and/or stray dogs and cats with noise a significant second.

Nuisance categories (complaints)	2018	2019	2020	2021
Dog at large	108	128	67	93
Cat at large (cats impounded plus wildcats)	122	170	87	139
Animal noise/nuisance (dogs & cats)	76	83	73	57
Dog excrement	2	0	2	2

Our current education/promotion activities

- Use of Council's website to educate pet owners
- Education and information services provided, as resources and opportunity allow
- Education and information provided to increase community awareness of Council's on-leash policy
- Media and promotion regarding responsible pet ownership

Our current compliance activities

Current programs in place to minimise the incidence of nuisance animals include:

- Routine vehicle patrols across the municipality on a daily basis
- Operation of a domestic animal pound for impounded animals (capacity of eight dogs / three cats)
- Community education regarding responsible pet ownership
- Provision of cat cages for trapping nuisance cats (currently 40 traps owned by Council)
- Council trapping program for wildcats
- Barking dog noise log record sheets provided to complainants
- Respond to all nuisance complaints and follow up on compliance within 48 hours

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



6.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Clause 39 - Adequate Fencing requiring private land to be fenced in a way to stop animals escaping.

6.3 OUR PLAN

Objective 6.1 Reduce number of cats at large		
Activity	When	Evaluation
Provision of cat traps to residents as required	Ongoing	Data re cat trap use collected in Shelter Manager program
Access grants to allow Council to provide financial assistance to residents for de-sexing of dogs and cats	When available	Successful grant application

Objective 6.2 Educate community regarding wildcat population / reduce wildcat population		
Activity	When	Evaluation
Link on Council website to AWV information regarding wildcats / feral cats	Website to be updated by end September 2022	Information available on website
Media releases on the following topics: <ul style="list-style-type: none"> Cat traps available Rules for cat trap use Legislation about cats at large Unowned cats 	Quarterly	Quantity and details of media releases are available from Council's Communications and Media Officer

Objective 6.3 Increase community awareness and understanding regarding on-leash and restricted areas for domestic animals.		
Activity	When	Evaluation
Media awareness	Twice yearly	Observed reduction in offences.
Maps showing off leash areas	September 2022	Council website updated to show locations

Objective 6.4 To reduce domestic animal excrement in public places and educate animal owners of the requirement to carry a litter device		
Activity	When	Evaluation
One on one education	Ongoing	Reduction in excrement complaints
Map of location of receptacles for excrement litter bags on Council website	December 2022	Website updated with map

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



7 Dog attacks

This section outlines programs, services and strategies which the Council intends to pursue in its municipal district to minimise the risk of attacks by dogs on people and animals.

Compliant with Section 68A(2)(c)(iii) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act.

7.1 CONTEXT AND CURRENT SITUATION

Our current data

	2018	2019	2020	2021
No. of reported dog on animals attacks	8	9	10	8
No. of reported dog on people attacks	4	10	5	6
No. of reported dog on livestock attacks	8	6	5	4
TOTAL	20	25	20	18

Infringements issued	2018	2019	2020	2021
Non-serious injury caused by dog attack	2	0	0	0

Confinement of dogs is a priority because the instances of wandering dogs increases risk to other pets, humans and livestock, and consumes time and resources of Local Laws officers.

Often when a dog attack is reported, officers find that it is a recurrence of an offence that went unreported previously. Had initial attacks been reported, subsequent attacks may have been averted.

Education is still required to encourage community members to report dogs at large, dogs rushing and dog attacks of all types (minor or serious).

7.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 39 - Adequate Fencing

Local Law requiring Private Land to be fenced in a way that will prevent animals from straying or escaping

Council Policy No. 068 / Dogs & Cats – Designated Areas

Policy to:

- prohibit dogs from certain areas;
- prohibit cats from certain areas; and
- permit dogs in certain areas, but only on a leash.

Our current education/promotion activities

- Provision of education and information to community about responsible pet ownership
- Encourage dog de-sexing to assist in reducing the incidence of wandering animals

Our current compliance activities

Current programs in place to minimise the incidence of dog attacks include:

- Respond to notification of dog attack (immediate - including 24 hour emergency service)
- Investigation of reported attacks, and follow up on compliance

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



7.3 OUR PLAN

Objective 7.1 Awareness campaign for both property/stock owner and animal owner re: potential destruction of dog found in paddock with stock		
Activity	When	Evaluation
Media release (newspaper, Facebook and website)	February August	Record number of media releases

Objective 7.2 Education regarding responsible pet ownership with focus on dogs at large		
Activity	When	Evaluation
Media releases	ongoing	Record number of media releases Information placed onto website
Educate owners about liabilities from dogs wandering.	ongoing	Record number of media releases Information placed onto website

Objective 7.3 Obtain data from external sources regarding dog attacks		
Activity	When	Evaluation
Public awareness to inform owners of process to report attacks.	Ongoing	Increased information and reports received.

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



8 Dangerous, Menacing and Restricted breed dogs

This section outlines programs, services and strategies which the Council intends to pursue in its municipal district to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations.

Compliant with Section 68A(2)(c)(vii) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act.

8.1 CONTEXT AND CURRENT SITUATION

Our current data

There is currently one declared dangerous dog, no declared menacing dogs and no restricted breed dogs in the Gannawarra Shire.

Animal registration	2018	2019	2020	2021
No. of registered dogs	2063	2046	1923	2158
No. of registered declared dogs	2	2	1	1

8.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Dangerous, menacing and restricted breed dogs are controlled by the Act.

Our current education/promotion activities

- Education and information services provided, as resources and opportunity allow

Our current compliance activities

- Registration and identification of declared dangerous dogs, declared menacing dogs and restricted breed dogs including renewal.
- Ensure compliance with the requirements for keeping dangerous dogs
- Investigation and compliance
- All declared dangerous dogs, menacing dogs and restricted breed dogs to be listed on the Victorian Declared Dog Registry (VDDR)

8.3 OUR PLAN

To minimise the risks of dog attack to the community from declared and restricted breed dogs and to ensure that those dogs that are declared dangerous, menacing and those of restricted breed are kept in accordance with the legislation.

Objective 8.1	Increase Officer awareness of location of declared dangerous, declared menacing dogs or restricted breed dogs to improve safety when attending premises	
Activity	When	Evaluation
All locations where declared dangerous, declared menacing or restricted breed dogs are kept, will be identified on Council's mapping system	September 2022 and ongoing Council's Data Analyst to update mapping system as required	Council's mapping system identifies properties where declared dangerous, declared menacing or restricted breed dogs are kept

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



Objective 8.2	Ensure that declared dangerous dogs, declared menacing dogs and restricted breed dogs kept in Gannawarra Shire are kept in compliance with the Act and relevant Regulations		
Activity	When	Evaluation	
Regular inspections of properties where declared dangerous, declared menacing or restricted breed dogs are kept to ensure compliance with the Act and Regulations	Quarterly in February, April, July and October	Inspections entered to SSCR as a task and copy of inspection report saved as an attachment to this SSCR record.	

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



9 Domestic Animal Businesses

This section outlines programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation. *Compliant with Section 68A(2)(c)(ii) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act*

9.1 CONTEXT AND CURRENT SITUATION

Our current data

Types of Domestic Animal Business (DAB) include a Council pound, a dog and/or cat breeding business, a dog training establishment, a pet shop, an animal shelter, an establishment boarding dogs or cats or an establishment that is rearing dogs or cats.

Other than the Council Pound, Council currently has no registered DABs.

9.2 OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

Clause 37 - Keeping Animals

Local Law regulating the numbers of dogs and/or cats that can be kept at a property

Our current education/promotion activities

- Supply and distribution of information related to DABs and the relevant codes of practice

Our current compliance activities

Council's programs/activities working with domestic animal breeding businesses include:

- Annual registration and renewal of Councils DAB permit
- Conduct regular audits of the Council pound facility to ensure compliance with regulations

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



9.3 OUR PLAN

To work in partnership with DABs to meet the requirements under the *Act* and approved Codes of Practice.

Objective 9.1 Identify unregistered DABs in the Gannawarra Shire		
Activity	When	Evaluation
Follow up on registration of possible DAB's identified	Ongoing	Identified DAB to be registered with Council

Objective 9.2 Ensure registered DABs are compliant with legislation		
Activity	When	Evaluation
Planning information to be provided to all applicants or interested parties to ensure that compliance with the Act and relevant codes are met when DABs are being established	As required	Quantity of Planning permits issued for Keeping of animals Annual permit renewals are sent to existing DAB in March each year for issue of permit by 10 April.

Objective 9.3 DAB information and application on Council website		
Activity	When	Evaluation
Update Council website to provide online application form	By end September 2022	Website contains current Council application form for DABs
Council website to contain current information available from AWW regarding DABs including a link to the Code of Practice for the Operation of Breeding and Rearing Businesses (2014) and Puppy farm legislation	By end September 2022 Ongoing	Website contains link to current information available from AWW regarding DABs

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



10 Other matters

This section provides for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary.

Compliant with Section 68A(2)(e) of the Act.

10.1 CONTEXT AND CURRENT SITUATION

Relevant programs, strategies and services implemented or proposed by Council have been already detailed in previous sections of this Plan.

10.2 OUR POLICIES AND PROCEDURES

Current policies and procedures

Council's Policy No. 068 Dogs & Cats – Designated Areas is an Order made under Section 26 of the Act. It requires dogs to be under effective control by means of a leash in a reserve or public place except where it is a Designated Area or a Prohibited Area. The Schedule to the Order lists the reserves and public places that are Designated or Prohibited Areas. The Policy is due for review in 2026.

Current compliance activities

An infringement for Dog/Cat Found in Prohibited Public Place can be issued for offences under section 26(1) of the Act relating to Council's Policy No. 068 Dogs & Cats – Designated Areas.

Offences under the Council Local Laws can result in the following infringements:

- Keeping Animals contrary to Local Law
- Keeping Animals without required accommodation
- Failure to provide adequate fencing
- Animal excrement remaining on Council land
- Failure to carry a suitable animal litter device

10.3 OUR PLAN

Objective 10.1	Information regarding emergency planning for domestic animals available to residents		
Activity	When	Evaluation	
Council website to contain information about emergency planning for domestic animals	December 2022	Website updated to contain relevant information	

Objective 10.2	To reduce community misunderstanding regarding Council Policy No.068 and provide clear information regarding off leash areas in the Gannawarra Shire		
Activity	When	Evaluation	
Council Policy No.068 to be incorporated into the Council Local Laws	During the adoption of the a new Local Law	Included in new local law adopted by Council	

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



11 Annual review of Plan and annual reporting

This section provides for the annual review of the Plan and annual reporting to provide assurance that the targets in the DAMP are being met.

Compliant with Section 68A (3)(a)(b)(c) of the Act

68A Councils to prepare domestic animal management plans

(3) Every Council must—

- (a) review its domestic animal management plan annually and, if appropriate, amend the plan
- (b) provide the Secretary with a copy of the plan and any amendments to the plan
- (c) publish an evaluation of its implementation of the plan in its annual report.

As required by DJPR, this DAM Plan will be reviewed annually and submitted to Council with any necessary amendments made. The amended version will then be forwarded to the Secretary of the DJPR as required under legislation.

A review of performance under the DAM Plan is required to be included in Council's Annual Report.

Measurements should relate to activities and evaluations in this Plan and should include educational programs, increased registration of domestic animals, reduction of animals at large, decreased numbers of dog attacks and increases in compliance and levels of community satisfaction as a measure of success.

It should be noted that if performance under the DAM Plan is not sufficient, further revision of the Action Plan and its methods may be required and should be recommended.

Domestic Animal Management Plan 2022-2025
Plan No. 2022.01



8 URGENT BUSINESS

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - 81

Author: Councillor Garner Smith

Authoriser: Tom O'Reilly, CEO

Attachments: Nil

I, Councillor Garner Smith , give notice that at the next Meeting of Council be held on 21 September 2022, I intend to move the following motion:-

MOTION

That the Gannawarra council consider the responses to the proposed ongoing protection declaration at Kow Swamp from Campaspe and Loddon Councils, and submit a letter supporting their position to the Minister responsible.

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