



# Council Agenda



**Campaspe**  
Shire Council

**Date:** 21 September 2022

**Time:** 6:00 pm

**Venue:** Echuca Civic Centre

**Photo Left to Right:** Cr Adrian Weston, Cr Tony Marwood, Cr Rob Amos, Cr Colleen Gates (Deputy Mayor), Cr Daniel Mackrell, Cr Chrissy Weller (Mayor), Cr Paul Jarman, Cr John Zobec and Cr Leanne Pentreath.

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For a meeting of the Campaspe Shire Council held on Wednesday 21 September 2022, commencing at 6:00 pm at the Echuca Function Room, Echuca Civic Centre.

## **Acknowledgement of Country**

The Shire of Campaspe is the traditional lands of the Dja Dja Wurrung, Taungurung and Yorta Yorta Peoples.

We respect and acknowledge their unique Aboriginal cultural heritage and pay our respect to their ancestors, descendants and emerging leaders as the Traditional Owners of this Country.

We acknowledge their living culture and their unique role in the life of this region.

## **Opening Prayer**

We pray to almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

Amen

## **Meeting Procedures**

Please ensure that all electronic devices are turned off or switched to silent.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

Speakers are advised that they do not enjoy any special protection from defamation arising from comments made during their presentation to Council and should refrain from voicing defamatory remarks or personal defamatory statements against any individual. Speakers will be treated with respect when addressing Council. I ask that the same respect is extended to Councillors and officers.

# 1 Apologies and Requests for Leave of Absences

## 1.1 Apologies

Cr Western has submitted an apology for the meeting.

## 1.2 Leave of Absence

Nil.

# 2 Confirmation of Minutes

## RECOMMENDATION

That the following minutes be confirmed:

- **Campaspe Shire Council Meeting held on 17 August 2022.**
- **Campaspe Shire Council Meeting held on 9 September 2022.**

# 3 Changes to the Order of Business

Once an agenda has been prepared and sent to Councillors, the order of business for that meeting may only be altered by resolution of the Council. This includes the request for an item to be brought forward.

# 4 Declarations of Conflict of Interest

In accordance with Section 130(1)(a) of the *Local Government Act 2020* Councillors are required to disclose any conflict of interest in respect of a matter to be considered at a Council meeting.

# 5 Responsible Authority Decisions

Responsible Authority – Defined under Section 13 of the *Planning & Environment Act 1987*. Responsible for administering and enforcing the planning scheme and its provisions in relation to use and development.

Nil received.

# 6 Planning Authority Decisions

Planning Authority – Defined under Section 12 of the *Planning & Environment Act 1987*. Responsible for implementing the objectives of planning in Victoria and reviewing and preparing amendments to a planning scheme.

Nil received.

## **7 Question Time**

Question time will be available at every Ordinary Meeting to enable members of the public to address questions to Council. Questions must be received in writing, on the prescribed form from Council's website, by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer, no later than 12:00pm (noon) on the day of the Ordinary Meeting.

## **8 Acknowledgements / Councillor Reports**

At each Ordinary Meeting, Councillors will have the opportunity to acknowledge significant community members and events. These may relate to notable achievements by community members and groups, and the offering of condolences to a person who has distinguished service in the local area.

The duration of any report from a Councillor will be limited to two (2) minutes.

Any acknowledgment intended to be raised by a Councillor at an Ordinary meeting must be notified to the Chief Executive Officer at least three (3) hours before the commencement of the meeting.

## 9 Council Decisions

### 9.1 Outdoor Pool Operations

Division: Development

#### 1. SUMMARY

Adjusting the hours of operation and the beginning of the Outdoor Pool season provides opportunity to reduce the number of days closed due to cool weather and staff challenges experienced at the beginning of each season. Many casual lifeguard staff are still engaged in education which impacts their ability to meet the current operational days and time. Extending the opening of the season, and the opening time of the pool should alleviate that issue.

Current data collected regarding attendance at the pools indicates a steady decline over a period of three years. Providing free general admission may assist to increase usage at the pools. However, it may also provide a false indicator of use when data is used to inform future decisions of Council.

#### 2. RECOMMENDATION

**That Council:**

- 1. Approve the change of opening day of the Outdoor Pool Season to the 26 November for the 2022/23 season.**
- 2. Approve the change of the 2022/23 school term afternoon Outdoor Pool operational hours to 4pm – 8pm at all Outdoor pools subject to staff availability. Noting no change to the morning opening times or additional locations.**
- 3. Approve the change of the 2022/23 school holiday and weekend afternoon Outdoor Pool operational hours to 1pm – 8pm at all Outdoor pools subject to staff availability. Noting no change to the morning opening times or additional locations.**
- 4. Approve the introduction of free general admission to the seven Outdoor Pools for the 2022/23 outdoor pools season only. Noting that this will be an indicative subsidy of \$88,000.**
- 5. Approve the introduction of a set fee of \$6 per head per day for those schools requesting to utilise Outdoor pools to deliver their own Learn to Swim program for a maximum of ten days for the 2022/23 outdoor pool season only.**
- 6. Requests that further evaluation and benchmarking are undertaken following the end of the 2022/23 season, to fully understand the impacts of these changes prior to consideration for future seasons.**

#### 3. PURPOSE

To seek approval for the change of operations for the seven outdoor pools across the Municipality. This includes modification of the opening and closing times, commencement of the Outdoor pool season and the provision of free general admission, excluding schools.



## 4. DISCUSSION

### Season Operational Days

The Outdoor Pools (ODP) currently open the second weekend of November and operate until March Labour Day weekend, with opening days subject to the temperature being above 25 degrees. The ODPs are supervised by two lifeguards (LG) as recommended by the Guidelines for Safe Pool Operations (GSPO) and supported by Council.

Maintaining staff at all the ODP at the beginning and end of the season has always been difficult. This is due to the majority of the casual LG staff still having education commitments at the beginning of the season and returning to university or secondary school at the end of the season.

During November the temperature fluctuates considerably resulting in the ODP being closed for a number of days. As per the operating procedure, the temperature must be predicted to be 25 degrees or over to open the ODP.

The temperature for the day is identified on the Bureau of Meteorology (BOM) by 9am from the closest weather station, being Kyabram.

The below table identifies the number of days the ODP remained closed due to cool weather over the past three years. Evidence shows that Oct, Nov and March have the biggest variance.

	*OCT	NOV	DEC	JAN	FEB	MAR
2019/20		9	3	3	4	5
2020/21	*6	*6	4	2	1	6
2021/22		9	4	0	2	1

*\* Please note that due to COVID restrictions several pools opened periodically in October and November 2020/21 as EWMAC was closed. Kyabram and Rochester open 23 October, Lockington and Stanhope opened 6 November and Colbinabbin, Tongala, Rushworth opened 20 November*

Changing the ODP opening season to Saturday 26 November may reduce the number of days the pool is closed due to weather being below 25 degrees, and the difficulties of staffing due to educational commitments.

It must be noted that staffing all the ODP for two weeks in March is also very difficult. Ideally the season would be reduced with staged closing of the ODP. This could be achieved by closing Colbinabbin, Lockington, Tongala, Stanhope and Rushworth the last weekend of February, and Kyabram and Rochester remaining open until the Labor Day weekend in March.

Evaluation of this change to be carried out following the end of the 2022/23 season. Initial benchmarking has shown that many ODP across the region are shortening the season and not opening ODP until the first week of December. This is due to weather and staffing challenges as identified above.

### Season Operational Hours

Maintaining staff at all the ODP at the beginning and end of the season has always been difficult. This is due to the majority of the casual LG staff still having education commitments at the beginning of the season and returning to university or secondary school at the end of the season.

The pools currently open at 3pm - 7pm on weekdays. This has created some issues as many of the casual staff are still participating in various educational systems and are unable to start work at 3pm.

COVID has had further impacts on this as reflected throughout the 2021/22 season with a number of pools, including EWMAC, closing on a rotational basis due to lack of staff.

The current operation hours for the Kyabram and Rochester ODP are:

Opening hours		
School term	Weekdays	6.30am - 8.00am 3.00pm - 7.00pm*
	Weekends	1.00pm - 7.00pm*
School holidays	Weekdays	6.30am - 8.00am 1.00pm - 7.00pm*
	Weekends	1.00pm - 7.00pm*

The current operation hours for Colbinabbin, Lockington, Rushworth, Stanhope and Tongala are:

Opening hours		
School term	Everyday	3.00pm - 7.00pm*
School holidays	Everyday	3.00pm - 7.00pm*

\* Closing hours may be extended in line with the temperature dependent operating procedures.

Anecdotal evidence suggests changing the weekday opening time of all ODP to 4pm – 8pm should enable flexibility for staff to complete educational or other employment commitments and extends the opening hours of each ODP to accommodate community use.

Feedback previously received from community has been that the opening hours do not meet the needs of farmers. It is also proposed that opening all outdoor pools on weekends and school holidays from 1pm to 8pm will allow for increased community usage of the pools.

Proposed amendments to the afternoon opening hours for all ODP.

Opening Hours		
School Term	Weekdays	4pm- 8pm
	Weekends	1pm-8pm
School Holidays	Weekdays	1pm- 8pm
	Weekends	1pm-8pm

\* Note no change or additions to the early morning opening times.

It is anticipated proposed change of opening hours will meet both staffing and community needs.

It must be noted that that an increase in opening hours could cause additional staffing challenges should sufficient staff not be available to operate all ODP. The increase in hours will require a minimum of four staff to be rostered for each ODP. Due to fatigue management, this is two shifts by 4 hours per shift. We will endeavour to staff all ODP, however should staffing challenges arise this will result in closures of some pools. We will stage closures to ensure that all pools are open at least 4 hours per day where practical.

Evaluation of attendance and staff availability following the closure of the 2022/23 season is require to assess the sustainability of continuing operating all ODP under extended opening hours.

### **Fees & Charges**

To maximise usage of the ODP consideration has been given to waiving all membership fees for the ODP. This is excluding Learn to Swim programs delivered by schools and Council at ODP.

The thought process behind this is to gauge usage of the pools if cost was not a barrier. The below table is the current fees and charges for the ODP. The income from ODP for the 2021/22 season was \$88,000 excluding hire of premises, Council delivered Learn to Swim programs and merchandise sales.

<b>2022/2023 CAMPASPE SHIRE COUNCIL FEES AND CHARGES COUNCIL SET FEES &amp; CHARGES SCHEDULE (NON STATUTORY)</b>	<b>2022/2023 Charge (Incl. GST)</b>
<b><u>Outdoor Pools - Seasonal</u></b>	
Family Day Pass	\$18.00
Family Season Pass	\$180.00
Casual Adult Pass	\$5.50
Adult Season Pass	\$82.50
Concession Day pass	\$4.50
Child Day Pass	\$4.50
Concession Season Pass	\$67.50
Child Season Pass	\$67.50

One of the challenges of providing free general admission is that the attendance data will possibly be inflated and not comparable with attendance data previously collated, so not reflective of true usage. Data previously presented to Council indicated a decline in use of some of the ODPs, particularly in the smaller communities. Providing free general admission may see an increase in usage for one season, however, will impact the accuracy of attendance data over a four-year period.

Attendance data will still be captured manually by ODP staff as patrons enter the facility.

## 5. CONSULTATION

### Internal consultation:

- Executive Director
- Chief Executive Officer

### External consultation:

- No engagement has been undertaken due to the timing of this report.

### Councillors:

- 7 September 2021 Council Briefing Session.

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and issues of ongoing financial viability of the Council have been identified within this report. Implementation of the recommendations will result in a negative impact on the 2022/23 endorsed Council Budget. Amendments will be required to the budget at the budget review to reflect the loss of income and increase in employee expenditure.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

Not applicable

## 11. ISSUES AND RISK MANAGEMENT

### **Issues: Staffing ODP for duration of the 2022/23 season**

#### Issue 1:

The increase in opening hours could impact Council's ability to staff all ODP for the duration of the ODP season. Officers are currently recruiting additional LG; however, the doubling of the opening hours will require a minimum of four staff for each ODP. This is required to ensure staff fatigue in a high risk environment is managed.

## **Issue 2: Community Engagement**

No community engagement has been undertaken regarding the proposed changes. The timing of the report has not permitted officers to discuss the proposed changes and the impacts this may have on users. However, while the proposed change to the opening of the season is delayed by two weeks, the extension of the opening hours should alleviate any angst this may cause.

## **Issue 3: Increased operational expenses**

The recommendation to extend the opening hours of the ODP will have an impact on the 2022/23 endorsed budget. The proposed changes have not been budgeted, employee costs will increase significantly, and income will decrease. Both will require amending during budget review.

## **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. ATTACHMENTS**

Nil

## 9.2 Activation of Little Hopwood Street and adjacent properties

Division: Community

### 1. SUMMARY

Through funding opportunities that have evolved Council can begin the process of activating the first stage of the Echuca Arts Precinct. It is proposed that works will commence in the open space identified as “Echuca Arts Park” enabling safe and effective use of the space through events, activities, and passive use.

Further to this road traffic interventions in Little Hopwood St have also been identified to support the use of the space. This will include redefining the usage of Little Hopwood St into a combined pedestrian and car accessible location. This will include the use of retractable bollards, limited parking access and traffic management to support the businesses that access this location and encourage community to access the space.

Council will also utilise this opportunity to invest in permanent and temporary infrastructure that will further support the delivery of artistic, cultural, and economic development within the precinct and across the Shire. The three-tiered project will deliver:

- A functional open space with appropriate access to utilities that will enable artistic, cultural, and economic development at the site.
- Purchasing of three portable outlets for use across the Shire and
- The implementation of pedestrian focused access to area of Little Hopwood St that buffers the Echuca Arts Park

### 2. RECOMMENDATION

**That Council:**

- 1. Approves the construction of the Echuca Arts Park as a functional space for Artistic, Cultural and Economic Development.**
- 2. Approves the purchase of three portable outlets for the use of Council and Community.**
- 3. Approves the implementation of pedestrian only access to the portion of Little Hopwood St that adjoins the Echuca Arts Park area.**

### 3. PURPOSE

To seek approval for following three initiatives:

The development of the Echuca Arts Park as a functional open space with appropriate access to utilities that will enable artistic, cultural, and economic development at the site.

The purchasing of three portable outlets for use across the Shire by Council and Community for Artistic, Cultural and Economic development opportunities, and

The implementation of pedestrian only access to area of Little Hopwood St that buffers the Echuca Arts Park.

## 4. DISCUSSION

### Echuca Arts Park

Identified as a stage one project within the Echuca Creative Art Space Plan (See attachments), which was adopted by Council in 2019, it relates to the development of the open space directly in front of the “Old Brothel”. In the above-mentioned endorsed masterplan, the project was identified as an opportunity to create a functional space that could be activated and used in the pursuit of artistic cultural and economic development.

Seen as a space that could be flexible and functional, a range of opportunities present to the Community and council on its activation and passive use. In Council endorsed Arts and Culture strategy, known as “Creative Campaspe,” see attached, it identifies Council’s role as providing resources and infrastructure for the development of cultural and Artistic endeavour.

Council has identified the opportunity to redirect funding from State Government Covid Activation Grants, enabling the project to be delivered to a standard expected by the residents of Campaspe. Works will include:

- Landscaping of the space
- Removal of fencing
- Installation of multiple water and electrical points with the space

These simple interventions will allow a range of activations to occur through this minimalist approach.

### Portable outlets

Through an internal consultation process which included multiple teams within Council, there is dedicated support for the Shire to purchase three portable outlets for the use of Council and Community. Again, with the identification of the availability of State Government funding (Covid Activation Grants), these outlets offer a flexible and effective tool(s) for the activation of the Echuca Arts Park and many other locations and events across the Shire.

Through purchasing these outlets, that are self-sustainable and transportable, it offers Council the ability to improve its management of pop-up retail/food across the municipality. It is envisaged that these outlets will only add value to the other products Council has invested in over the last 18 months with external funding. These products include portable white picket fencing and seating pods to name a few. Again, this potential investment aligns with Council Strategic directions set out in Creative Campaspe.

Council will support the management of transportation of these Outlets across the Shire in a community setting and if purchased will form part of Council in-kind support to events and community-based activities. It also offers council a toll to manage and ensure endeavours that relate to “Pop-Up” commercial opportunities are done so to a standard expected by the community and relevant legislative standards, examples being food safety and OHS.



### Little Hopwood St

The tempering of little Hopwood St to be redefined as a pedestrian only carriage way for the portion of the street that is parallel with the open space at the Echuca Arts precinct, see pic below will enhance activation opportunities, provide safer space to hold events and improve the amenity of the Arts Park:



- Key:
- Portable-Outlets
  - Bollards
  -

This is in line with numerous Council endorsed strategies, these include:

- 2019 Echuca CBD and Historic Port Precinct Parking strategy
- 2019 Active Transport Strategy
- Echuca Port Precinct Strategy
- Echuca Creative Arts Masterplan

The benefits to the community and businesses relate to stronger economic development, safety, and improved aesthetics for the catchment. Activating the Arts precinct through the use little Hopwood St will provide greater flexibility to the space enabling a higher level of activation and passive use.



Council will work with traders to that use Little Hopwood St to access businesses to ensure they have an appropriate level of access.

## 5. CONSULTATION

### Internal consultation:

- EMG
- Infrastructure Team
- Parks and Gardens Team
- Road Services Team
- Local Laws
- Planning and Building Team
- Community Development
- Events Support Officer

### External consultation:

- Echuca Moama Arts Initiative (EMAI), inclusive of the Foundry Art Gallery

### Councillors:

- 1 June 2022 Council Briefing Session
- 3 August 2022 Council Briefing Session.

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

### **Flourishing local economy**

Stimulated economic activity that provides local jobs

## **Well planned places**

Attractive and useable sites of importance

## **Growing quality of life**

Communities have a say on local infrastructure and attractions that stimulate engagement and activity

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

#### **Issue 1: Development of event and commercial support**

The purchasing of the portable outlets will only strengthen Campaspe Shire Council's capacity to support economic development through Community and commercial endeavour, while at the same time positively impacting the scope and ambience of precincts such as the Port of Echuca.

If approved the portable retail outlets will be available through Council's event support processes.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

Council approval will enable the first stage of the Echuca Arts Precinct to commence. Improvement to the open space identified as "Echuca Arts Park" will provide a safe and effective use of the space. In addition, Little Hopwood St will be converted in a combined pedestrian and car accessible location.

Council will also utilise this opportunity to invest in permanent and temporary infrastructure that will further support the delivery of artistic, cultural, and economic development within the precinct and across the Shire.

## **16. ATTACHMENTS**

1. Echuca- Creative- Art- Space- Plan (5) [9.2.1 - 78 pages]

—  
Echuca Creative Arts  
Space Plan

Arts and Culture Space Activation Report  
5th March, 2019

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**TEAM**

ARCHITECT	TERROIR
PROJECT PLANNING SPECIALIST	HIRST PROJECTS
COSTING	HARLOCK CONSULTING

ISSUE	DATE	DESCRIPTION
1	12.11.2018	DRAFT REPORT
2	14.12.2018	FINAL REPORT
3	01.03.2019	FINAL REPORT v2
4	05.03.2019	FINAL REPORT v3

**PARTNERS**

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## INTRODUCTION

### Background

The Echuca Creative Arts Space Plan has been developed as a guide to activate the Echuca Arts Precinct, which is part of the greater strategy for the Echuca Port Precinct Vision and Strategy.

This report contains the Echuca Art Precinct Masterplan, Cost Estimate Activation Framework, Business Framework and an Appendix, which contains the initial urban and site analysis and precedents.

The key values and activation strategies articulated in this document are the result of site investigations and mappings and consultations meetings with key stakeholders to understand stakeholder expectations for the Arts Precinct site.

The Campaspe Shire Council recognises that the Echuca Arts Precinct is an important site and realises that an activation strategy will be needed. The site is highly valued by the community for its historical value, its close proximity to the Port Precinct and its artistic activities that currently exist on the site. The site consists of the Foundry Arts Space, the Old Murray Hotel and the Old Brothel.

The Activation Framework understands the key values and key influences that will allow for a business plan and action plan to come about.

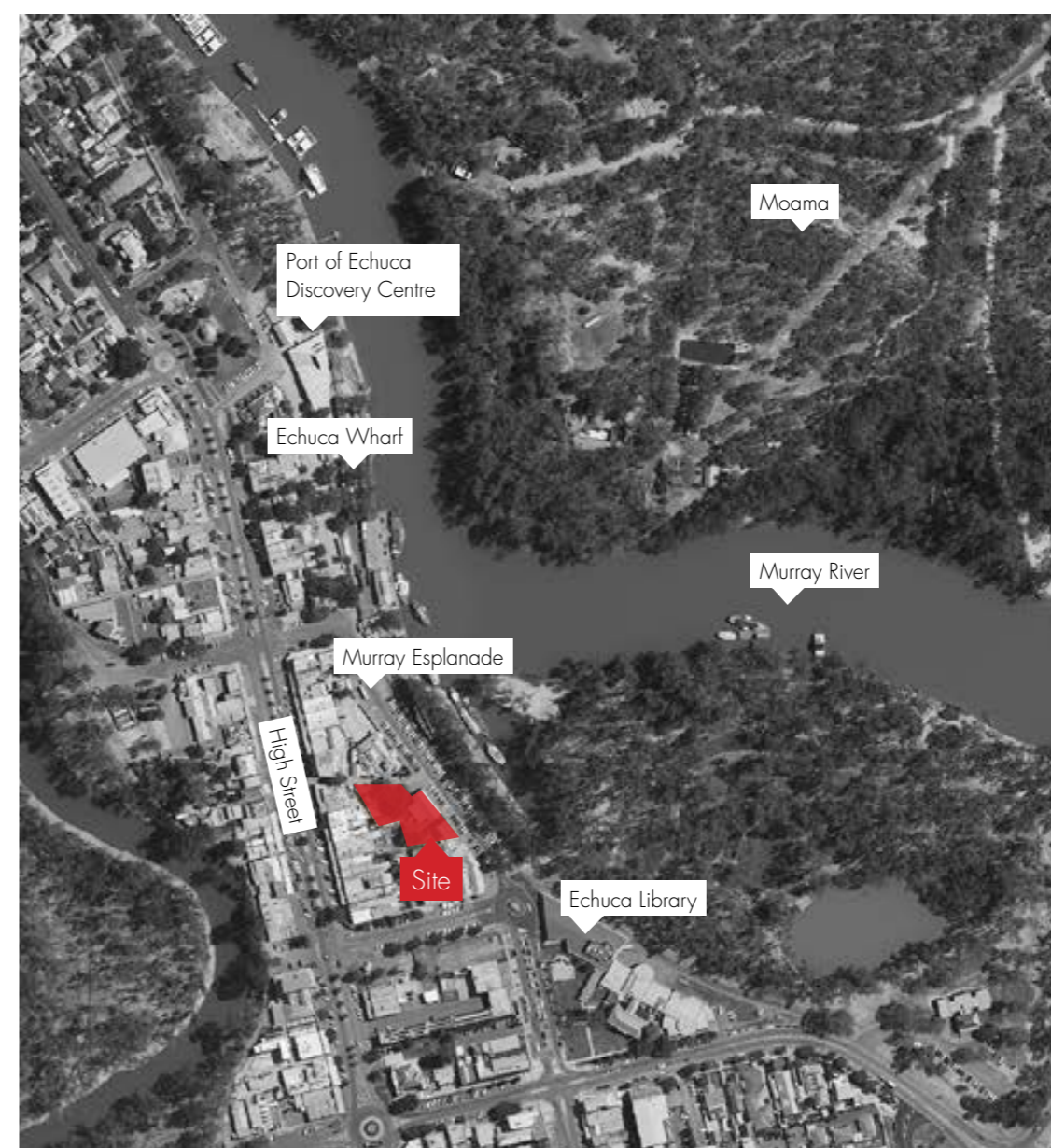
### Key Values

The Activation Report has identified key values and activation strategies that will be required to activate the site.

These values are:

- Connectivity
- Visibility
- Affordability
- Intensity
- Vibrancy

These values are key to the synergy of the concept design and activation of the site.



## INTRODUCTION

### Echuca-Moama

Echuca and Moama are twin towns located on the Murray River. The Northern Highway passes over the Murray River to allow a connection between Moama and Echuca.

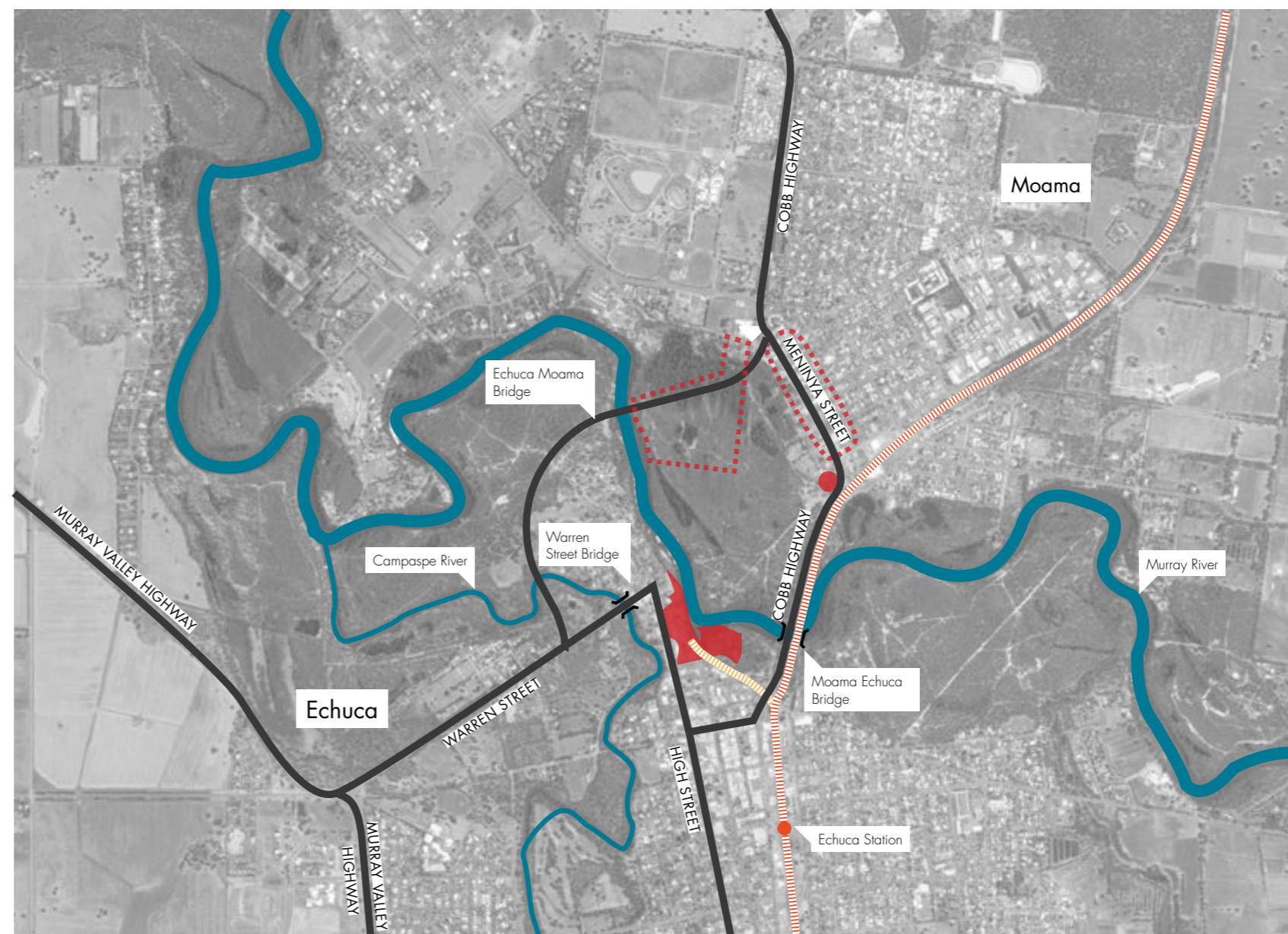
There is a railway line that bridges the connection between Moama and Echuca. However, the line is rarely used with only freight trains using the line. A short branch line between Echuca and the Port was closed in 1971 and officially disconnected in 2007.

A proposal by the Major Road Projects Authority Victoria to build a future Echuca-Moama Bridge north of the current Moama Echuca Bridge, in order to ease congestion. This will form a loop connection between Echuca and Moama, which passes through the Echuca Port Precinct.

The arts and culture precinct highlighted are where the arts and cultural are offered and are the most intense. There are also arts and cultural destinations outside the indicated precincts.

#### LEGEND

- Arts and Culture Precincts and Sites
- Future Arts Precincts
- River
- Main Road / Highway
- Future Road
- Existing Railway line
- Closed Railway Line
- Bridge
- Train Stations



PART 01  
MASTERPLAN



# 1. MASTERPLAN

## Echuca - Arts and Culture Spine

In understanding Echuca and the Port Precinct, a number of opportunities have presented itself in order to accentuate the connections to the Echuca Arts Precinct. One key opportunity is the Arts and Culture Spine, which runs along the Murray Esplanade, through the Port precinct, the Arts Precinct and connecting to Hare Street leading to Echuca CBD. There are already a number of museums, library, art galleries and music festival venues that exist along the spine, though there are additional opportunities to add to the experience. These opportunities include:

1. Hopwood Gardens - Potential for temporary sculptures
2. Murray River edge - Potential for temporary art to be displayed along the edge
3. Paddlesteamers - Potential for art to be displayed in the paddlesteamers
4. Disconnected railway line - Potential for art to be displayed along the line
5. Potential to activate the street edge of Hare Street and Radcliffe Street



1 Sculptures



2 Sculptures along the river edge



3 Art in the Paddlesteamers (Exhibition space)



4 Vacant Buildings: Telley House, Permewan Wright (1st Floor)



5 Art on un-used rail line



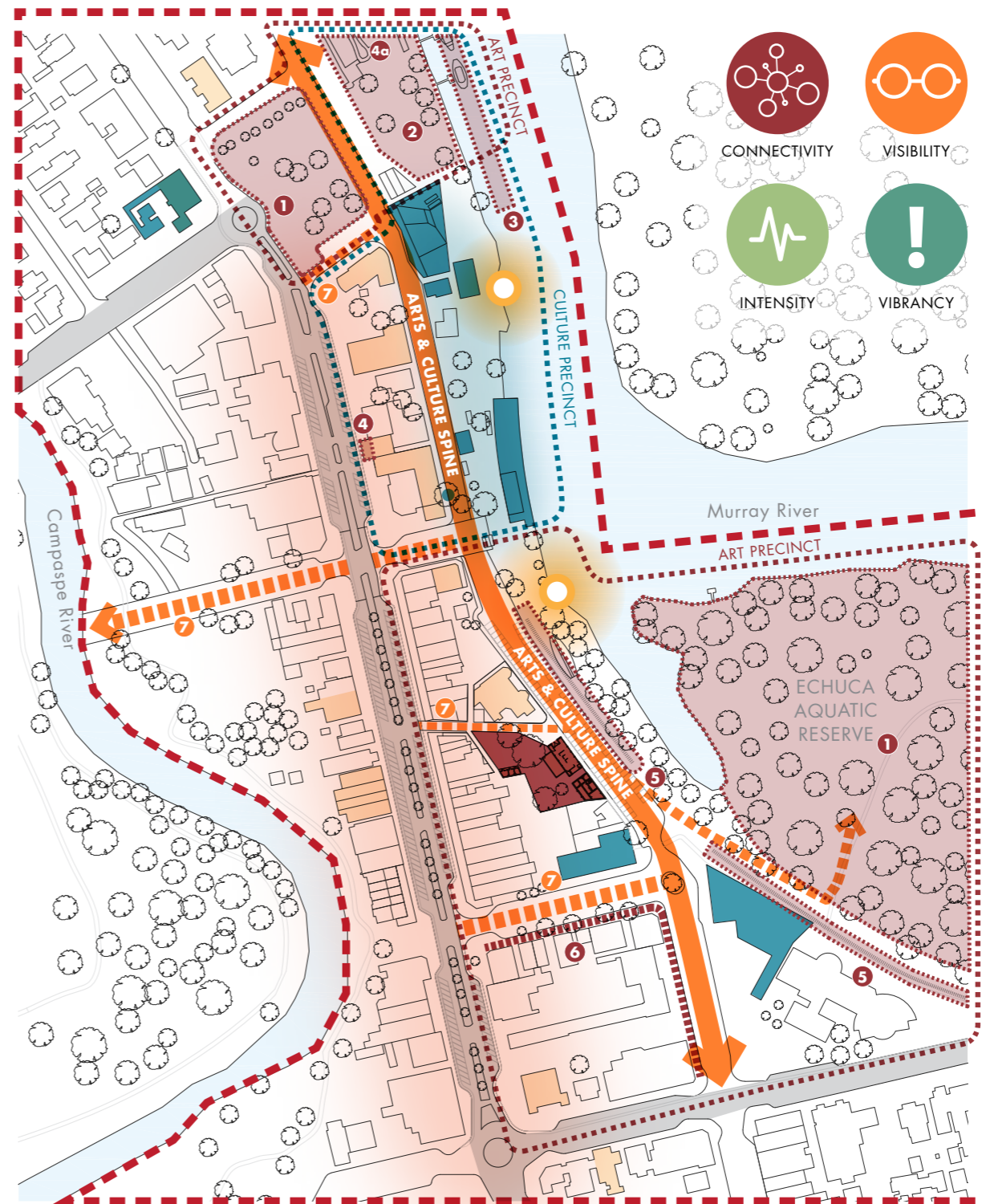
6 Activation of building edges with art



7 Street art

### Legend

- Heritage Precinct
- Echuca Arts Precinct Site
- Potential activation sites
- Main Highways
- Heritage Precinct Area
- Main Street with Food, Drinks and Retail
- Significant Heritage Buildings (Victoria Heritage Register)
- Current Arts and Culture sites
- Arts and Culture Spine
- Street connectors to Spine (potential street art locations)
- Viewing Platforms



# 1. MASTERPLAN



## Zoning of Site - Relationship Between Art Process and the Site



# 1. MASTERPLAN

## Activation Plan - Structure

From the urban analysis, site analysis, building analysis and program analysis, the Activation Strategy will be implemented both within and outside the defined Arts Precinct site. It will connect across the Port and beyond.



### Legend

#### Surrounding Activation Structure:

- Building Edge Activation
- Primary Street Activation (Regular)
- Interstitial Space Activation
- Potential Activity Spill

#### Site Activation Structure:

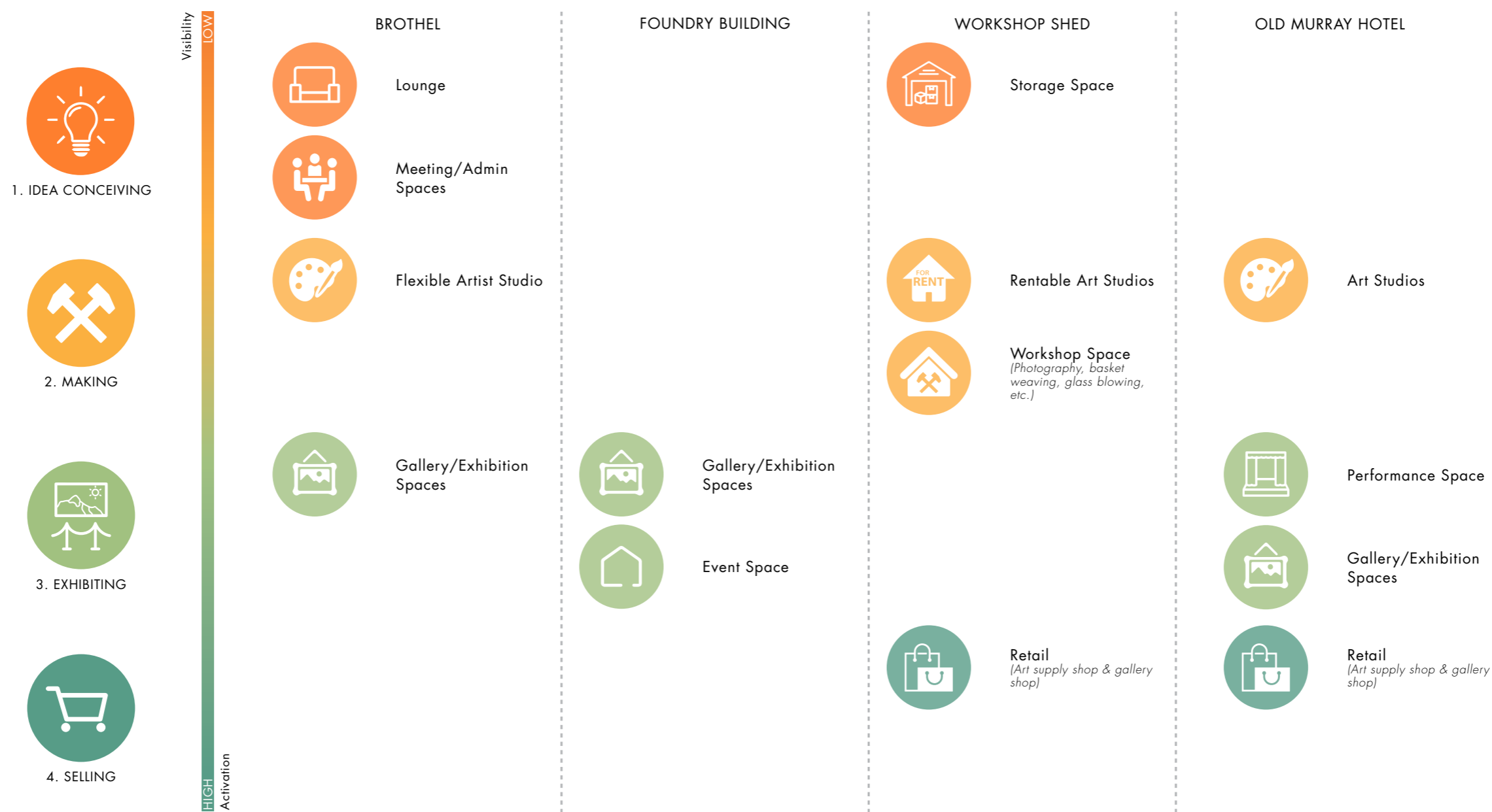
- Low Activation (Idea Conceiving)
- Medium Activation (Making)
- High Activation (Exhibiting)
- Very High Activation (Selling)



# 1. MASTERPLAN



Program Spatial Analysis - Relationship Between Art Process and Program from Creative Art Space Feedback



# 1. MASTERPLAN

## Activation Plan

The activation plan indicates a number of potential strategies to activate the site. This plan also begins to break the site up into zones.



### Legend

- Zone for Street Art
  - Amenities
  - Storage Space
  - Lounge and Meeting Spaces
  - Art Studio
  - Workshop Space
  - Gallery/Exhibition Performance/Event Spaces
  - Retail
  - Kitchen/Bar
  - Connections to Outdoor Spaces
- 



# 1. MASTERPLAN



## Potential Projects

The Masterplan has number of potential projects that exists on and around the site. Below is a breakdown of those potential projects:

### Art Precinct Projects:

1. Workshop refurbishment
2. The Foundry Art Space refurbishment
3. Old Brothel refurbishment
4. Old Murray Hotel refurbishment
5. Fence upgrade
6. landscaping work
  - A. Zone 1
  - B. Zone 2
  - C. Zone 3
7. Basic planting

### Surrounding Site Projects:

- A. Little Hopwood Street Upgrade
- B. Businesses outdoor seating



# 1. MASTERPLAN



## Potential Projects

Each of the projects identified have different levels of impact, activation and cost implications. The diagram measures the impact of short term and long term goals/projects on the site against cost. The aim of this diagram is to indicate which projects will begin to activate the site with the highest impact and the lowest cost (short term), and projects with a lower impact and the highest costs (long term).

The short term and long terms goals are measured through:

- The level of site visibility
- The level of activation
- The Activation Framework - Visibility, Intensity, Vibrancy, Connectivity

These key aspects measure the short term goals and long term goals on the site:

- |                         |                        |
|-------------------------|------------------------|
| • Short term goals      | • Long term goals      |
| - High levels of impact | - Low levels of impact |
| - High activation       | - Low impact           |
| - High visibility       | - Low visibility       |
| - High intensity        | - Low intensity        |
| - High vibrancy         | - Low vibrancy         |
| - High connectivity     | - Low connectivity     |

By plotting the potential projects against cost and impact, it has indicated which projects are short term projects and which projects are long term projects. The short term projects that will have the highest impact with the lowest cost include:

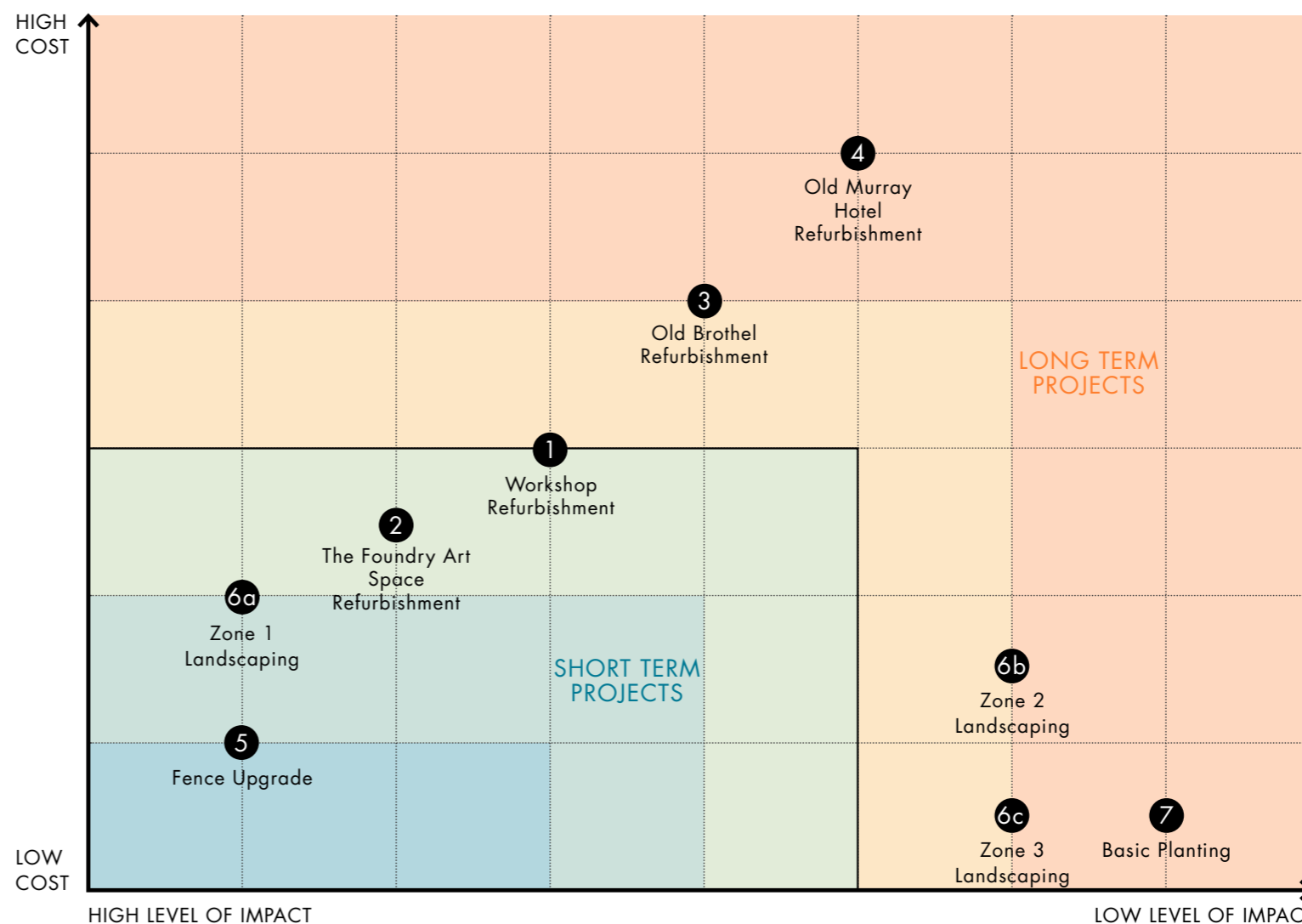
- Zone 1 landscaping (6a)
- Upgrading the fence (5)
- The Workshop refurbishment (1)
- The Foundry Art Space is already quite activated and only requires minor refurbishments, such as lighting upgrades (2)

The Old Brothel is visible from Little Hopwood Street and is useful for the activation of the outdoor space, but there is a high cost involved to refurbish the building before it can be usable and occupied.

The long term projects on the site include:

- The Old Murray Hotel (4)
- Zone 2 (6b) and zone 3 Landscaping (6c)
- Basic Planting (7)

*Note: Please refer to the next chapter, Cost Estimate, to see the breakdown of costs, which has influenced the assessment of each project.*



# 1. MASTERPLAN



## Visualisation



View towards the Foundry Art Space at the intersection of Murray Esplanade and Little Hopwood Street.  
 This image indicates potential activation strategies, such as an art flea market on the streets, an art banner on the Foundry wall, art fence, colourful pot plants and removing parked cars along Little Hopwood Street.



# 1. MASTERPLAN



## Visualisation



*View towards the Old Brothel from Little Hopwood Street.*

Basic landscaping can begin to activate the outdoor space, offering usable space for outdoor lessons and art classes. As the Old Brothel is a long term project strategy. In the short term there is a potential have a layered canvas on the doors and windows.

PART 02  
COST ESTIMATE

## 2. COST ESTIMATE

### Summary

As indicated in the Cost Estimate Report by Harlock Consulting the cost of the total site development is \$2,968,000. A number of potential projects can happen on the site to begin the activation process. These projects include:

1. Fence upgrade - \$15,000
2. Lighting upgrades to the Foundry Art Space - \$30,000
3. Hybrid Art Workspace (30sqm of the current Workshop space, an extension from the Foundry Art Space) - \$35,000  
(Price may vary due to use of cheaper materials, services and donated items)
4. Landscaping to Zone 1 - \$40,000  
(A portion the landscaping for zone 1 can be completed to meet budget requirements or can be completed in stages, such as clearing the site of grass, old fences and adding new top soil and grassing)



Fence upgrade



Lighting upgrades in the Foundry Art Space



Workshop Shed - Hybrid Art Workshop Space



Landscaping to zone 1

## Contents

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3	Cost Plan.....	3
4	Notes & Exclusions .....	3
5	Tendering & Market Assumptions .....	4
	Appendix 1: Cost Estimate.....	5



# COST ESTIMATE

Project: Echuca Arts Precinct Development  
Issued to: Terroir  
Date: 1<sup>st</sup> March 2019  
Revision Number: 2



## 1 Executive Summary

As requested, Harlock Consulting have prepared a preliminary order of cost estimate in relation to the proposed Echuca Arts Precinct Development.

The estimated costs of the works for the five sections of work are as follows:

1. Old Brothel Building	\$683,675
2. Foundry Arts Space	\$218,500
3. Workshop Space	\$616,000
4. Old Murray Hotel	\$1,155,750
5. External Services	\$85,000
6. Landscaping and Fencing	\$163,300

**The estimated total project cost is therefore \$2,922,225 (excluding GST)**

The above estimates are inclusive of design and construction contingencies, design fees, project management fees and planning and building permit fees.

It is noted that the fees adopted for the project are as per client nominated allowances. The estimates also include client requested adjustments to meet budget requirements and scopes of work will need to be reviewed in line with these budgets in the subsequent design phases.

We were also requested to estimate the cost of several options for an initial \$30,000 project. The estimates for the options put forward are as follows:

- Fence upgrade \$15,000
- Lighting upgrades to Foundry Space \$30,000
- Hybrid Art Workspace (30m2) \$35,000
- Landscaping to Zone 1 \$40,000

Various assumptions and exclusions are set out in Section 4 of this report.

## 2 Basis of Cost Estimate

The estimate has been based on the following information:

- Terroir/Hirst Echuca Arts Precinct Development Report dated 12<sup>th</sup> November 2018
- Photographs of existing conditions
- Discussions with Terroir to determine the scope of work envisaged and site observations
- Fee allowances advised by the client
- Budget adjustments requested by the client

## 3 Cost Plan

Refer to Appendix 1 for a full breakdown of the Cost Plan.

## 4 Notes & Exclusions

Please note that any allowance for the following have been excluded from the estimate:

- GST
- Cost escalation beyond March 2019

- HAZMAT removal - to be expended from contingency if encountered
- Contaminated soil
- Temporary structures to external areas indicated on the drawings
- Commercial kitchens
- Major structural repairs beyond extent able to be reasonably envisaged from the existing conditions photographs

The following allowances have been included pending further design development and investigations:

- \$20,000 allowance for structural repairs to the Old Brothel
- \$45,000 for loose furniture and equipment to the Old Brothel
- \$500/m2 for sundry repairs and alterations to the Foundry Arts Spaces
- \$250/m2 for services upgrades to the Foundry Arts Space
- \$100,000 for external façade structural repairs to the Old Murray Hotel

Note: Harlock Consulting has no control over, without limitation, cost of labour, cost of materials, cost of equipment, pricing methods used by third parties, availability of competitive bids, economic factors and specific market conditions. Accordingly, Harlock Consulting does not guarantee or warrant that actual costs will not vary from any estimates or forecasts

## 5 Tendering & Market Assumptions

It is anticipated that a traditional lump sum tender procurement methodology would be adopted for this project and that it would be tendered to appropriately sized builders. This estimate reflects the expected preliminaries level and trade pricing associated with this form of procurement. It is anticipated that the works would be staged.

The rates in this estimate are based on current market prices and no allowance has been made for cost escalation beyond March 2019. A cost escalation allowance of 3.5% per annum would be recommended up until the anticipated construction commencement date.

## Elemental Summary

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1							
Building: Echuca Arts Precinct Masterplan									
Code	Description	%BC	Cost/m2	Quantity	Unit	Rate	Subtotal	Factor	Total
*	Preliminaries, overheads and profit	3.26%	785.72						99,000
*	Old Brothel	16.28%	3,928.58				495,000		495,000
*	Client adjustment	-3.25%	-785.71						-99,000
*	<b>SUBTOTAL</b>	<b>16.28%</b>	<b>3,928.58</b>						<b>495,000</b>
*	Design and construction contingency	2.94%	707.74						89,175
*	Design - Client advised costs	1.16%	277.78						35,000
**	Planning and building permits - Client advised costs	0.50%	119.05						15,000
*	Project Management - Client advised costs	1.63%	392.86						49,500
*	<b>TOTAL ESTIMATED PROJECT COST - Old Brothel</b>	<b>22.48%</b>	<b>5,426.00</b>						<b>683,675</b>
*	Preliminaries, overheads and profit	0.93%	222.23						28,000
*	Foundry Arts Space	4.61%	1,111.12				140,000		140,000
*	Client adjustment	-0.42%	-103.17						-13,000
*	<b>SUBTOTAL</b>	<b>5.10%</b>	<b>1,230.16</b>						<b>155,000</b>
*	Design and construction contingency	0.94%	226.20						28,500
*	Design - Client advised costs	0.66%	158.74						20,000
*	Planning and building permits - Client advised costs	0.17%	39.69						5,000
*	Project Management - Client advised costs	0.33%	79.37						10,000
*	<b>TOTAL ESTIMATED PROJECT COST - Foundry Arts Space</b>	<b>7.19%</b>	<b>1,734.13</b>						<b>218,500</b>
	Preliminaries, overheads and profit	1.30%	312.50						39,375
	Workshop Space	7.40%	1,785.72				225,000		225,000
	Client adjustment	6.11%	1,473.22						185,625
	<b>SUBTOTAL</b>	<b>14.80%</b>	<b>3,571.43</b>						<b>450,000</b>
	Design and construction contingency	2.67%	642.86						81,000
	Design - Client advised costs	1.16%	277.78						35,000
	Planning and building permits - Client advised costs	0.33%	79.37						10,000
	Project Management - Client advised costs	1.32%	317.47						40,000
	<b>TOTAL ESTIMATED PROJECT COST - Workshop Space</b>	<b>20.25%</b>	<b>4,888.89</b>						<b>616,000</b>
*	Preliminaries, overheads and profit	5.83%	1,405.71						177,119
*	Old Murray Hotel	33.27%	8,032.62				1,012,110		1,012,110
*	Client adjustment	-11.15%	-2,692.29						-339,229

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## Elemental Summary

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1							
Building: Echuca Arts Precinct Masterplan									
Code	Description	%BC	Cost/m2	Quantity	Unit	Rate	Subtotal	Factor	Total
*	<b>SUBTOTAL</b>	<b>27.95%</b>	<b>6,746.04</b>						<b>850,000</b>
*	Design and construction contingency	4.96%	1,196.43						150,750
*	Design - Client advised costs	1.65%	396.83						50,000
*	Planning and building permits - Client advised costs	0.66%	158.74						20,000
*	Project Management - Client advised costs	2.80%	674.61						85,000
*	<b>TOTAL ESTIMATED PROJECT COST - Old Murray Hotel</b>	<b>38.00%</b>	<b>9,172.63</b>						<b>1,155,750</b>
	Preliminaries, overheads and profit	0.61%	145.84						18,375
	External Services	3.46%	833.34				105,000		105,000
	<b>SUBTOTAL</b>	<b>4.06%</b>	<b>979.17</b>						<b>123,375</b>
	Design and construction contingency (15%)	0.61%	146.88						18,506
	Client adjustment	-1.86%	-451.43						-56,881
	<b>TOTAL ESTIMATED PROJECT COST - External Services</b>	<b>2.80%</b>	<b>674.61</b>						<b>85,000</b>
	Preliminaries, overheads and profit	0.68%	163.54						20,605
	External Works - Zone 1	2.06%	497.12				62,637		62,637
	External Works Zone 2	1.24%	298.00				37,548		37,548
	External Works Zone 3	0.58%	139.36				17,559		17,559
	Client adjustment	-0.93%	-224.98						-28,348
	<b>SUBTOTAL</b>	<b>3.62%</b>	<b>873.02</b>						<b>110,000</b>
	Design and construction contingency	0.71%	169.05						21,300
	Design - Client advised costs	0.50%	119.05						15,000
	Planning and building permits - Client advised costs	0.17%	39.69						5,000
	Project Management - Client advised costs	0.40%	95.24						12,000
	<b>TOTAL ESTIMATED PROJECT COST - External Works Zone 1 to 3</b>	<b>5.37%</b>	<b>1,296.04</b>						<b>163,300</b>
	<b>\$30,000 funding options</b>								
	Fence upgrade	0.50%	119.05				15,000		15,000
	Lighting upgrades to Foundry Space	0.99%	238.10				30,000		30,000
	Hybrid art workshop space	1.16%	277.78				35,000		35,000

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## Elemental Summary

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1							
Building: Echuca Arts Precinct Masterplan									
Code	Description	%BC	Cost/m2	Quantity	Unit	Rate	Subtotal	Factor	Total
	Landscaping to Zone 1	1.32%	317.47				40,000		40,000
<b>Exclusions</b>									
	GST								
	Professional fees								
	Cost escalation beyond December 2018								
	HAZMAT removal – to be expended from contingency if encountered								
	Contaminated soil								
	Temporary structures to external areas indicated on the drawings								
	Commercial kitchens								
	Major structural repairs beyond extent able to be reasonably envisaged from the existing conditions photographs								
		<b>100.00%</b>							<b>3,042,226</b>

## Trade Detail

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1						
Building: Echuca Arts precinct Masterplan								
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total	
<b>Old Brothel</b>								
	Demolition and decontamination works	71	m2	250.00	17,850		17,850	
	Substructure works and flooring	36	m2	500.00	17,850		17,850	
	Columns – make good and paint as required	10	No	500.00	5,000		5,000	
	External walls – Make good brickwork as required, repointing, etc including access	135	m2	250.00	33,750		33,750	
	External walls – Make good weatherboard walls as required, insulate, paint, repiar, etc	80	m2	200.00	16,000		16,000	
	Roof – Repairs to chimneys as required including access	2	No	5,000.00	10,000		10,000	
	Roof repairs – new corrugated roofing, gutters, downpipes, flashings, insulation, timber repairs as required	54	m2	450.00	24,300		24,300	
	Make good and paint external doors, repair glass, new hardware, replacements as required, frame repairs, etc	6	No	3,000.00	18,000		18,000	
	Make good and paint external windows, repair glass, new hardware, replacements as required, frame repairs, etc	2	No	3,500.00	7,000		7,000	
	Make good existing fireplaces	6	No	3,000.00	18,000		18,000	
	Make good existing walls – patching, sealing, lining, lead encapsulation, etc	273	m2	175.00	47,775		47,775	
	Upper floor repairs, timber flooring, insulation, etc	54	m2	500.00	27,000		27,000	
	Stair – new external stair including structure, balustrade, treads, stringers, all finishes, footings, etc		Item		30,000		30,000	
	Balustrade to existing verandah	14	m	800.00	11,200		11,200	
	Ceiling finishes – make good and paint and seal and patch existing timber lining boards to ceilings	71	m2	150.00	10,710		10,710	
	Sink, BWU/HWS and plumbing	2	No	10,000.00	20,000		20,000	
	Electrical services – switchboard, lighting, power, comms	71	m2	450.00	31,950		31,950	
	Mechanical services – reverse cycle split system AC units	6	No	5,000.00	30,000		30,000	
	Outside air provisions	6	No	2,500.00	15,000		15,000	
	Fire services		Item		6,000		6,000	
	Builders work in connection with services		Item		15,000		15,000	
	Structural repairs – Provisional		Item		20,000		20,000	
	External painting		Item		15,000		15,000	
	Sundries		Item		2,615		2,615	
	Furniture and fitments – average rate per room	6	Room s	7,500.00	45,000		45,000	
<b>Old Brothel</b>					<b>495,000</b>		<b>495,000</b>	

## Trade Detail

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1					
Building: Echuca Arts precinct Masterplan							
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
<b>Foundry Arts Space</b>		<i>(Continued)</i>					
	Allowance for minor repairs and alterations (Provisional)	182	m2	500.00	91,000		91,000
	Allowance for upgrading lighting and power, WIFI, sundries	182	m2	250.00	45,500		45,500
	Signage, sundries		Item		3,500		3,500
<b>Foundry Arts Space</b>					<b>140,000</b>		<b>140,000</b>
<b>Workshop Space</b>		<i>(Continued)</i>					
	Make good substructure as required – assumed existing concrete floor throughout	93	m2	50.00	4,650		4,650
	Roof repairs, insulation, skylights, roof plumbing upgrade, etc	93	m2	150.00	13,950		13,950
	External facade – insulate and line internally, repair externally as required	168	m2	150.00	25,200		25,200
	New windows to external facade – nominally 30m2	30	m2	800.00	24,000		24,000
	New doors to facade – assume four pairs of glazed doors	4	No	5,000.00	20,000		20,000
	Floor finishes – assumed sealer to concrete	93	m2	30.00	2,790		2,790
	Internal fitout – assume exposed roof structure and insulation, moveable walls, fixed walls and doors for private studio spaces, joinery units, loose furniture, etc	93	m2	500.00	46,500		46,500
	Lighting, power and comms	93	m2	300.00	27,900		27,900
	Mechanical services – air conditioning, extraction fans	93	m2	250.00	23,250		23,250
	Workshop sinks, HWS, clay traps, etc		Item		15,000		15,000
	Fire services	93	m2	70.00	6,510		6,510
	Builders work in connection with services		Item		12,500		12,500
	Signage		Item		2,750		2,750
<b>Workshop Space</b>					<b>225,000</b>		<b>225,000</b>
<b>Old Murray Hotel</b>		<i>(Continued)</i>					
	Substructure – floor repairs, restumping etc as required	165	m2	275.00	45,375		45,375
	External walls – make good existing brickwork, sundry repairs, access	320	m2	250.00	80,000		80,000
	External windows – repair and paint	18	No	3,000.00	54,000		54,000
	External doors – repair and paint, replace hardware, alter frames as required – possible widening and replacement	4	No	5,000.00	20,000		20,000
	Roof – Make good existing roof as required	165	m2	350.00	57,750		57,750
	Upper floors – Repairs to upper floors as required, insulate, make good or replace timber flooring as required	88	m2	350.00	30,800		30,800
	Stairs – Alterations/replacement of stairs as required for compliance	1	No	40,000.00	40,000		40,000
	Internal walls – Allowance for repairs	253	m2	100.00	25,300		25,300

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## Trade Detail

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1					
Building: Echuca Arts precinct Masterplan							
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
<b>Old Murray Hotel</b>		<i>(Continued)</i>					
	Internal doors – allowance for new/make good of existing doors including enlarging openings as required	14	No	4,000.00	56,000		56,000
	Internal windows – repair and paint	3	No	2,000.00	6,000		6,000
	Wall finishes – remove and patch drummy plaster, painting, sundry repairs to trims, skirtings, etc as required, tiling to wet areas	688	m2	150.00	103,200		103,200
	Floor finishes	206	m2	150.00	30,900		30,900
	Ceiling finishes	206	m2	150.00	30,900		30,900
	Fitments	206	m2	350.00	72,100		72,100
	Signage		Item		5,000		5,000
	Electrical, security and comms services	206	m2	350.00	72,100		72,100
	Fire services	206	m2	50.00	10,300		10,300
	Mechanical services	206	m2	300.00	61,800		61,800
	Hydraulic services		Item		35,000		35,000
	Builders work in connection with services		Item		34,385		34,385
	Structural repairs – Provisional		Item		100,000		100,000
	Furniture	206	m2	200.00	41,200		41,200
<b>Old Murray Hotel</b>					<b>1,012,110</b>		<b>1,012,110</b>
<b>External Services</b>		<i>(Continued)</i>					
	Electrical services		Item		30,000		30,000
	Fire		Item		20,000		20,000
	Water		Item		12,500		12,500
	Sewer		Item		15,000		15,000
	Stormwater		Item		20,000		20,000
	Gas – Excluded		Item		0		0
	Communications		Item		7,500		7,500
<b>External Services</b>					<b>105,000</b>		<b>105,000</b>
<b>External Works – Zone 1</b>		<i>(Continued)</i>					
	Clear site of grass, old fences, etc	663	m2	7.50	4,972		4,972
	New top soil and grassing to 75% of area	497	m2	17.50	8,702		8,702
	New paving to 20% of area	133	m2	150.00	19,890		19,890
	New garden beds to 5% of area	33	m2	150.00	4,973		4,973
	New furniture, etc – Provisional allowance		Item		10,000		10,000
	New fencing – reinforcement mesh fence and gate	47	m	300.00	14,100		14,100
<b>External Works – Zone 1</b>					<b>62,637</b>		<b>62,637</b>
<b>External Works Zone 2</b>		<i>(Continued)</i>					
	Clear site of grass, old fences, etc	474	m2	7.50	3,552		3,552
	New top soil and grassing to 75% of area	356	m2	17.50	6,221		6,221

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## Trade Detail

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1					
Building: Echuca Arts precinct Masterplan							
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
<b>External Works Zone 2</b>		<i>(Continued)</i>					
	New paving to 20% of area	95	m2	150.00	14,220		14,220
	New garden beds to 5% of area	24	m2	150.00	3,555		3,555
	New furniture, etc – Provisional allowance		Item		10,000		10,000
<b>External Works Zone 2</b>						<b>37,548</b>	<b>37,548</b>
<b>External Works Zone 3</b>							
	Clear site of grass, old fences, etc	216	m2	7.50	1,624		1,624
	New top soil and grassing to 75% of area	162	m2	17.50	2,835		2,835
	New paving to 20% of area	43	m2	150.00	6,480		6,480
	New garden beds to 5% of area	11	m2	150.00	1,620		1,620
	New furniture, etc – Provisional allowance		Item		5,000		5,000
<b>External Works Zone 3</b>						<b>17,559</b>	<b>17,559</b>
<b>Fence upgrade</b>							
	New fencing – reinforcement mesh fence and gate	47	m	300.00	14,100		14,100
	Sundry demolition, site preparation		Item		900		900
	Assumes direct appointment of a fencing contractor		Note				
<b>Fence upgrade</b>						<b>15,000</b>	<b>15,000</b>
<b>Lighting upgrades to Foundry Space</b>							
	Lighting upgrades to Foundry Space		Item		30,000		30,000
<b>Lighting upgrades to Foundry Space</b>						<b>30,000</b>	<b>30,000</b>
<b>Hybrid art workshop space</b>							
	Make good substructure as required – assumed existing concrete floor throughout	30	m2	25.00	750		750
	Roof insulation	30	m2	30.00	900		900
	Ceiling	30	m2	100.00	3,000		3,000
	Floor finishes – assumed sealer to concrete	30	m2	25.00	750		750
	Internall walls	48	m2	200.00	9,600		9,600
	Lighting, power and comms, fire services	30	m2	250.00	7,500		7,500
	Mechanical services – split system air conditioner	1	No	4,000.00	4,000		4,000
	Workshop sinks (excluding HWS or clay traps)		Item				Excluded
	Builders work in connection with services		Item		1,000		1,000
	Signage		Item		500		500
	Preliminaries, overheads and profit		Item				7,000
<b>Hybrid art workshop space</b>						<b>28,000</b>	<b>35,000</b>
<b>Landscaping to Zone 1</b>							
	Preliminaries, overheads and profit		Item				5,856
	Clear site of grass, old fences, etc	663	m2	7.50	4,972		4,972
	New top soil and grassing to 80% of area	530	m2	17.50	9,282		9,282

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Harlock Consulting

Page 4 of 5

## Trade Detail

Project: Echuca Arts Precinct Masterplan		Details: Estimate Rev 1					
Building: Echuca Arts precinct Masterplan							
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
<b>Landscaping to Zone 1</b>		<i>(Continued)</i>					
	New paving to 20% of area	133	m2	150.00	19,890		19,890
<b>Landscaping to Zone 1</b>						<b>34,144</b>	<b>40,000</b>

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Harlock Consulting

Page 5 of 5

PART 03  
ACTIVATION  
FRAMEWORK

### 3. ACTIVATION FRAMEWORK

#### Port Precinct Vision and Strategy

##### Arts Precinct

The Port Precinct Vision and Strategy recognizes the strong set of existing natural, cultural and recreational assets that continue to be the backbone of the Port and the platform for renewal and activity. The buildings that make up the Arts Precinct: the Foundry Community Art Space, the Foundry Shed, the Murray Hotel and the former Brothel are some of the best examples of places that have a rich past. It should not be forgotten. It should be re-invented to continue to work for the city in the future.

##### Arts Activity

The Port is a special part of the city of Echuca and differentiated by the experiences it offers. Whilst there are obviously people who come here to work, for most it is **“a place to take your time, relax and enjoy yourself”**. The Vision achieves this through telling stories, inviting people to linger and socialise, celebrating time in nature, taking in the history and heritage and participating in activities and events that bring that enjoyment. The arts make a significant contribution to the Port Precinct Area.

##### Activation

The arts, the vehicle for human creative skill and imagination, are integral to a meaningful life and are enjoyed by everyone, of any age and gender from anywhere in the world, at any time. The Activation Plan is based on the principle that it is not possible, nor desirable to contain this to a single site or building, but rather to allow the arts to reach out across the whole Port.

The Arts Precinct is an engine room, but its purpose and activities are far reaching across the Port and across the year.



### 3. ACTIVATION FRAMEWORK

#### Lenses on Creativity

The Activation Strategy and its resultant Business and Action Plan should also take account of the lenses through which the arts can be viewed and discussed.

#### Arts Sectors

The arts cover many areas:

- Visual arts and crafts, including sculpture
- Writing, books and print media
- Music, theatre and performing arts
- Audiovisual and interactive media
- Design and creative services e.g. architecture and landscape design, graphic design, fashion design etc
- Cultural heritage

The trend is for these many arts forms to coalesce and for new multi-media forms to emerge.

#### The Creative Process

Creativity and the arts is not a single activity. It is often thought of as a circular system, or a chain of creative activities:

- Creation: The origination and authoring of ideas and content
- Making: the making of art works (these may not be made by the originator, but may require specialist skills in making) as one-off works or mass production
- Dissemination: the distribution of arts and cultural products e.g. selling, distributing online
- Exhibition: giving experiences to live audiences e.g. performance, exhibition, screens
- Consumption: getting audiences involved in participation e.g. watching films, going to exhibitions etc

The trend is towards creative enterprise and the opportunity to use creativity as a means of making a living.

#### The Arts Programme

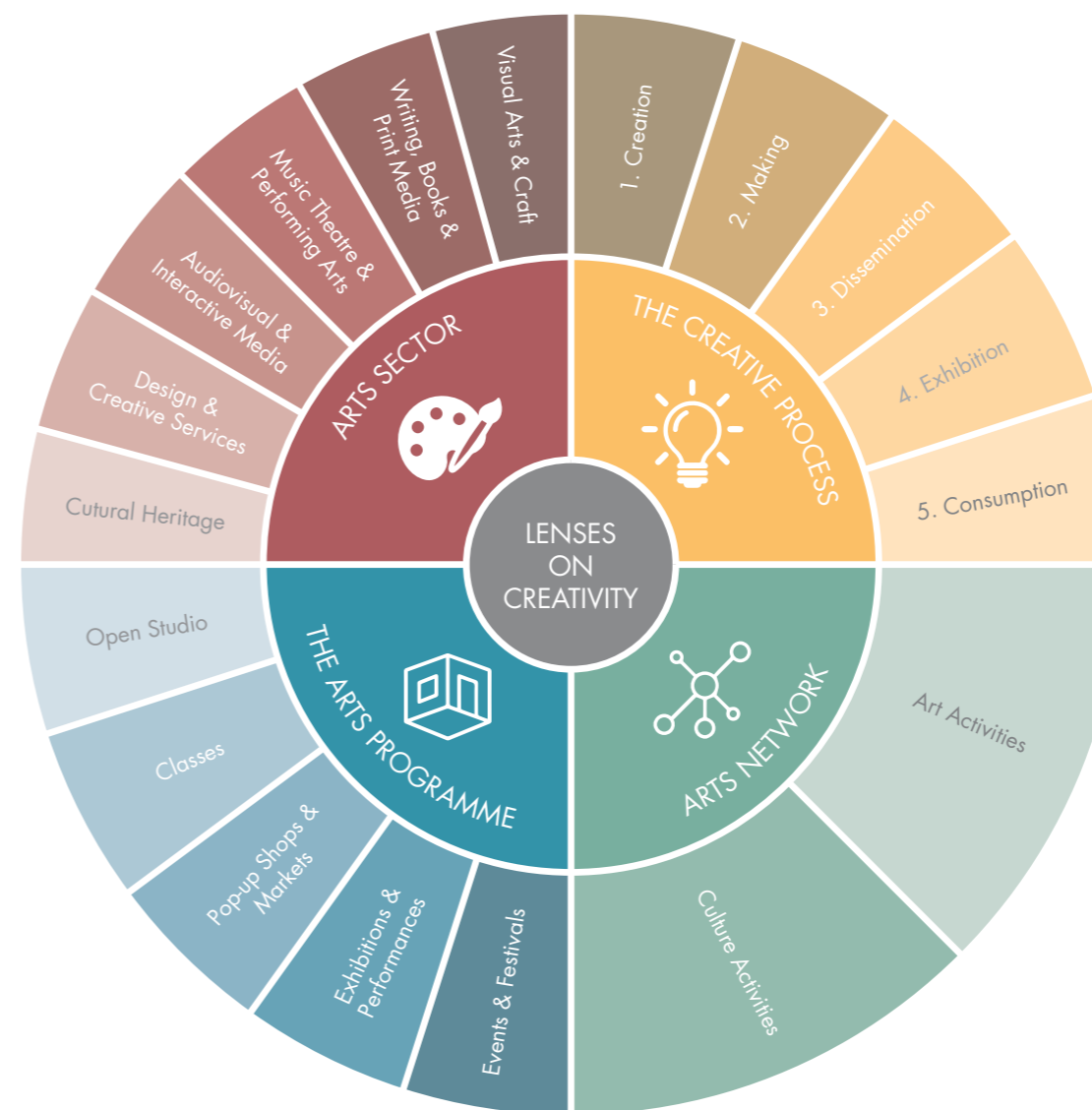
The precinct must be attractive to users and audiences throughout the year. It will be inclusive and may involve a variety of temporary and permanent activities:

- Open studios: enabling the audience to experience artists at work
- Classes: enabling amateurs and professionals to learn and develop
- Pop-up shops and markets: enabling arts practitioners to sell their work
- Exhibitions and performances: enabling audiences to engage more specifically with finished works
- Events and festivals: bringing together people and the arts to attract larger crowds over a longer period

The Arts Precinct can support all of these in the Port and beyond. The more flexibility that is built in, the more creative thinking can happen over time. The Precinct and the arts programme needs to be inclusive of all individuals and communities.

#### Arts Networks

There are lots of other arts and cultural related activities in the Precinct e.g. TwistED, the library, live music venues, the museums, shops that are relevant to the arts and the proposed Bridge Arts Project in Moama. These can be powerful connections that will build critical mass. Also arts related venues outside the Port Precinct e.g. the Alton Gallery and the Leadlight Studio.



### 3. ACTIVATION FRAMEWORK

#### Activation Framework

##### Values

This Framework identifies key values that are critical to success of the Precinct.

**Connectivity:** The Arts Precinct is part of the Port Precinct, part of Echuca and part of the region. Visitors do not see boundaries. The Plan allows them to make connections and appreciate regional identity.

**Visibility:** For people to discover the arts they must see them in action. Some people are not comfortable going into galleries or taking a class but seeing things in unusual spaces, or outside, opens up possibilities. The Plan creates opportunities to make the arts more visible.

**Intensity:** When a lot is happening in one location it is more apparent, it is noticeable and creates atmosphere. The Plan allows the Arts Precinct to embrace intense activity.

**Vibrancy:** A place that is dynamic and full of life is stimulating and enjoyable. It is not bound by time of day or season. The Plan suggests that day and night, and at all times of the year, there are spaces and places for the arts to occur.

**Affordability:** Activities have to be invested in, planned and delivered. The Plan must be affordable.

##### Influences

Activation is purposeful and carefully considered. It is important that the activities engage an audience. The location and site for each activity, the season and time of day in which it will be held and the cost of delivering the experience are critical to the success of each activity. The framework identifies these key elements required to deliver purposeful and visionary activity.

##### Activation

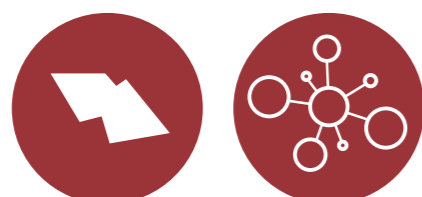
This framework has been developed to help plan and deliver the activities.

It enables the Council, its partners and citizens to work together to bring the arts into the Port, achieving another aspect of the Port Vision – “achieved through collaboration”.



### 3. ACTIVATION FRAMEWORK

#### Activation Strategy



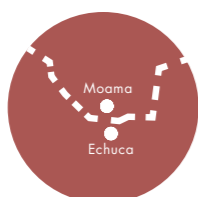
LOCATION & CONNECTIVITY



SITE & VISIBILITY



COST & AFFORDABILITY



Echuca/Moama



Wider Port Precinct



Arts Precinct



Indoor



Outdoor



Land



River



Ticketed/Fee



Free



Partnership



Commercial

The Arts Precinct is located within the Port Precinct and the wider Echuca Moama region. Arts activities are part of the Vision for the Port. Arts activities can activate areas within, adjacent to and beyond the Arts Precinct. Activation of the Arts Precinct and surrounds can be used to attract people into the Precinct and the Port and the city.

Arts activities will continue to take place indoors and be made visible to the public through signage. Outdoor activities and artworks are more visible and can be used to create character. Some outdoor activities will be land based. Some activities can take place on the river, through the use of existing watercraft.

The Arts Precinct will be operated on the basis of both free and fee based activities. Arts activities outside the Arts Precinct will be operated on the basis of free activities, activities controlled and operated by the community and by the private sector.

### 3. ACTIVATION FRAMEWORK

#### Activation Strategy



SEASON & INTENSITY



TIME & VIBRANCY



MARKET



Spring



Summer



Autumn



Winter



Permanent



Temporary - Long/Short



Pop-up



Day/Night



Local Resident



Day Tripper



Tourist

The Arts Programme will operate across the year. There may be periods of greater intensity. The Arts Precinct will never appear closed.

Arts activities will vary in length. The timing of arts activities will be designed to meet the needs of the target markets and to attract new markets.

An analysis of the markets and segmentation will underpin what the Arts Precinct and the Port will offer.

### 3. ACTIVATION FRAMEWORK

#### Activation Strategy

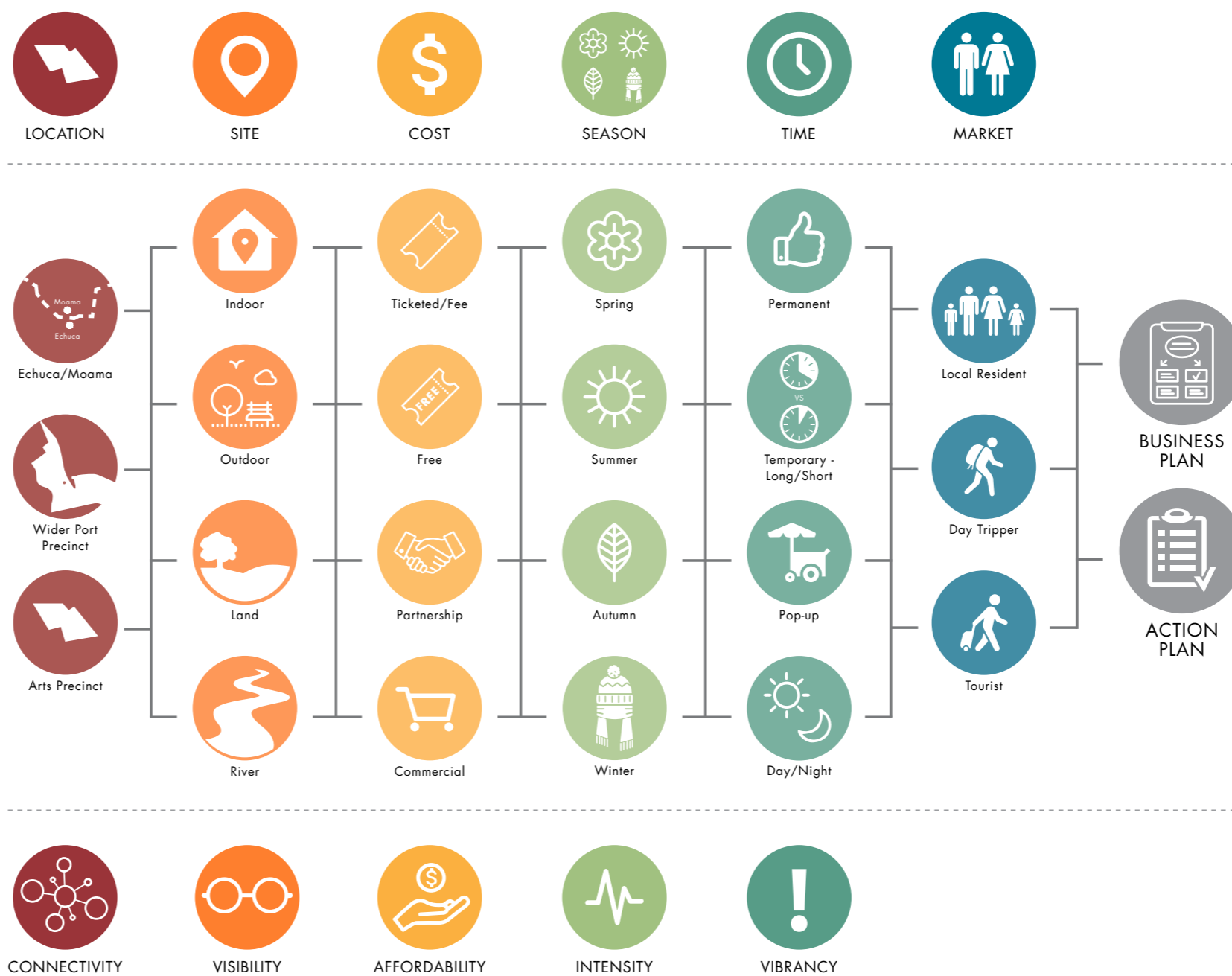
This framework is a strategic tool. By collectively acknowledging and agreeing the values, the key elements that influence decision making and by seeing the arts activities as placemaking ventures, the Arts Precinct Plan can make a large contribution to achieving the Vision.

#### Activation Business Plan

A Business Plan will ensure that the investment is understood and agreed and that it is the basis for a strong relationship between the many organisations and individuals who participate.

#### The Activation Action Plan

An Action Plan will ensure that all the activities are given the time and space they need, that they are promoted to the audiences they are meant to attract and that they can be delivered, evaluated and celebrated.





PART 04  
BUSINESS  
FRAMEWORK

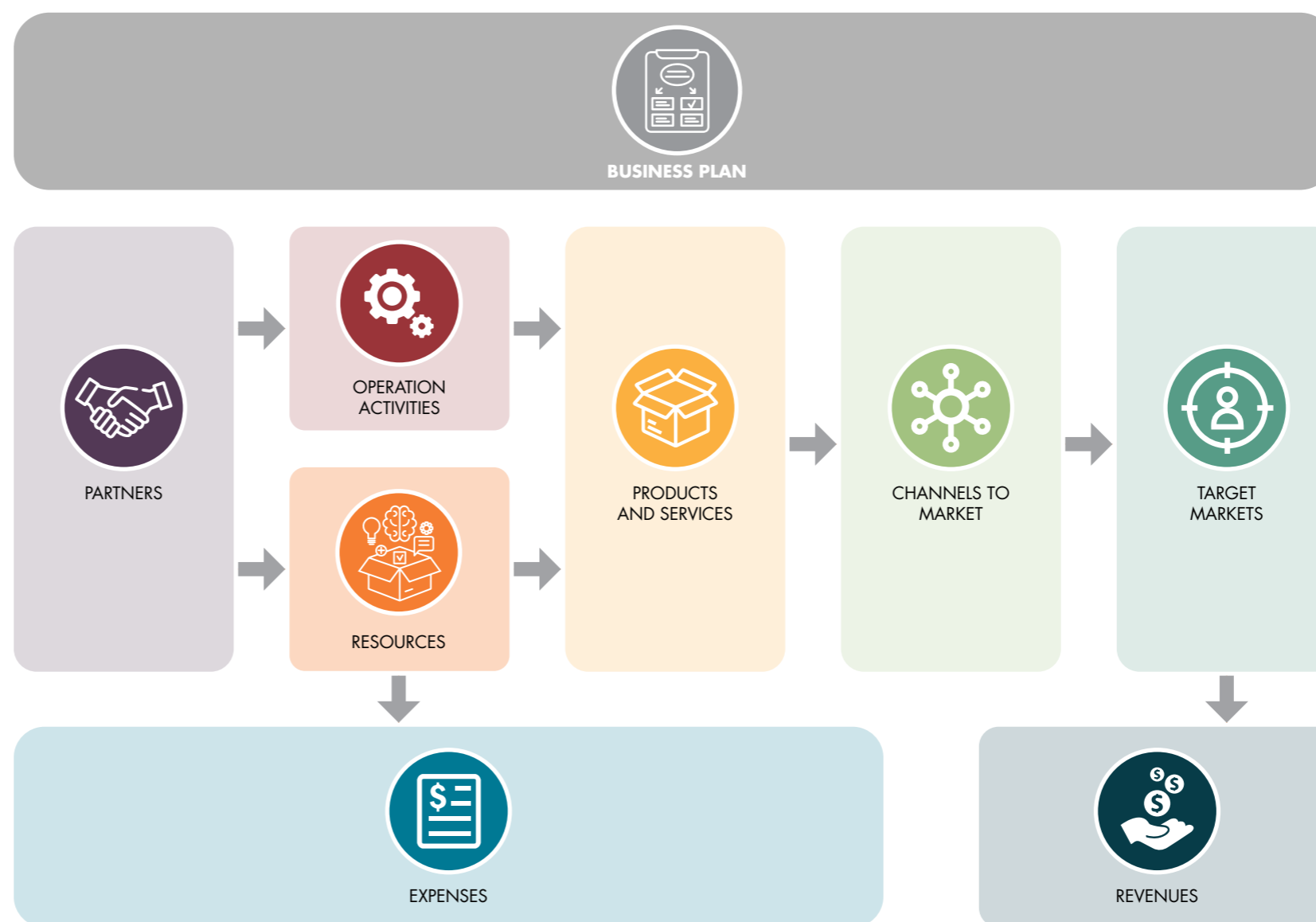
## 4. BUSINESS FRAMEWORK

### Activation Business Plan Framework

This is a Framework which can be used to help participants in activating the Arts Precinct to define their arts offer. It provides a framework for discussion, it will clarify what is being created and for whom, as well as the activities and resources required by those who are presenting. It will also be a means of tracking progress and the basis for evaluating the results.

This diagram shows how the activities relate. It is helpful to have a summary page in this format, for participants to use as a guide.

This framework can be used for a single activity, or for a group of activities provided by one organization. The words products and services have been used, however, if this feels too commercial then the word activity can be substituted.



## 4. BUSINESS FRAMEWORK

**Partners**

List the partners needed to deliver the operations and the products and services. Partners provide funds or in-kind assistance.

Examples:

- Council
- Grant funders
- Suppliers (not including people who are paid in full for their services – they may be classed as e.g. contractors)

**Operation Activities**

List all the activities that must be undertaken to produce the product or service and take it to market.

Examples:

- Booking
- Marketing
- Product/Service Design
- Product/Service Development
- Product/Service Delivery
- Administration
- Financial Management
- Recruitment and training
- IT expertise
- Cleaning
- Maintenance

**Resources**

List all the resources that you need to undertake the operational activities.

Examples:

- Paid staff
- Volunteers
- Contractors
- Space
- Equipment
- Materials
- Furniture
- IT

**Products and Services**

List and describe all the products and services that will be delivered. It also helps to define them in relation to their value to the target market. The Value element describes what the market will gain by 'buying' the product or service. Defining value helps test why an activity has been chosen and how to market it.

Examples:

- Exhibitions
- Classes
- Markets
- Shop
- Networking Event
- Art party
- Membership

**Channels to Market**

List the ways in which you will reach the audience and communicate the offer/sell the product

Examples:

- Face to face chat
- Website
- Advertising
- Newsletter
- Social media (Facebook, Instagram, Twitter)
- Temporary signage

**Market Segments**

List all the segments being targeted, linked back to the specific products and services

Examples:

- Professional artists (name the media if appropriate)
- Amateur artists
- Beginner artists
- Arts audiences in Echuca
- Arts audiences in Victoria
- Non-arts audiences
- Schools
- Current and potential members
- General public

**Expenses**

These are drawn from the resources list. This determines what it costs to deliver the product or service.

**Revenues**

These are mostly drawn from the target markets. However, the revenues will also be derived from partners – funders.

PART 05  
APPENDIX

# APPENDIX A: BACKGROUND

## 2. BACKGROUND

### Indigenous Culture and Influences

We respectfully acknowledge the Yorta Yorta Nation as the traditional Owners of the land of the communities that the Creative Art's Precinct plan has been developed for.

The Echuca Art Precinct is located on Yorta Yorta country. This connection to country by the Aboriginal people has been for the past 50,000 to 60,000 years supporting a population of 5,000 to 6,000 people. Echuca is an aboriginal word meaning the meeting of the waters. The Murray, Campaspe, and the Goulburn rivers. This river system provided abundant resources for the aboriginal people.

European settlement had a devastating impact on the number of Aboriginal people and their culture. The population was reduced by 85 percent. The Aboriginal people were moved onto mission stations where many traditions and customs were forbidden and were not allowed to be practiced.

However today we are seeing great interest in the revival of language, stories, food etc. as a result of oral traditions being passed on from one generation to the other.

The arts have been an integral part of aboriginal culture e.g., basket weaving, storytelling through art works. Yorta Yorta Artists use of lines through their artwork representing the tall gums, reeds and the rivers.

Today we are seeing a revival of old arts e.g. weaving and the development of the new with a significant number of Aboriginal artist working in the area developing new projects using many techniques from the past.



The Yorta Yorta Nation  
Reference - <http://www.yynac.com.au/>



The Yorta Yorta basket weaving  
Reference - <https://cv.vic.gov.au/stories/creative-life/from-here-there/satinstitch-with-new-zealand-flax/>



The Yorta Yorta Possum Skin Cloak  
Reference - <https://cv.vic.gov.au/stories/aboriginal-culture/possum-skin-cloaks/possum-skin-cloak-wadi-wadi/>



The Yorta Yorta Possum Skin Cloak  
Reference - <https://cv.vic.gov.au/stories/aboriginal-culture/possum-skin-cloaks/possum-skin-cloak-wadi-wadi/>

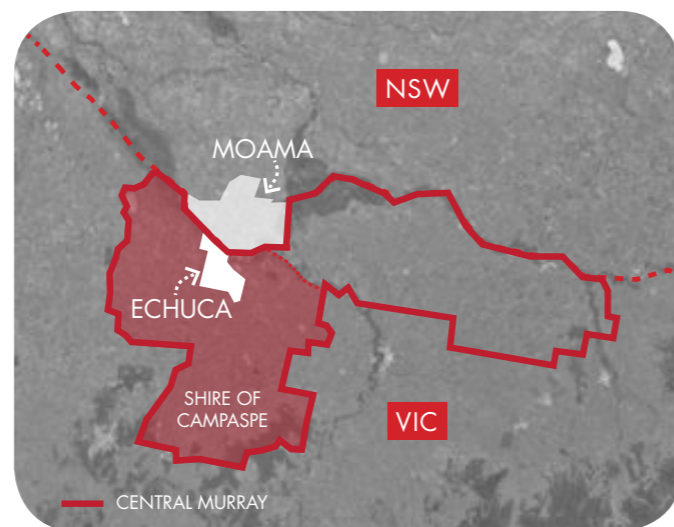


MARKET

## 2. BACKGROUND

### Demographic and Tourism Data

The key tourism data looks into the tourism data in the Central Murray Region and the Echuca-Moama Region.



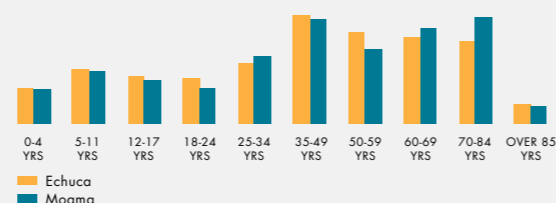
#### DEMOGRAPHIC DATA: ECHUCA and MOAMA

Population:

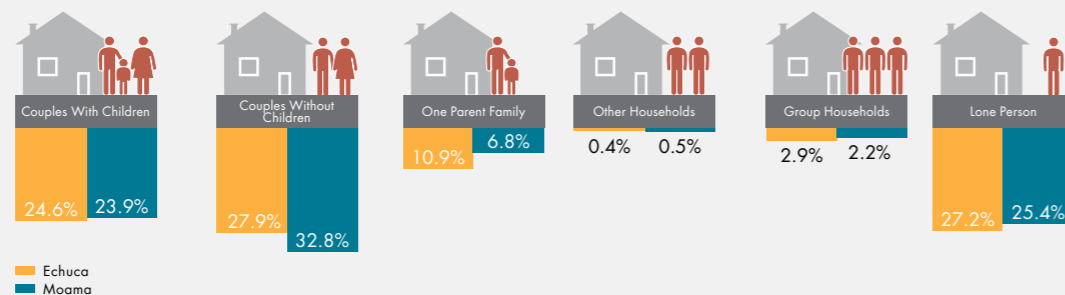
**14,000**  
PEOPLE IN ECHUCA (EAST, WEST AND CENTRAL)

**6,165**  
PEOPLE IN MOAMA

#### Age Structure - Service Age Groups:



#### Household Type in Echuca and Moama:



Resource: Profile Id. - Shire of Campaspe, 2016

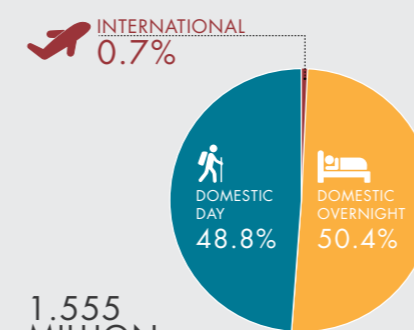
#### TOURISM DATA: CENTRAL MURRAY

**65,902**  
PEOPLE IN THE CENTRAL MURRAY REGION



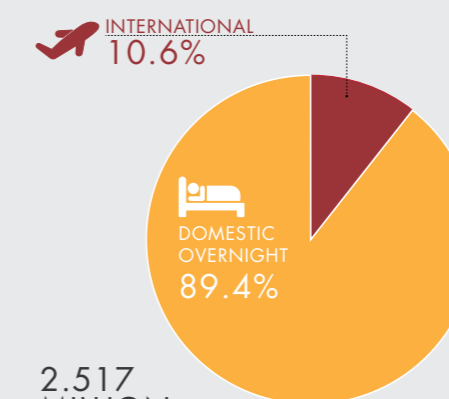
The Central Murray Region consists of Cobram, Echuca, Kyabram, Lockington-Gunbower, Moiram Numerkah, Rochester, Rushworth, Tarrawonga

Visitors in the Central Murray Region:



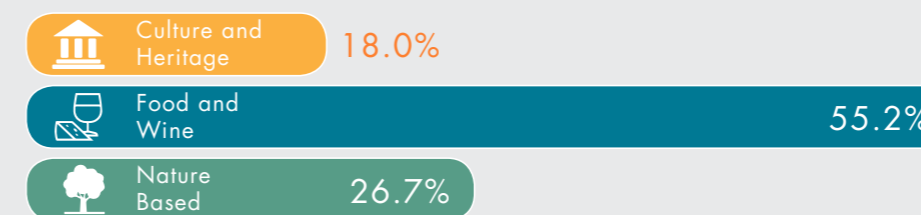
**1.555**  
MILLION  
TOTAL VISITORS

Night Visitors in the Central Murray Region:



**2.517**  
MILLION  
TOTAL VISITORS

Activities in the Central Murray Region:



Resource: Tourism Region Profiles, 2015 - Tourism Research Australia

## 2. BACKGROUND



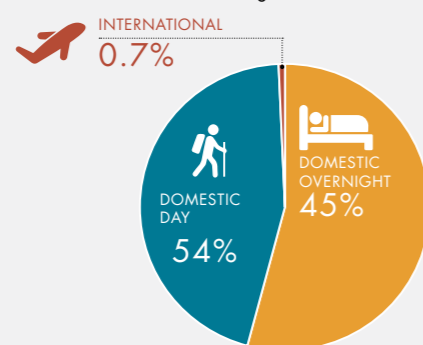
MARKET

### Demographic and Tourism Data

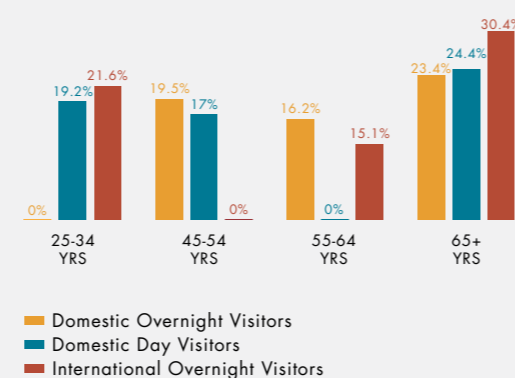
#### TOURISM DATA: ECHUCA-MOAMA

Visitor types in Echuca-Moama:

Visitors in Echuca Moama Region: 1.49 million

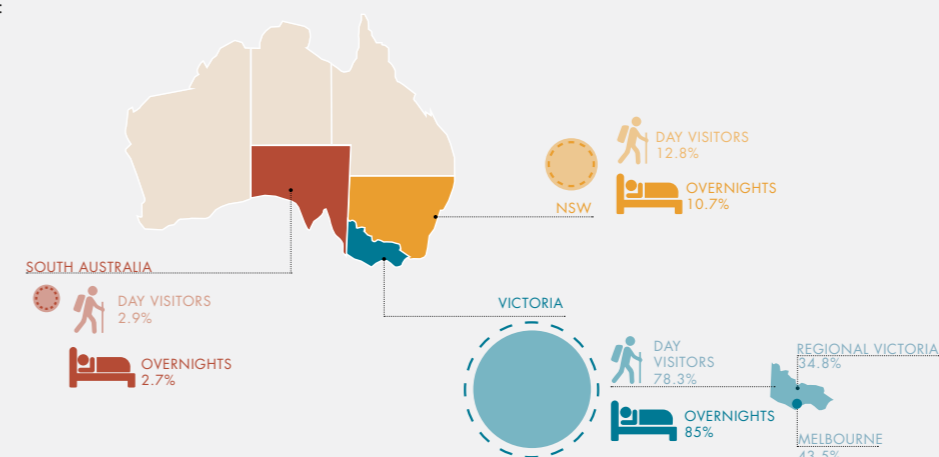


#### Demographic of Visitor Type:

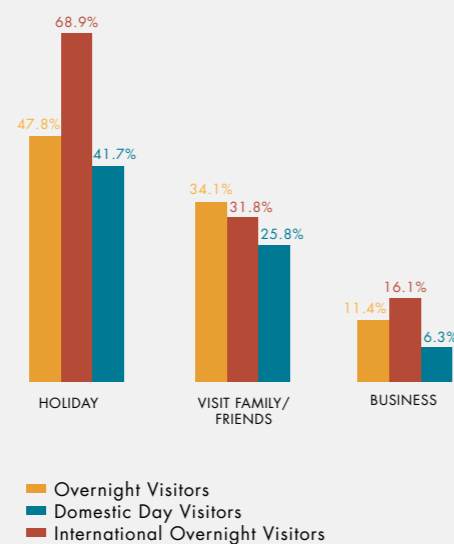


#### Domestic Visitors to Echuca-Moama:

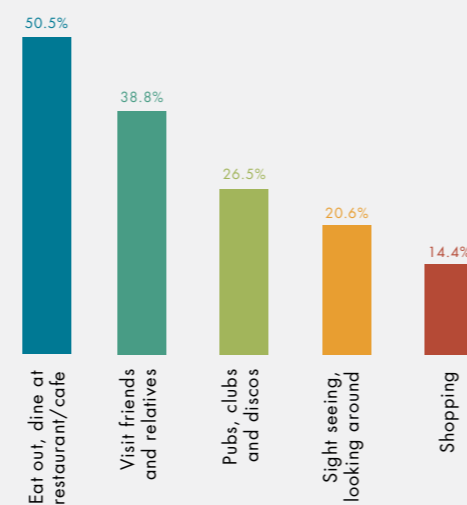
Top 3:



#### Purpose of visit in Echuca-Moama:

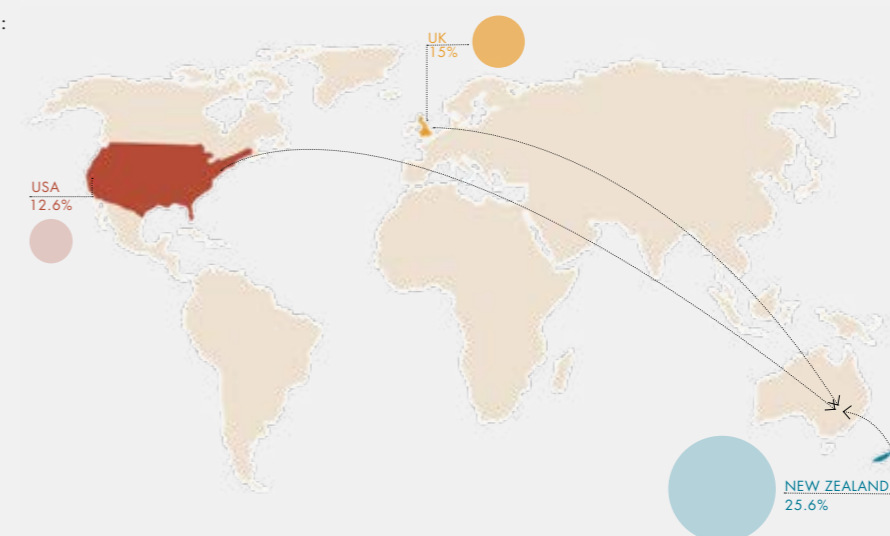


#### Activities in Echuca-Moama:



#### International visitors to Echuca-Moama:

Top 3:



Reference - Echuca Moama Tourism Strategic Plan 2018-22



# APPENDIX B: URBAN ANALYSIS

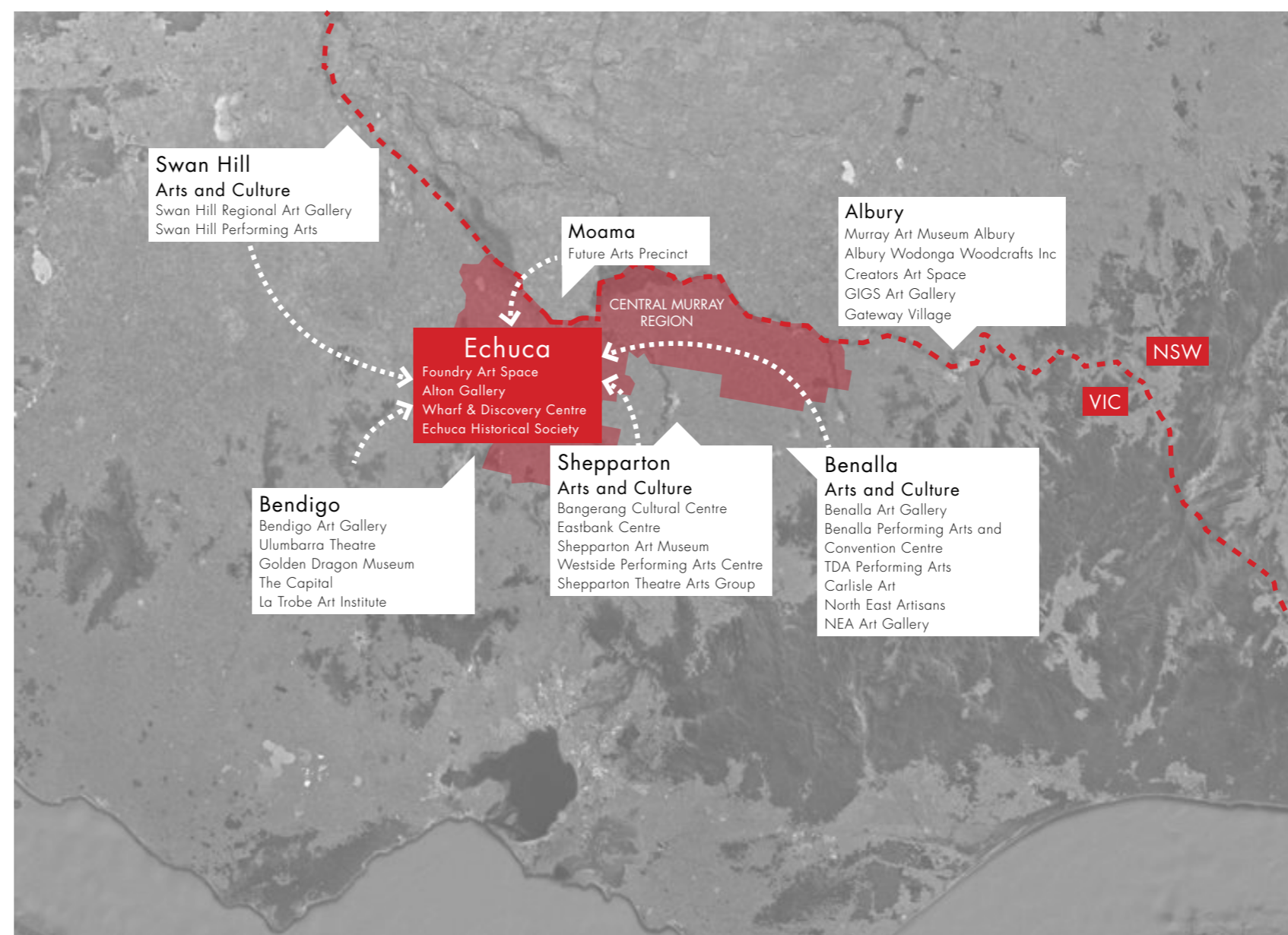
### 3. URBAN ANALYSIS

#### Regional Scale - Regional Arts and Culture Precincts

Echuca is surrounded by a number of regional arts and cultural precincts, such as Swan Hill, Shepparton, Bendigo, Benalla and Koondrook. Being a centre to these rural arts precincts, gives Echuca the opportunity to connect with other rural communities through the arts and culture.



CONNECTIVITY



### 3. URBAN ANALYSIS










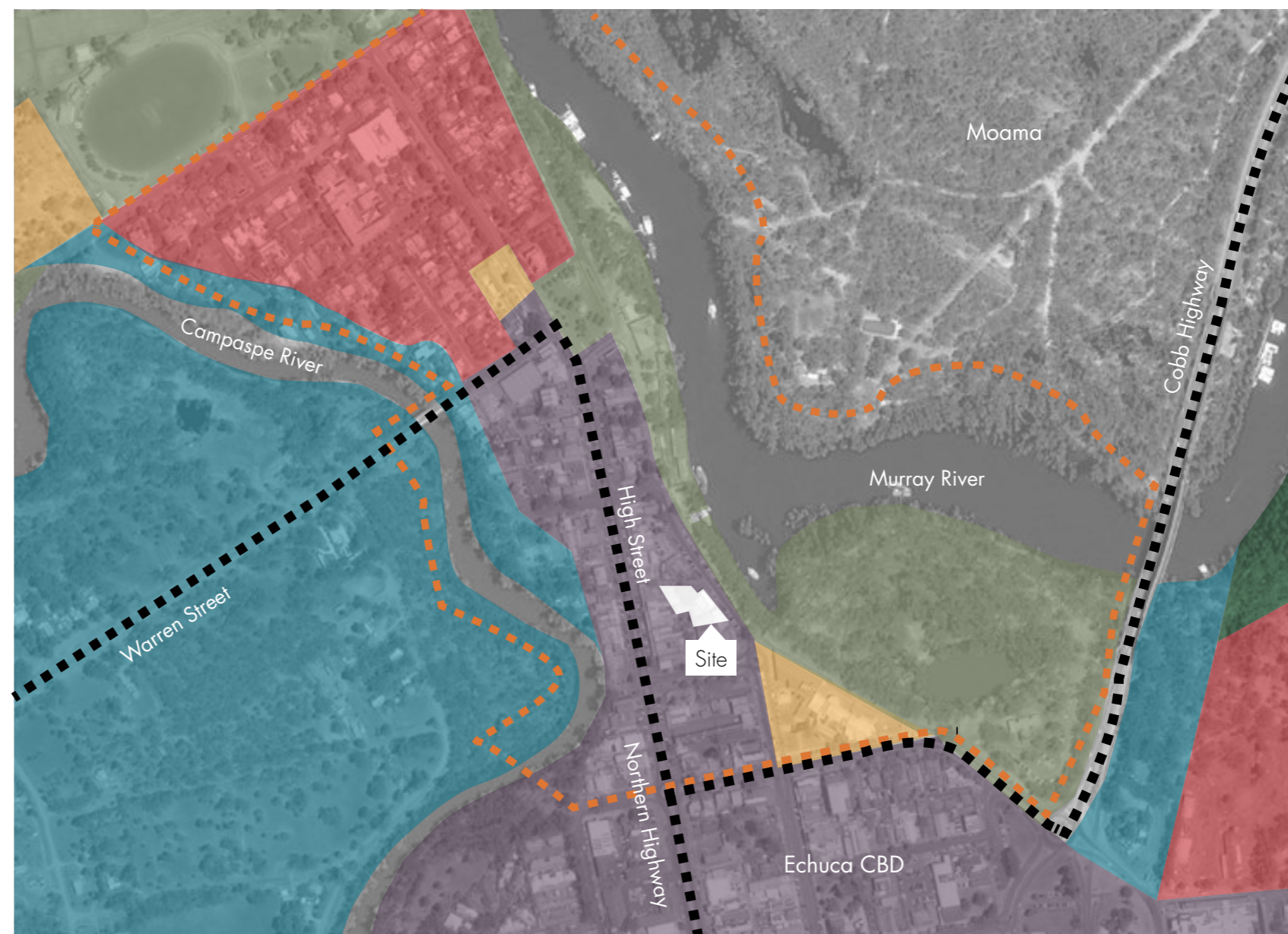
CONNECTIVITY

#### Echuca - Zoning and Land Use

As shown in the map, the Echuca Art Precinct is located in a retail and commercial zone, surrounded by public park and recreation areas, an urban flood zone and a residential area.

#### Legend

-  Urban Flood Zone
-  Retail and Commercial Zone
-  Residential Zone
-  Public Park and Recreation
-  Public Use
-  Heritage Precinct
-  Main Highways



Resource: Campaspe Planning Scheme - Local Provision Map 8 ([http://planning-schemes.delwp.vic.gov.au/\\_\\_data/assets/pdf\\_file/0009/466884/campaspe08zn.pdf](http://planning-schemes.delwp.vic.gov.au/__data/assets/pdf_file/0009/466884/campaspe08zn.pdf))  
 Campaspe Planning Scheme - Local Provision Map 9 ([http://planning-schemes.delwp.vic.gov.au/\\_\\_data/assets/pdf\\_file/0005/466889/campaspe09zn.pdf](http://planning-schemes.delwp.vic.gov.au/__data/assets/pdf_file/0005/466889/campaspe09zn.pdf))

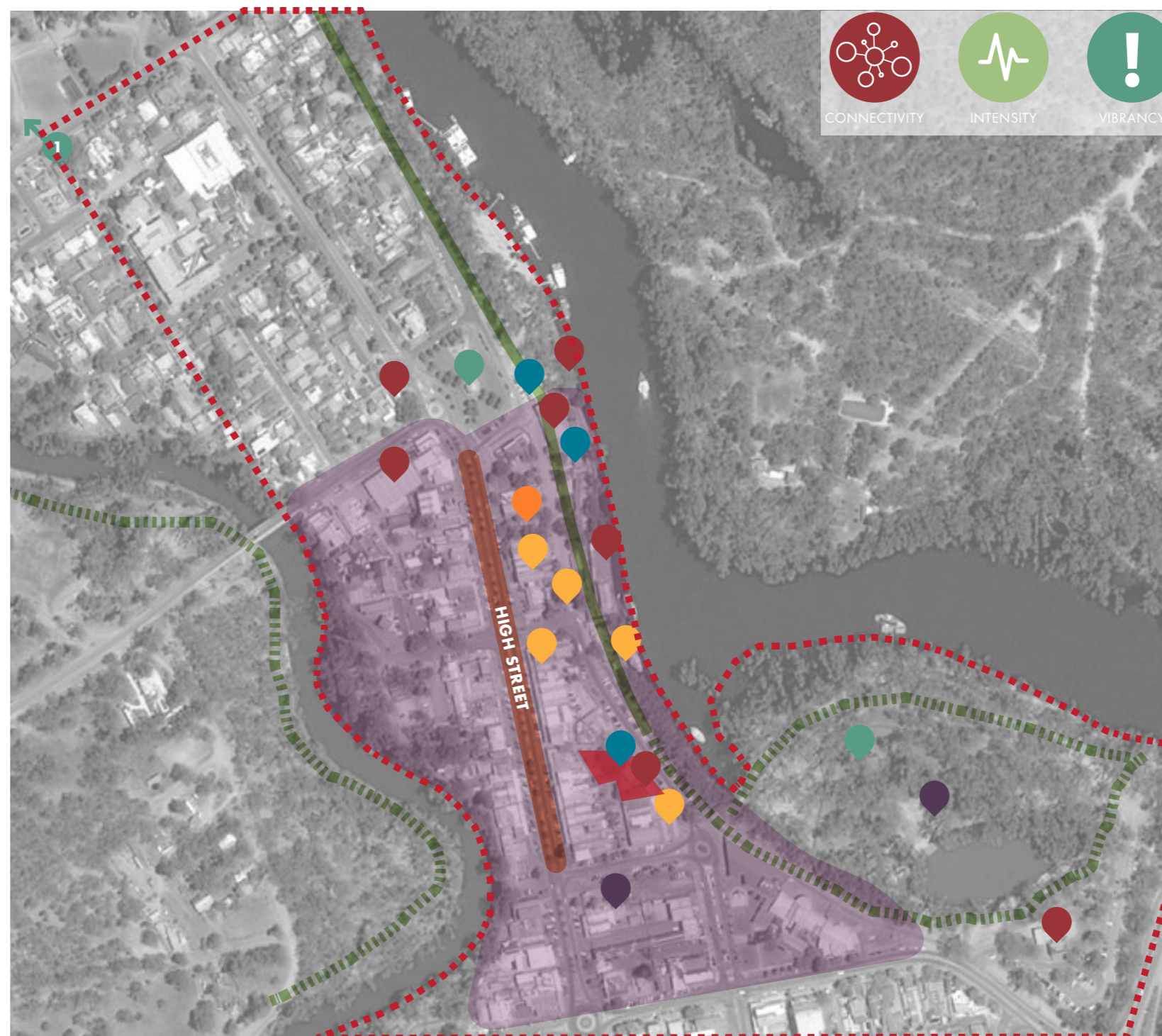
### 3. URBAN ANALYSIS

#### Echuca - Attractions and Places of Interest

The Art Precinct is located within the Heritage Port Precinct with other attractions and activities, such as museums, parks, wineries, arts and craft, recreational activities and festivals.

#### Legend

-  Site
-  Historic Port Precinct
-  Museums
-  Arts and Crafts
-  Parks
-  Attractions and Recreation
-  Wineries
-  Events and Festival Locations (Riverboats Music Festival and Echuca-Moama Winter Blues Festival - Heritage Precinct)
-  Long Paddock Touring Route
-  Cycling Track
-  Cycling and Walking Track
-  Walking Track
-  Main Food, Drinks and Retail Street

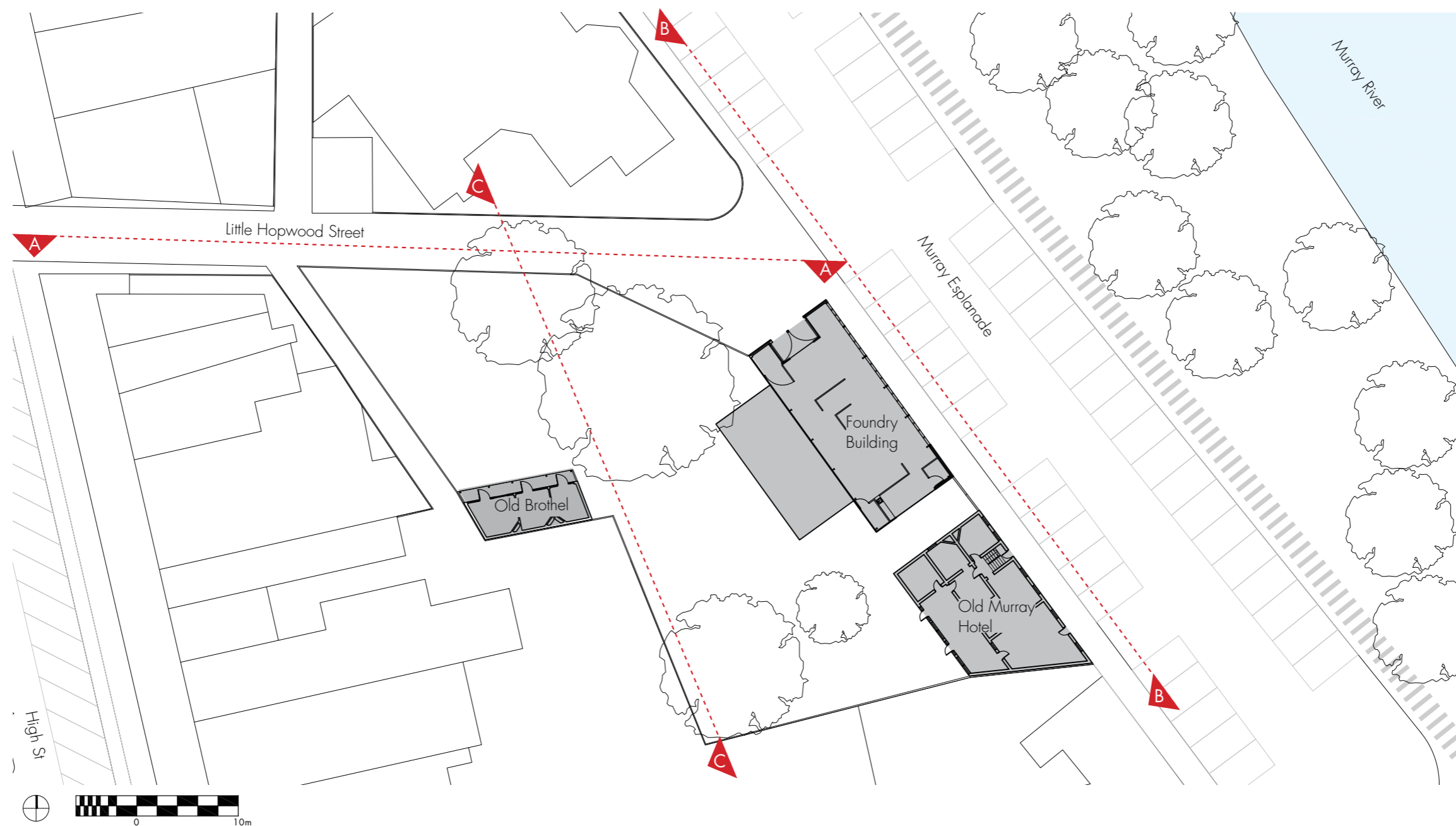


# APPENDIX C: SITE ANALYSIS

### 4. SITE ANALYSIS



Site Plan 1:200

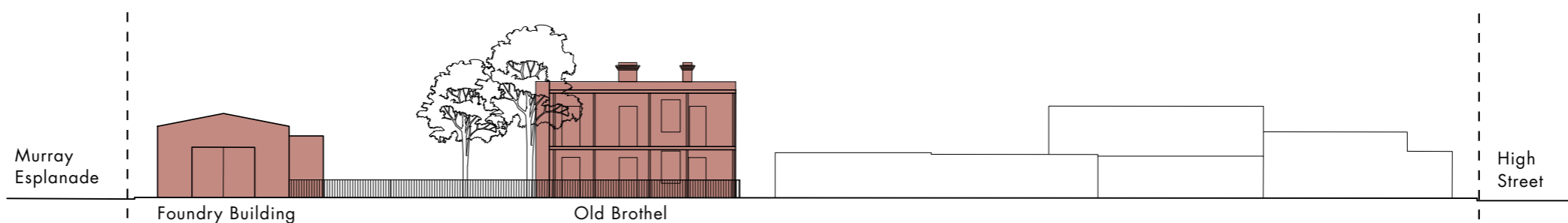


### 4. SITE ANALYSIS

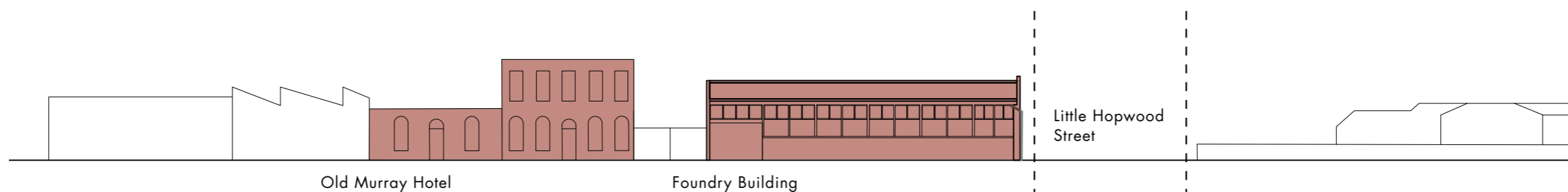


VISIBILITY

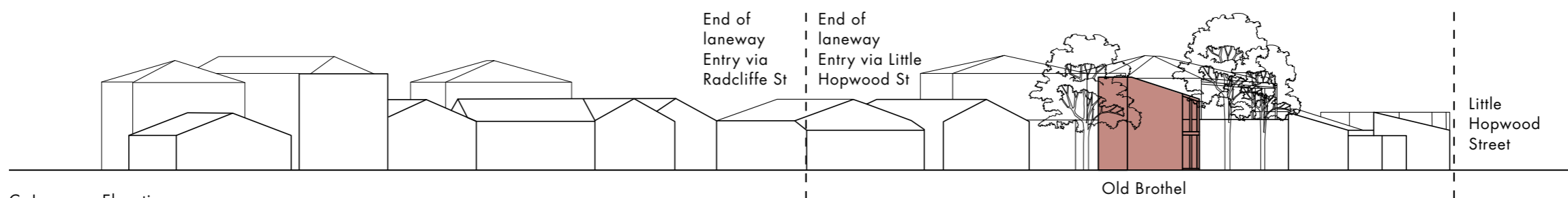
Site Elevations 1:150



A. Little Hopwood St Elevation



B. Murray Esplanade Elevation



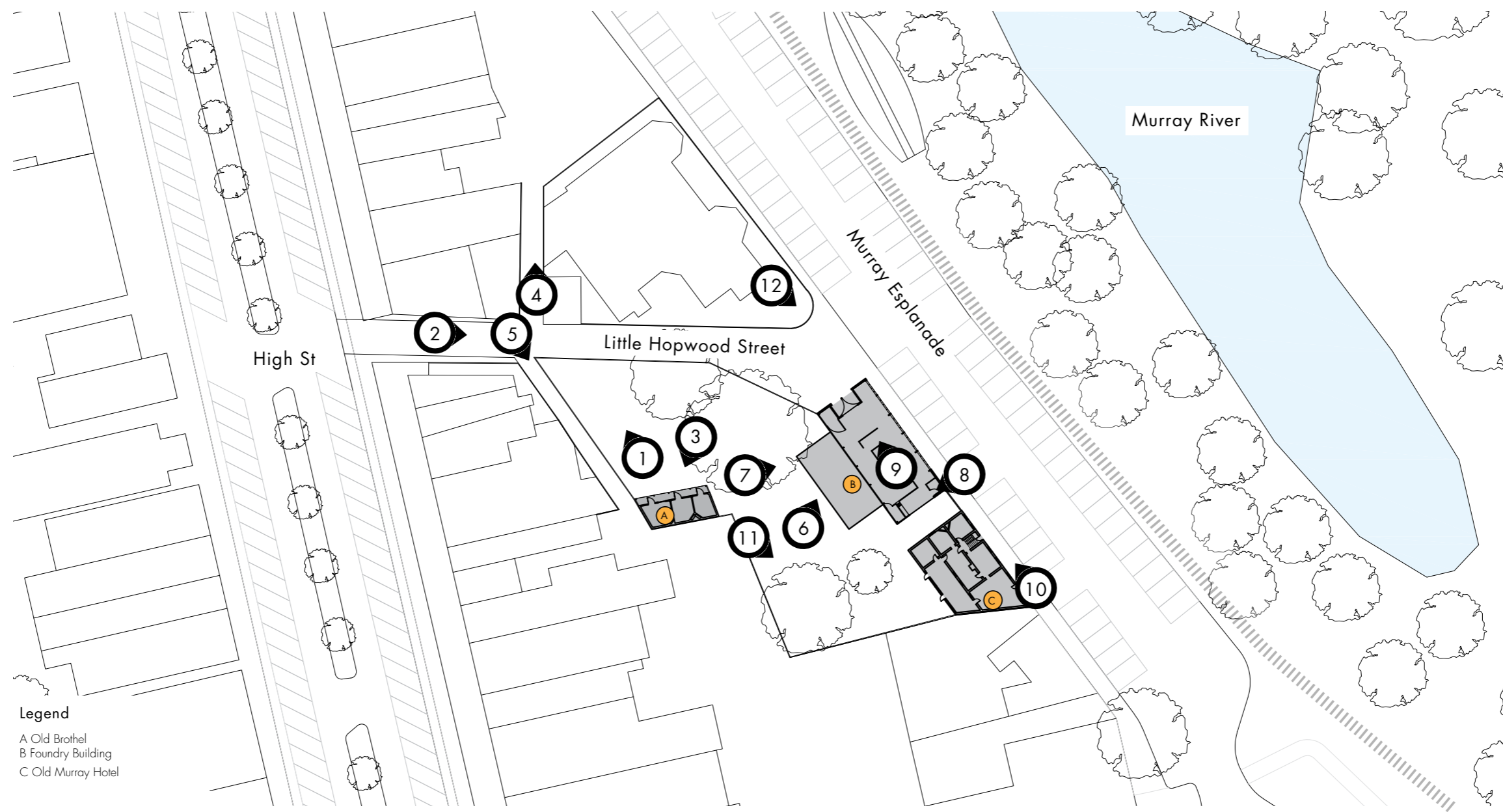
C. Laneway Elevation



### 4. SITE ANALYSIS



#### Site Context



- Legend**
- A Old Brothel
  - B Foundry Building
  - C Old Murray Hotel



## 4. SITE ANALYSIS



### Site Photographs



1 Paved area in front of Old Brothel



2 Little Hopwood Street looking toward Esplanade



3 Old Brothel



4 Laneway



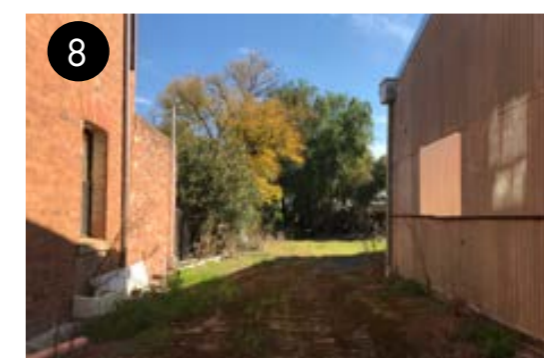
5 Laneway between Old Brothel and Shops



6 Back of Foundry over fence



7 Back of Foundry



8 Gate entry between Foundry and Old Murray Hotel



9 Foundry Interior, Gallery spaces



10 Old Murray Hotel along Murray Esplanade



11 Back of Old Murray hotel from Foundry



12 Entrance of The Foundry

## 4. SITE ANALYSIS

### Arborist Report Summary

4 Schinus molle (Peppercorn) trees were assessed at the Old Brothel Site, Echuca. The trees are in a prominent position with roads, paths and infrastructure on all sides (proposed).

Trees 2 and 4 have 'Good' Health and 'Good' Structure. Trees 1 and 3 have "Fair/Good" Health and "Fair/Good" and "Poor/Fair" Structure.

Subject tree two has raised roots within the recessed timber boundary fence line. No noteworthy decay/ cavities were detected.

Remedial work is required to be undertaken at this time with a Low Priority category. Further investigation to mitigate root damage is required pre/during and post Construction of site upgrade.

The recommended trees 2 and 4 to be retained are presently manageable within the landscape under an annual assessment program.



Tree 1



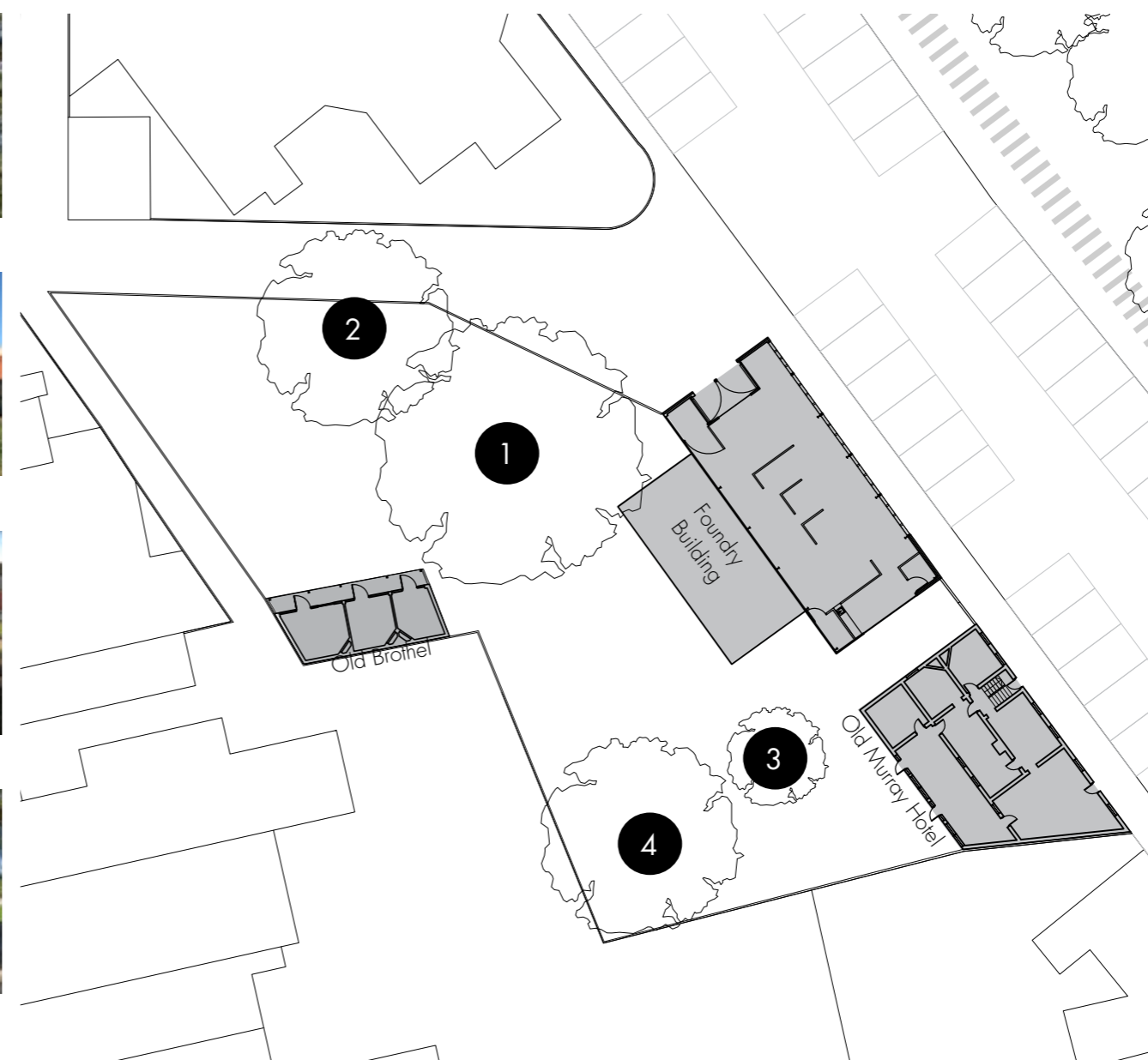
Tree 3 and 4



Tree 1



Tree 2

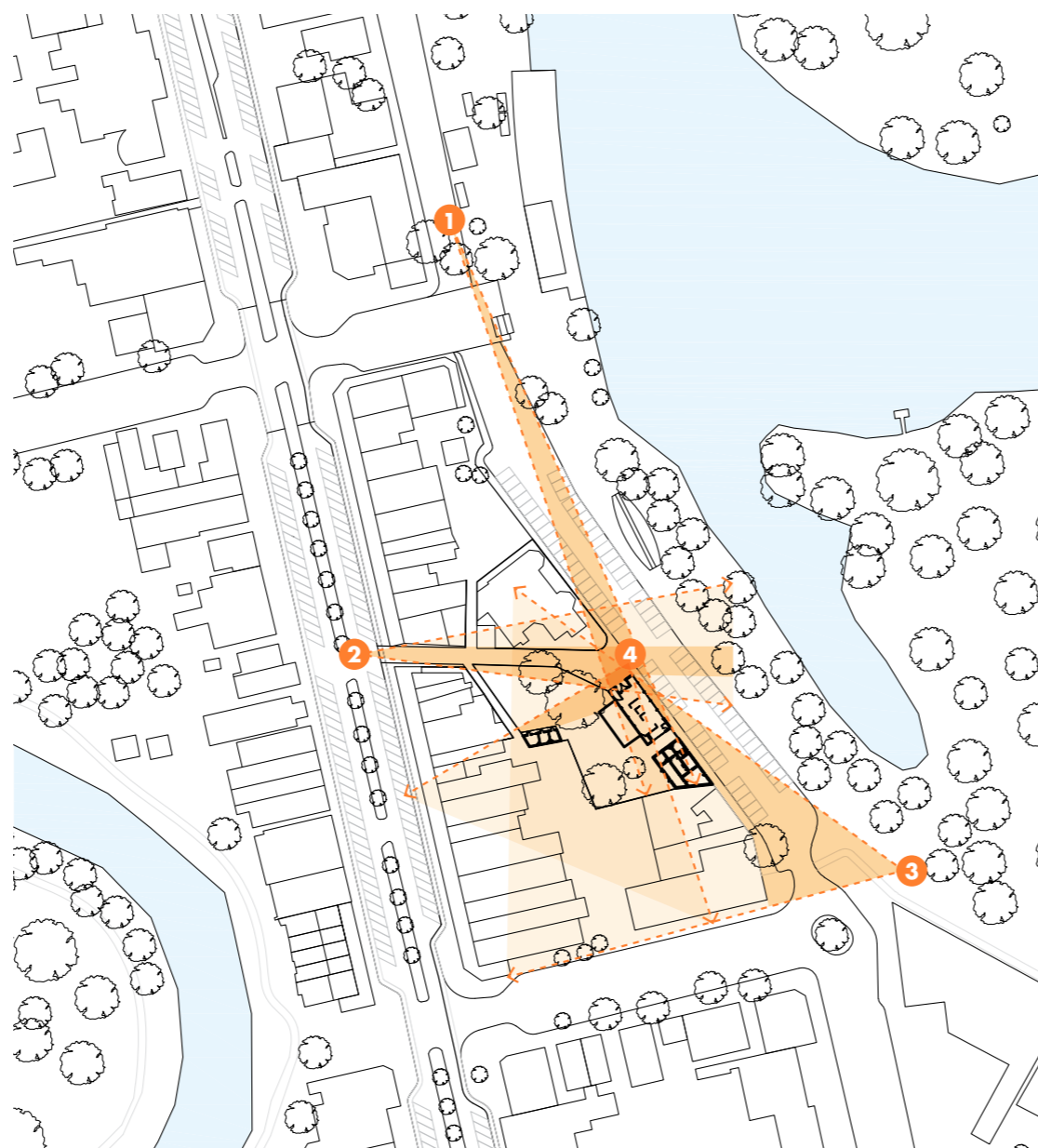
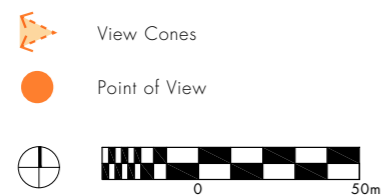


## 4. SITE ANALYSIS

### Vistas - To the Arts Precinct

From some of the key views, the Foundry Art Space and the Old Murray Hotel are highly visible, though the Brothel and the current entry to the open space has low to no visibility. From this analysis, it is evident that there will need to be a signifier or attractor added to the surfaces of the site, potentially to the ground or adjacent walls, to draw attention to the Arts Precinct.

#### Legend



CONNECTIVITY



VISIBILITY



**1 From the Port Precinct**  
The Arts Precinct can be viewed from the entry of the Port Precinct. The Foundry Art Space's main facade is the most prominent facade visible from the port. Visibility to the rest of the site is poor.



**2 From Little Hopwood Street**  
Little Hopwood Street is one of the main thoroughfares that leads to the site. Visibility to the sight here is low, some form of signage or attractor will need to be.



**3 From the Library**  
The Old Murray Hotel and the Foundry Art Space are visible from the Library, though the rest of the site has poor visibility.

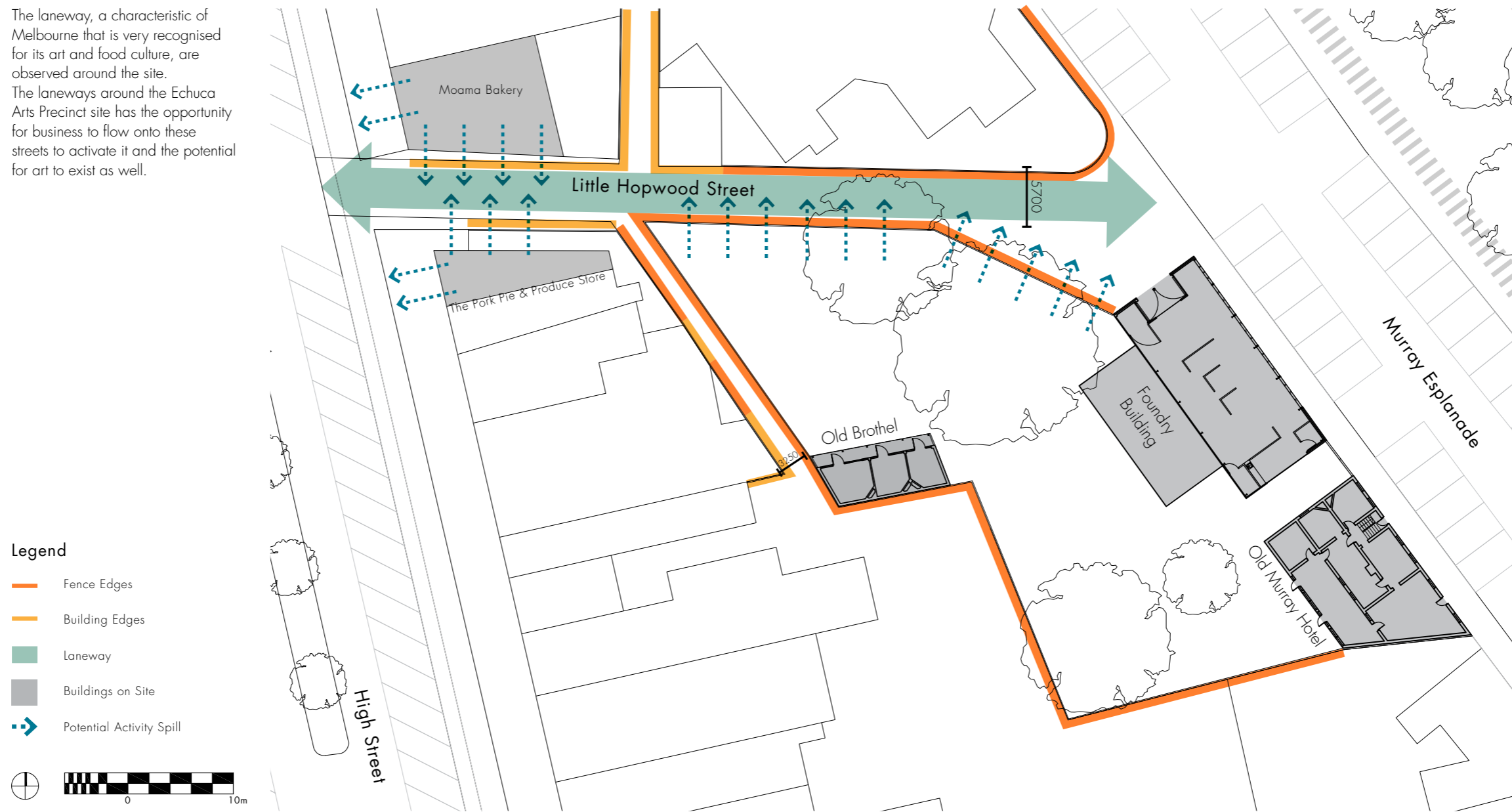


**4 From the Murray Esplanade**  
There is a clear visual of the Old Brothel from the intersection of Little Hopwood Street and the Murray Esplanade.

## 4. SITE ANALYSIS

### Laneway - Public Access

The laneway, a characteristic of Melbourne that is very recognised for its art and food culture, are observed around the site. The laneways around the Echuca Arts Precinct site has the opportunity for business to flow onto these streets to activate it and the potential for art to exist as well.









## 4. SITE ANALYSIS

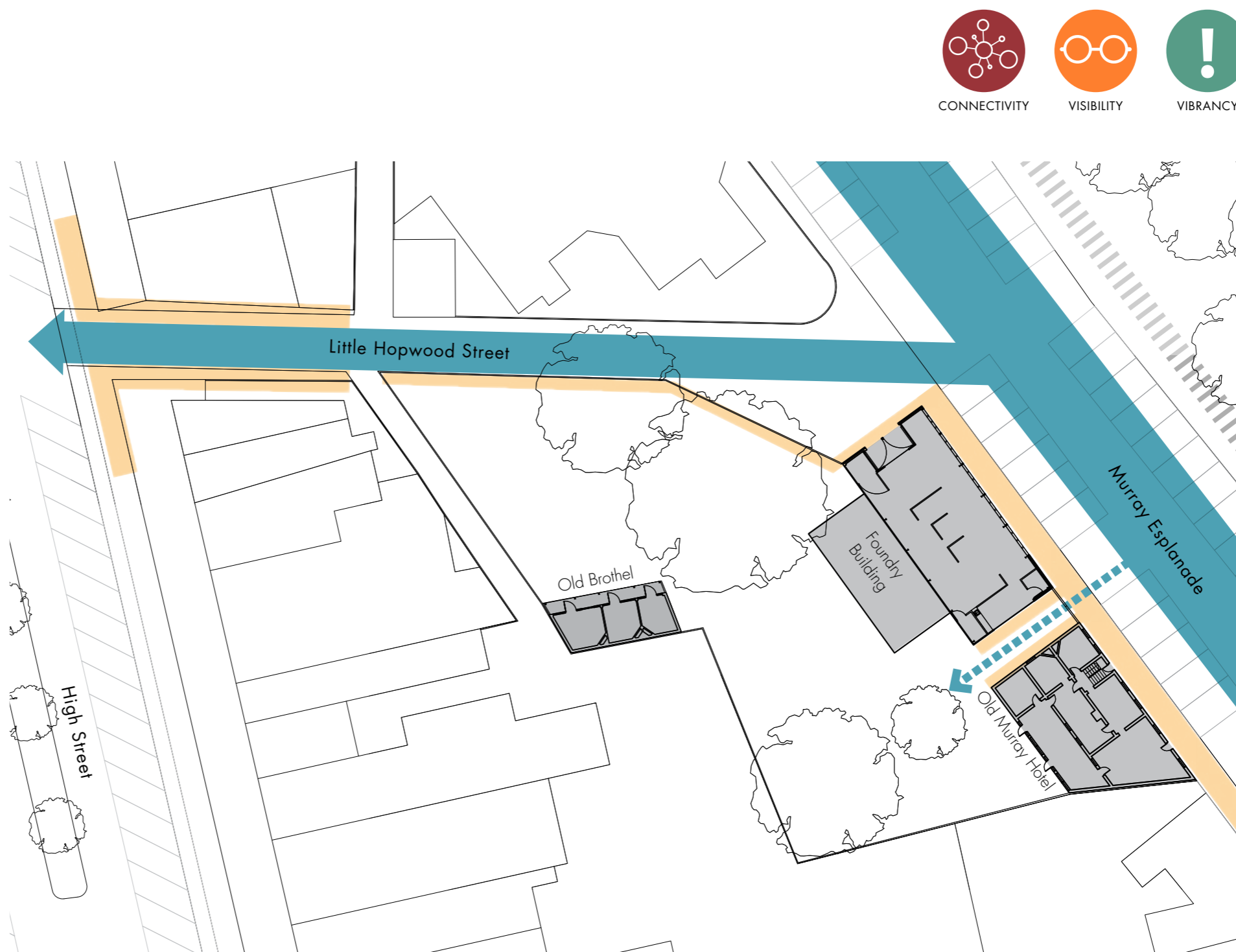
### Thoroughfares & Active Edges

From the visibility analysis previously, understanding the thoroughfares to the site is very important and key to activating the site. Little Hopwood Street and the Murray Esplanade are key street thoroughfares to the site. In order to activate these thoroughfares, the intersection between High Street and Little Hopwood Street will need an activation strategy, along with the edge of the Foundry Art Space and the Old Murray Hotel closest to the Murray Esplanade.

Minor thoroughfares, shown in dashed will be key to draw people into the site.

#### Legend

-  Potential Active Edge
  -  Primary Thoroughfare
  -  Secondary Thoroughfare
  -  Buildings on Site
-  






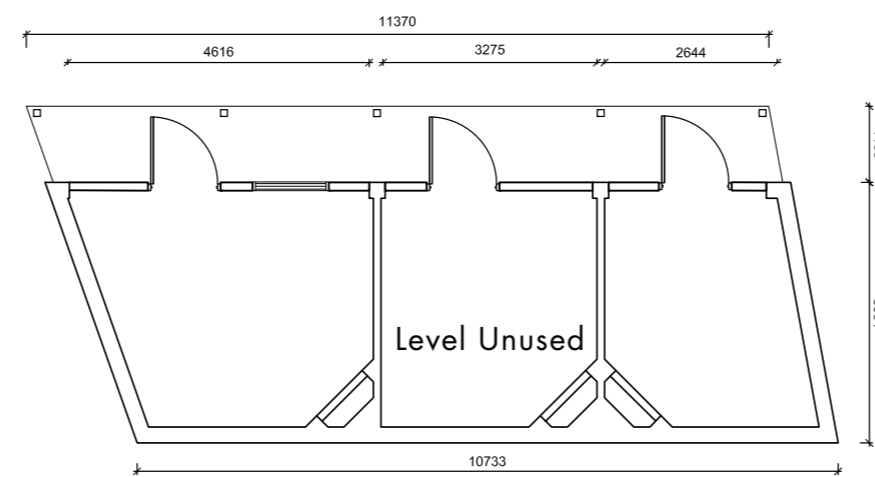
# APPENDIX D: SITE BUILDING ANALYSIS

## 5. SITE BUILDING ANALYSIS

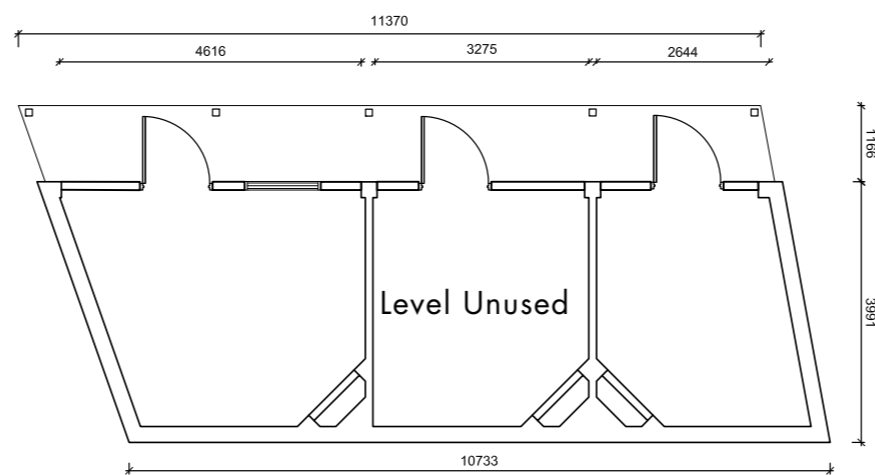
### A. Old Brothel

CREATIVE ARTS SPACE FEEDBACK

-  Lounge
-  Meeting/ Administration Spaces
-  Flexible Artist Studio
-  Gallery/Exhibition Spaces



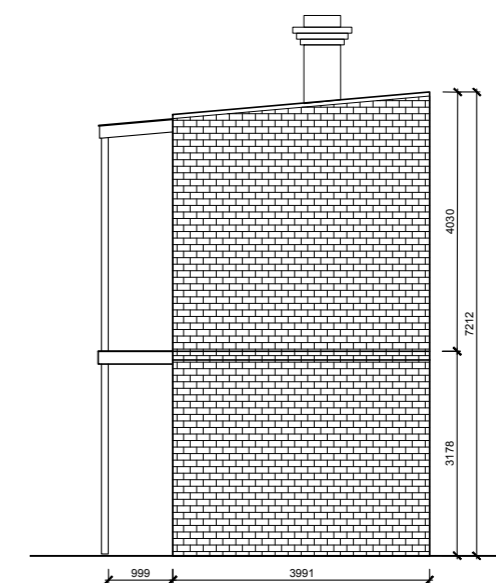
First Floor Plan



Ground Floor Plan



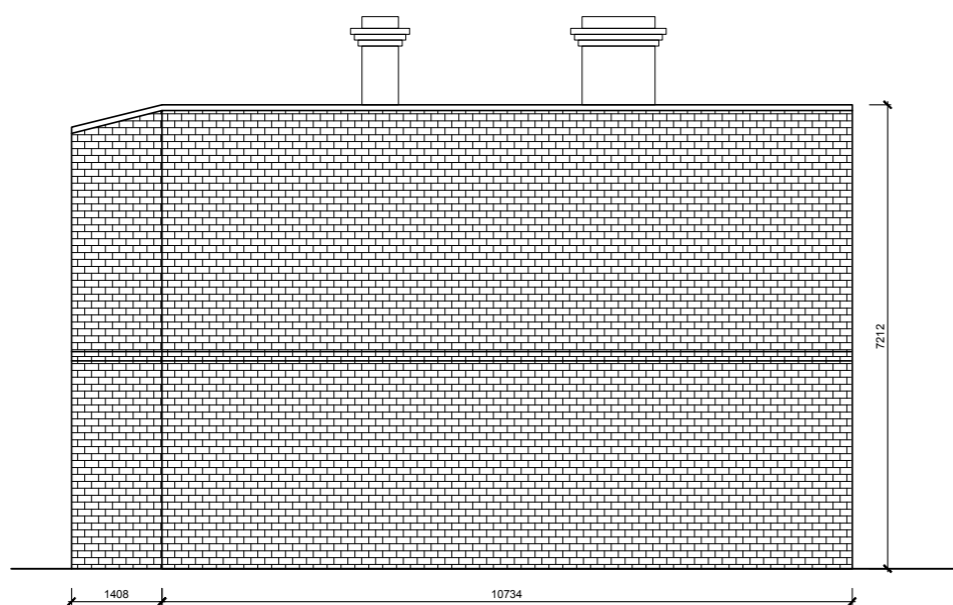
VIBRANCY



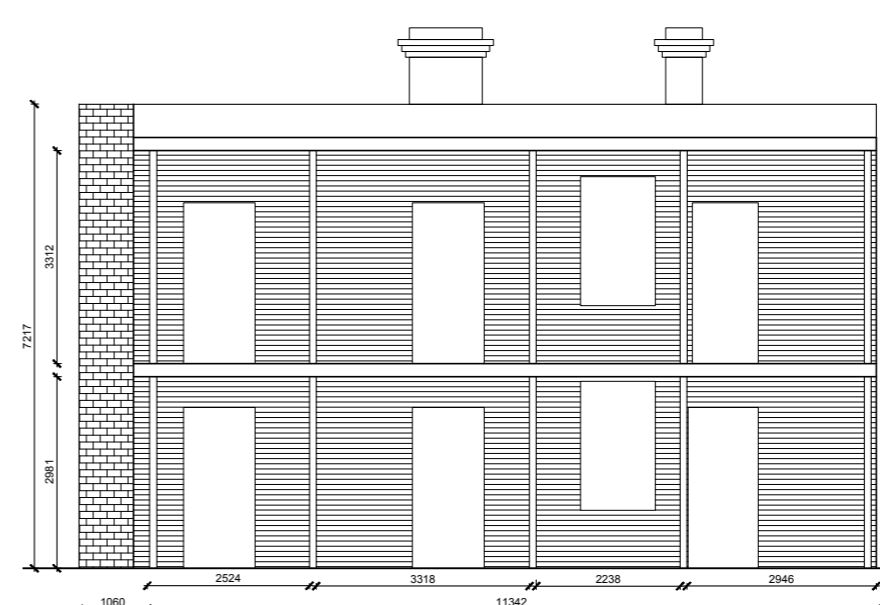
West Elevation

### 5. SITE BUILDING ANALYSIS

#### A. Old Brothel



South Elevation



North Elevation





## 5. SITE BUILDING ANALYSIS





VIBRANCY

### B. Foundry Building


**CREATIVE ARTS SPACE FEEDBACK**

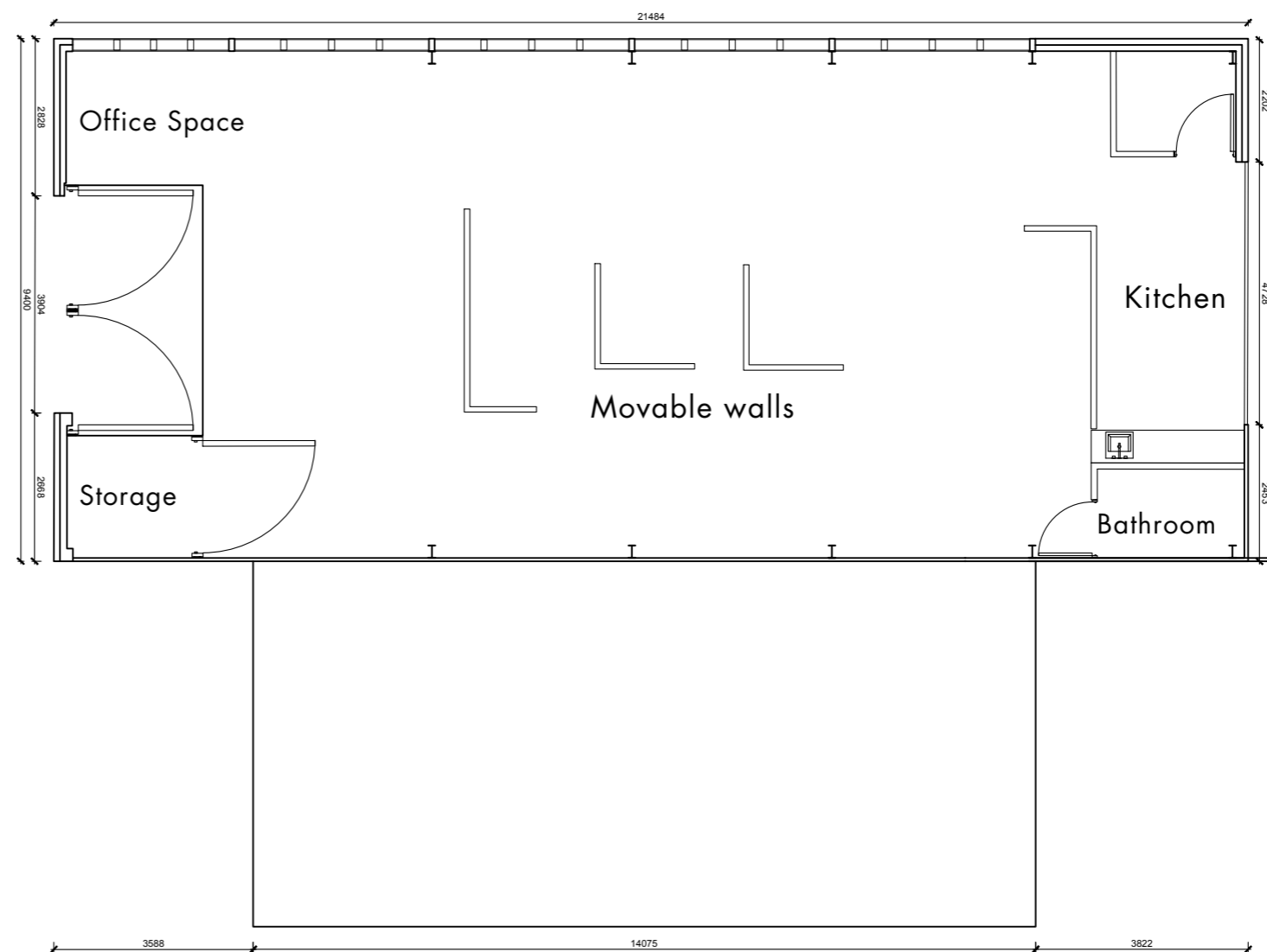
**FOUNDRY BUILDING**

-  Gallery/Exhibition Spaces
-  Event Space

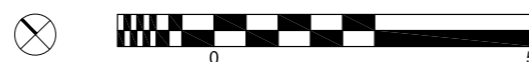
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**WORKSHOP SHED**

-  Storage Space
-  Rentable Art Studios
-  Workshop Space  
*(Photography, basket weaving, glass blowing, etc.)*
-  Retail  
*(Art supply shop & gallery shop)*



Ground Floor Plan

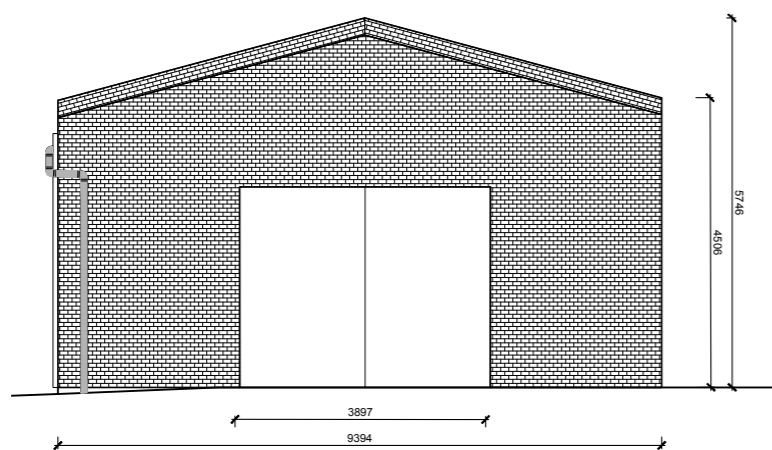


### 5. SITE BUILDING ANALYSIS

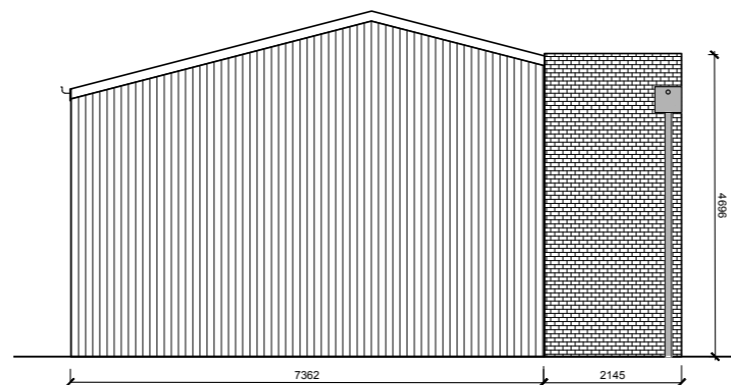


VIBRANCY

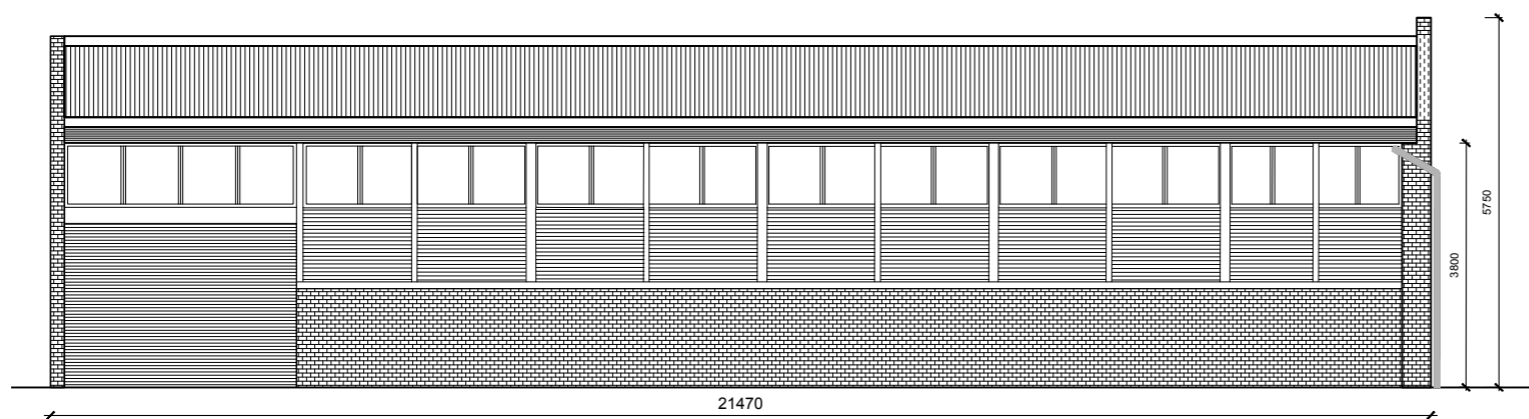
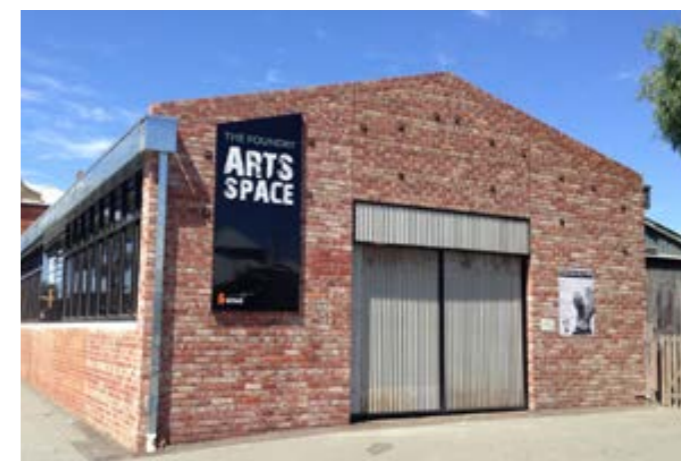
#### B. Foundry Building



Rear Elevation



North West Elevation



North East Elevation







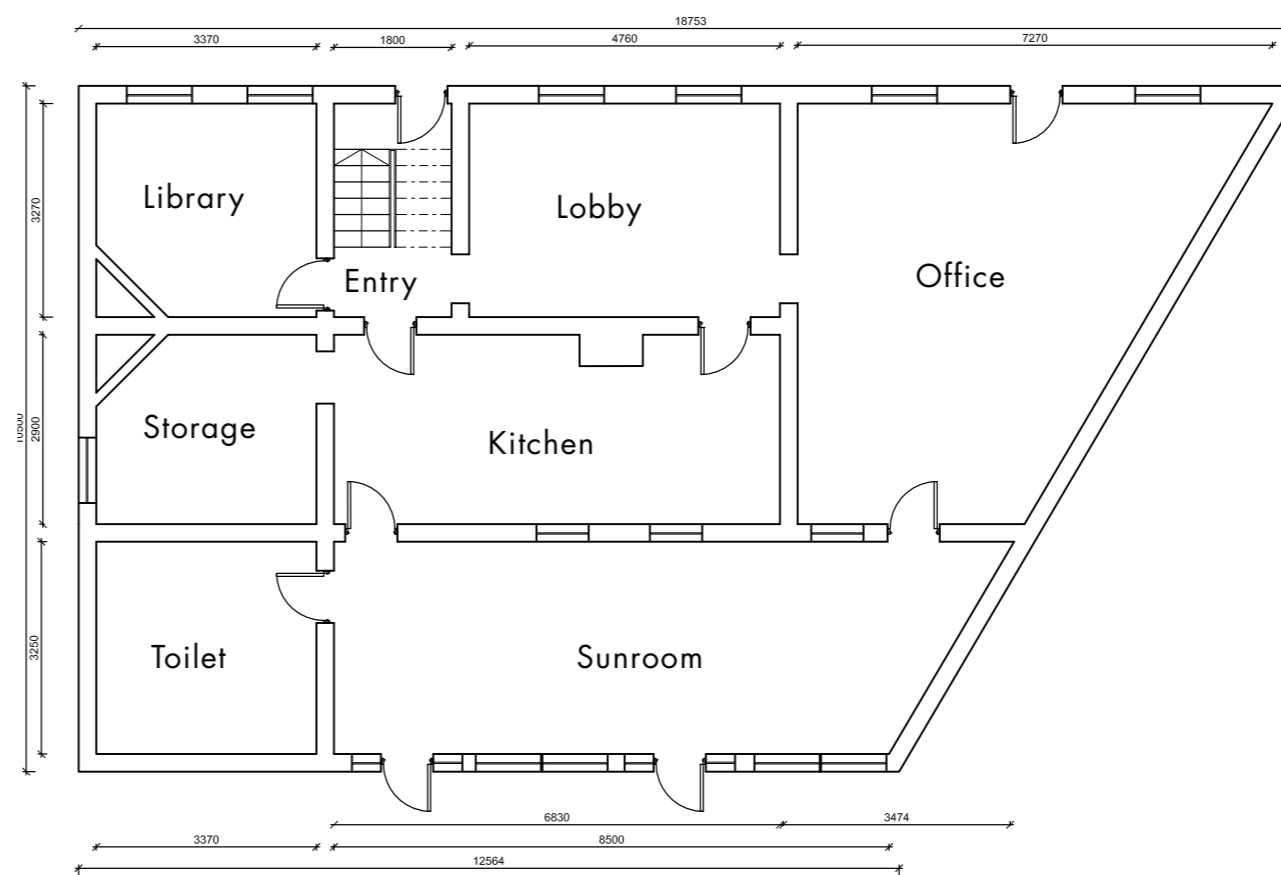
## 5. SITE BUILDING ANALYSIS

### B. Old Murray Hotel

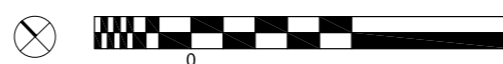


CREATIVE ARTS SPACE FEEDBACK

-  Art Studios
-  Performance Space
-  Gallery/Exhibition Spaces
-  Retail  
*(Art supply shop & gallery shop)*



Ground Floor Plan

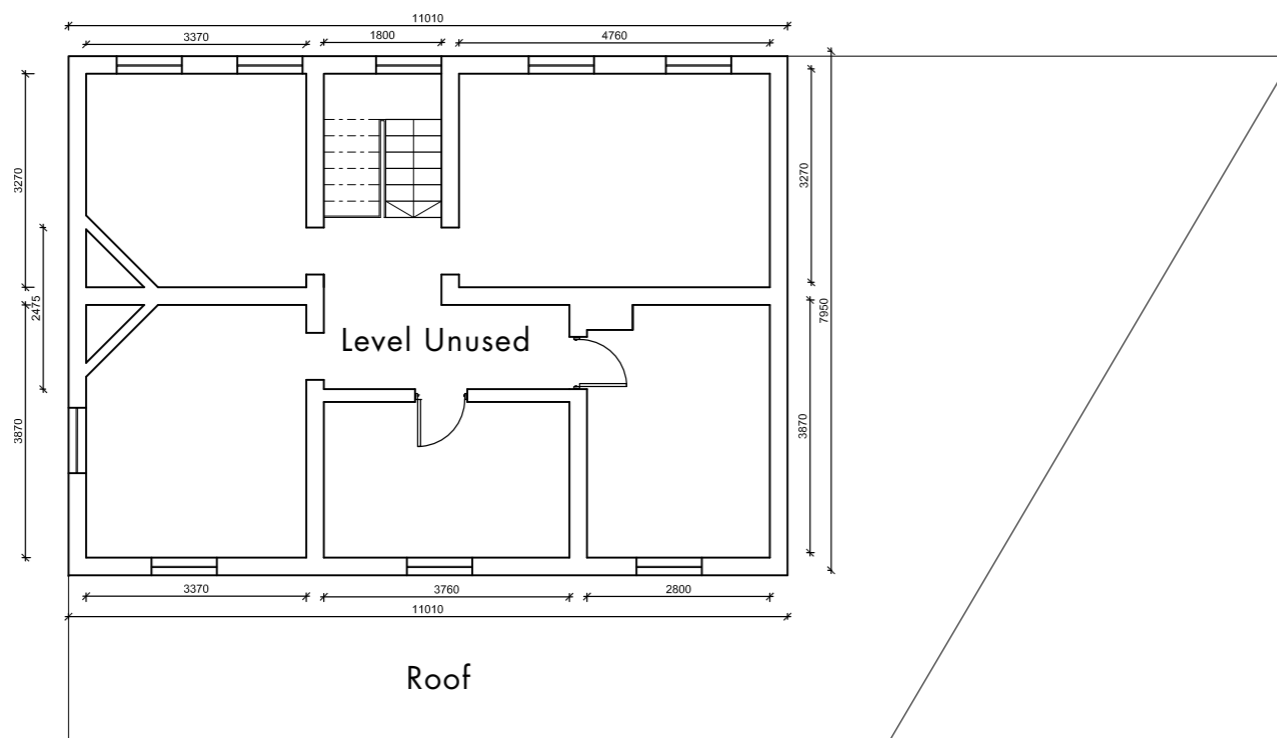


### 5. SITE BUILDING ANALYSIS

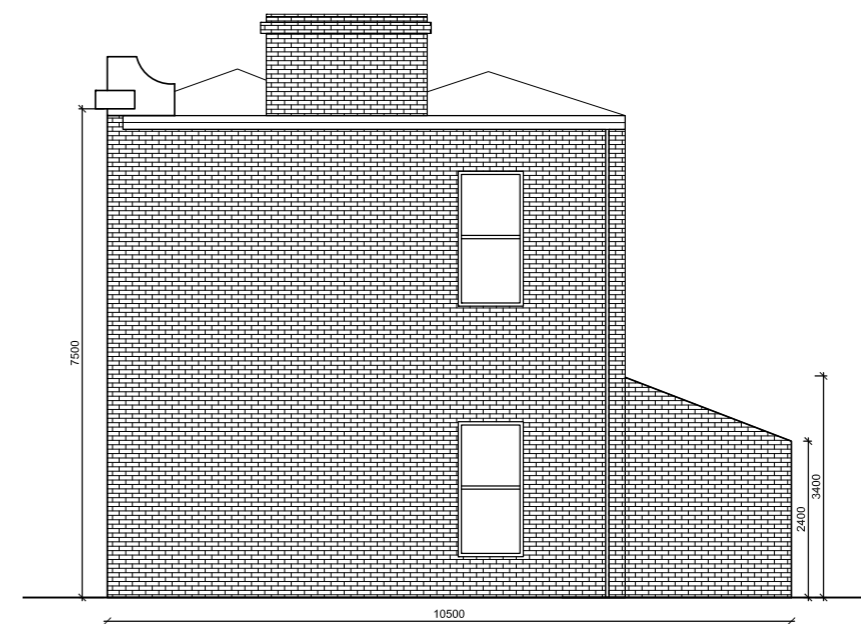
#### B. Old Murray Hotel



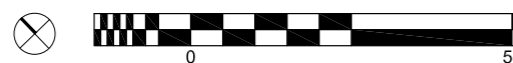
VIBRANCY



First Floor Plan



Rear Elevation

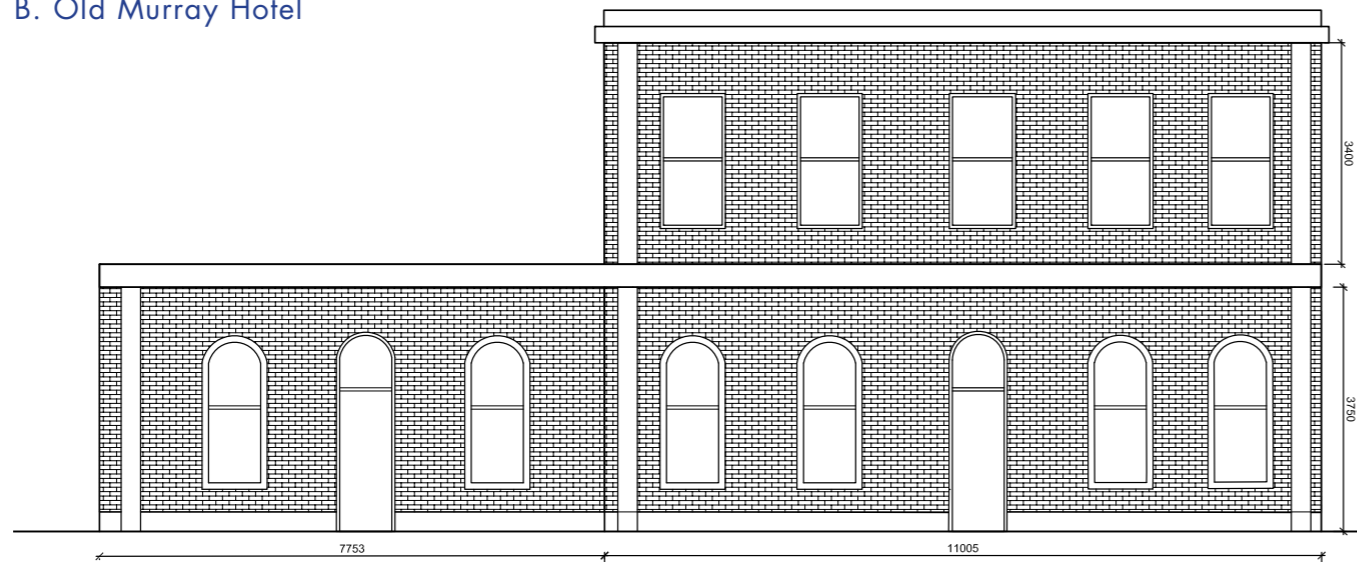


### 5. SITE BUILDING ANALYSIS



VIBRANCY

#### B. Old Murray Hotel



North East Elevation



North West Elevation



# APPENDIX E: DESIGN OPTIONS

## 6. DESIGN APPROACH

### Temporary Structures Site Response Option 1: Re-purposed

Utilising the existing buildings and re-purposing the internal spaces to include exhibition spaces, commercial spaces, workspaces, storage spaces, kitchen & bar space and storage.



#### Legend

- Amenities
- Storage Space
- Display
- Art Studio
- Workshop Space
- Workshop + Exhibition spaces
- Retail
- Kitchen/Bar
- Connections to Outdoor Spaces



## 6. DESIGN APPROACH

### Temporary Structures Site Response Option 2: Atrium

Utilising the existing buildings and re-purposing the internal spaces, with an additional temporary pop-up kitchen and bar. An atrium and foyer space is created in between the pop-up and the existing workshop shed. This can begin to activate the outdoor space.

#### Legend

- Amenities
  - Storage Space
  - Display
  - Art Studio
  - Workshop Space
  - Workshop + Exhibition spaces
  - Retail
  - Kitchen/Bar
  - Connections to Outdoor Spaces
- 0
7.5m





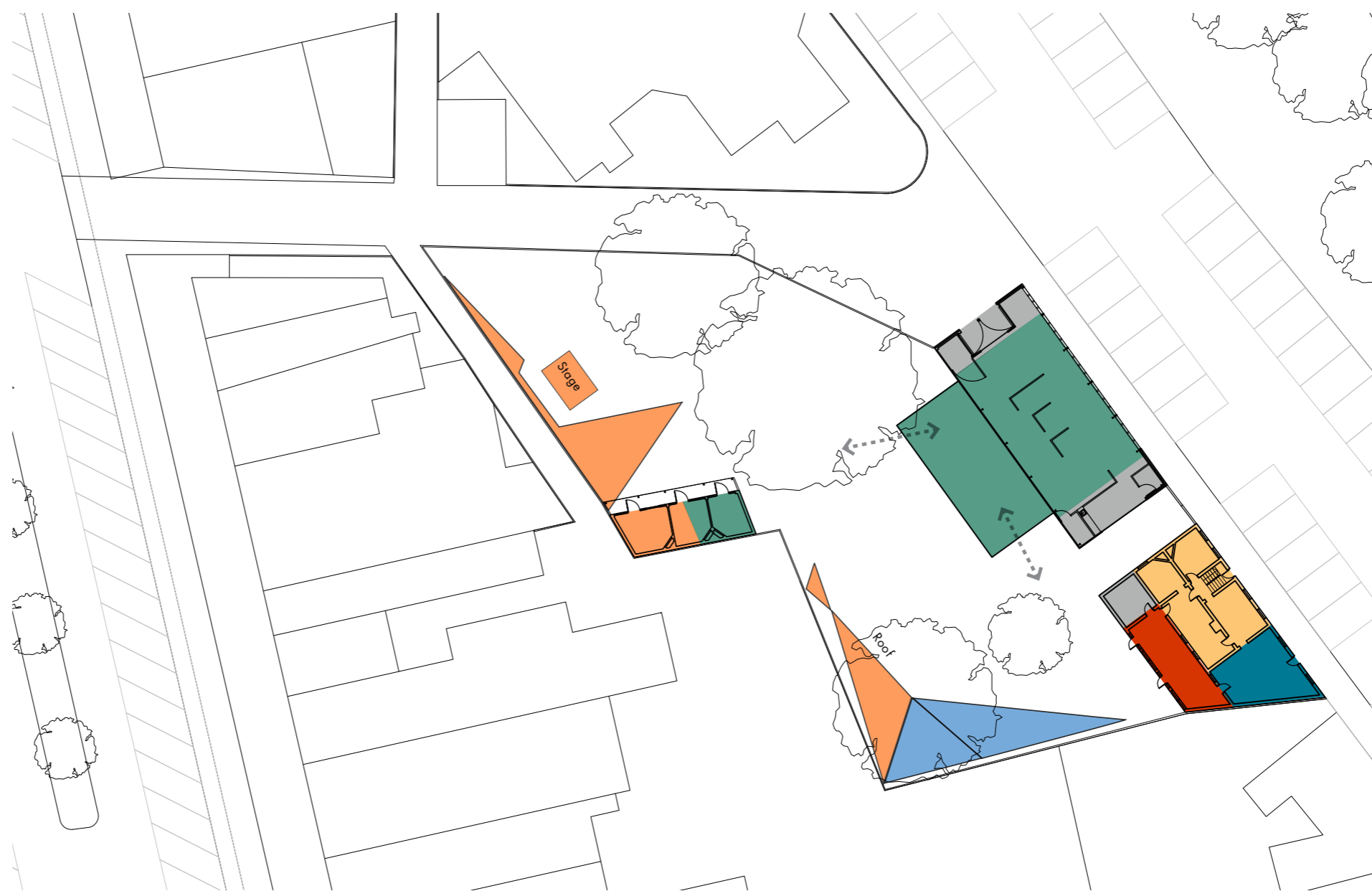
## 6. DESIGN APPROACH

### Temporary Structures Site Response Option 3: Spliced Rooves

This option examines the opportunity to activate the fence edge with displays and a kitchen and bar areas. This option intends to keep the central open space clear for other forms of activities, such as outdoor performances or outdoor workshop space.

#### Legend

- Amenities
- Storage Space
- Display
- Art Studio
- Workshop Space
- Workshop + Exhibition spaces
- Retail
- Kitchen/Bar
- Connections to Outdoor Spaces



## 6. DESIGN APPROACH

### Temporary Structures Site Response Option 4: Village Huts - Cluster

Small pop-up clusters are placed around the site for different purposes. This method can start to zone the outdoor spaces with narrow thoroughfares for people to move between.



#### Legend

- Amenities
  - Storage Space
  - Display
  - Art Studio
  - Workshop Space
  - Workshop + Exhibition spaces
  - Retail
  - Kitchen/Bar
  - Connections to Outdoor Spaces
- 



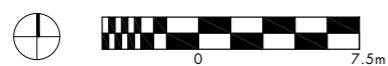
## 6. DESIGN APPROACH

### Temporary Structures Site Response Option 5: Village Huts - Scattered

Small pop-up are scattered around the site for different purposes. This option intends to keep the central open space clear for other forms of activities, such as outdoor performances or outdoor workshop space.

#### Legend

- Amenities
- Storage Space
- Display
- Art Studio
- Workshop Space
- Workshop + Exhibition spaces
- Retail
- Kitchen/Bar
- Connections to Outdoor Spaces



# APPENDIX F: PRECEDENTS

## 8. PRECEDENTS

### Salamanca Arts Centre

#### About

Salamanca Arts Centre (SAC) is a not-for-profit Arts Centre formed in 1975 as an incorporated association and established in 1976 in buildings owned by the Government of Tasmania and leased to SAC to manage on behalf of the people of Tasmania.

SAC continuously strives to be locally valued and universally recognised for the support of artists and the development and presentation of new works of national significance. SAC is the custodian of seven heritage buildings which are home to studio artists in residence, numerous arts organisations working across the visual and performing arts, festivals & events, literature, writing & film, and to designers, makers, retailers and commercial galleries for contemporary art and craft.

Operating parallel to the management of the buildings and venues, SAC supports roughly 6000+ local, interstate and international artists, working across all art forms, to conceive and develop new works, and to present those works to local and visiting audiences. SAC's arts program is supported by Arts Tasmania, City of Hobart, the Australia Council for the Arts and philanthropic trusts, donors and sponsors.

An estimated 280,000+ people pass through SAC's doors every year, visiting galleries, exhibitions, performances and community events, and approximately 200 people are now directly employed by the 60 arts organisations based at SAC. These organisations, resident artists, retail galleries and their activities collectively contribute an estimated \$50M annually to the Tasmanian economy.

SAC is a company limited by guarantee managed by a Board of elected, appointed, and co-opted Board Directors.

#### History

The Mouheneer band of Tasmanian Aborigines used the area that the SAC sits in, using it as a camping site once rich in fish and shellfish, animals and plants. (Carbon dated middens suggest aboriginal use goes back 5,000 years.)

In 1972, Australian corporate giant, John Elliott, purchased Henry Jones IXL, Peacock's parent company. By 1974 the Peacock Factory had been closed down and was on the market.

Within a few months of closure, a group of visionary locals including Claudio Alcorso (one of Tasmania's great arts advocates) saw in the buildings the potential to establish a vibrant community and arts centre in Hobart's working port area.

They formed the Community and Art Centre Foundation, established objectives for the potential Centre and pressured the State Government to purchase the old Peacock Factory. The Salamanca Arts Centre came into being in 1976 when the State Government, led by Premier Bill Neilsen, purchased the seven historic sandstone warehouses in Hobart's Salamanca Place (along with a cottage in Kelly Street) for the people of Tasmania.

The Government leased the buildings to the Foundation for 99 years at a peppercorn rent. In exchange, the Foundation was responsible for repairing and maintaining the dilapidated buildings and managing a range of diverse arts programs and events. Teams of committed and tireless volunteers moved in to clean out nearly 200 years of industrial dust and grime and bring the buildings back to life.



## 8. PRECEDENTS

### Salamanca Arts Centre

#### Venues

##### Kelly's Garden

Once a carter's backyard, an escaped convicts hideaway and a drying room for apple juice filters, Kelly's Garden is a striking venue that offers a unique urban heritage environment for contemporary sculptors and installation artists.

##### Lightbox

The Lightbox is a window space beside the main entrance to the Salamanca Arts Centre on Salamanca Place and can be viewed by the public 24 hours a day.

##### Long Gallery

Principally a visual arts exhibition space, the famous Long Gallery is the largest gallery space at Salamanca Arts Centre. Originally a store for whaling products, then filled with can-labelling machinery during the jam factory days, now a backdrop to countless exhibitions, conventions, balls, auctions, recitals, workshops, product launches and live performances. It is located on the first floor of the Centre.

##### Peacock Theatre

The Peacock Theatre is a unique performance and event venue on the ground floor of the Salamanca Arts Centre. With a magnificent natural rock face as its backdrop, maximum Fixed Seating Capacity of 133. The Peacock Theatre is the venue of choice for intimate live productions accommodating dance, hybrid music and film and has load-in facilities from the street.

##### Sidespace Gallery

The Sidespace Gallery is a professional exhibition space that is accessible and affordable for solo artists and small group exhibitions. This gallery is part of Salamanca Art Centre's subsidised Access Galleries program and is offered to Salamanca Arts Centre Associate Members on the acceptance of an exhibition proposal.

##### The Artist's Cottage

The Artist's Cottage overlooks the Salamanca Arts Centre and Salamanca Square. Used by visiting artists of all disciplines and their families, the sunny cottage is ideal short-term accommodation for singles or groups. This completely self-contained 3 bedroom Georgian cottage is centrally located in historic Battery Point.

##### The Founders Room

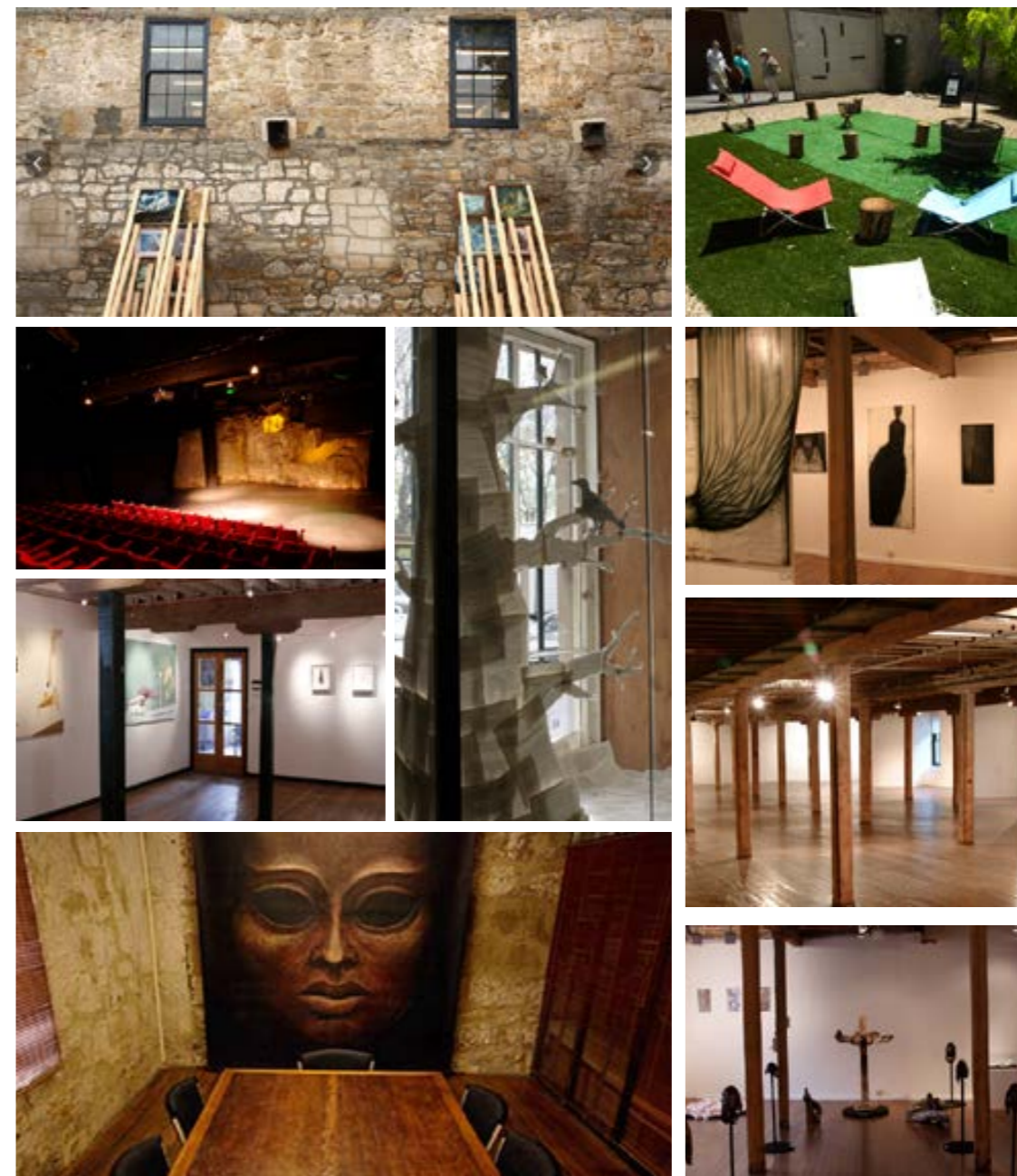
Nestled beneath the vaulted gables of an 1840's warehouse is SAC's latest offering to the people of Tasmania: The Founders Room. Newly renovated with polished oaken floorboards, limewashed sandstone walls and heritage windows that look out over the SAC Courtyard on one side and Wooby's Lane and Salamanca Square on the other.

##### Top Gallery

Dedicated to exhibiting the works of Emerging Artists, the Top Gallery is an intimate exhibition space infused with heritage character. This gallery is part of Salamanca Art Centre's subsidised Access Galleries program and is offered to emerging artists who are Salamanca Arts Centre Associate Members on the acceptance of an exhibition proposal. This heavily subsidised gallery space enables Emerging Artists to exhibit, often for the first time as a solo artist, for month-long periods.

##### The Meeting Room

Experience the atmosphere of a heritage boardroom with contemporary facilities overlooking vibrant Salamanca Place. Located on the first floor with lift access, the SAC Meeting Room accommodates up to 16 people for general meetings, workshops, training sessions, casting and interviews in a convenient location



## 8. PRECEDENTS

### Salamanca Arts Centre

#### Program

Throughout the year, the Arts Centre has callouts and EOIs for new exhibitors/artists. Multiple exhibitions happen simultaneously in different venues. Performers also hold shows that could be either indoor or outdoor, at different frequencies. Some venues are used intermittently throughout the year for workshops and events. Festivals such as Dark Mofo and Festival of Voices that occur once a year have multiple events happening throughout the Arts Centre.

Examples:

#### Rektango

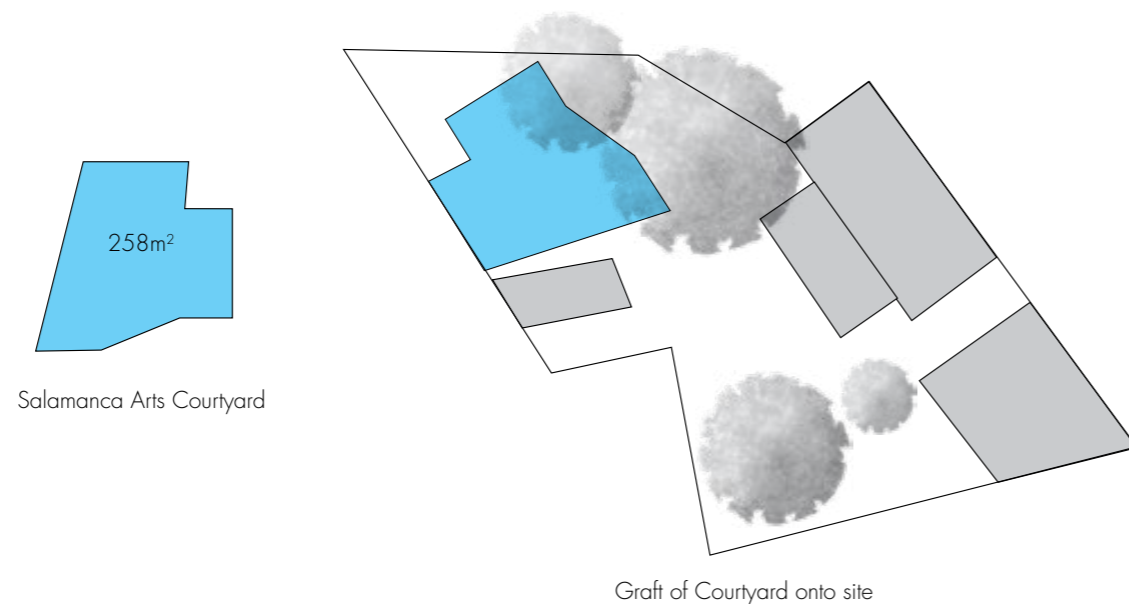
Capacity of 130 people (2m<sup>2</sup> per person. Courtyard area = 258m<sup>2</sup>)

Rektango is a weekly live music event held in Salamanca Art Centre's enchanting Courtyard, hemmed in by a cliff face stretching up to Battery Point. Over 15 years old and still going strong.

#### Dark Mofo

Estimated 15,000 interstate visitors for the whole event

From June to July, as part of Dark Mofo, Salamanca Arts Centre hosts a number of exciting new projects – including live music, installations and new text-based theatre.



Salamanca Arts Courtyard

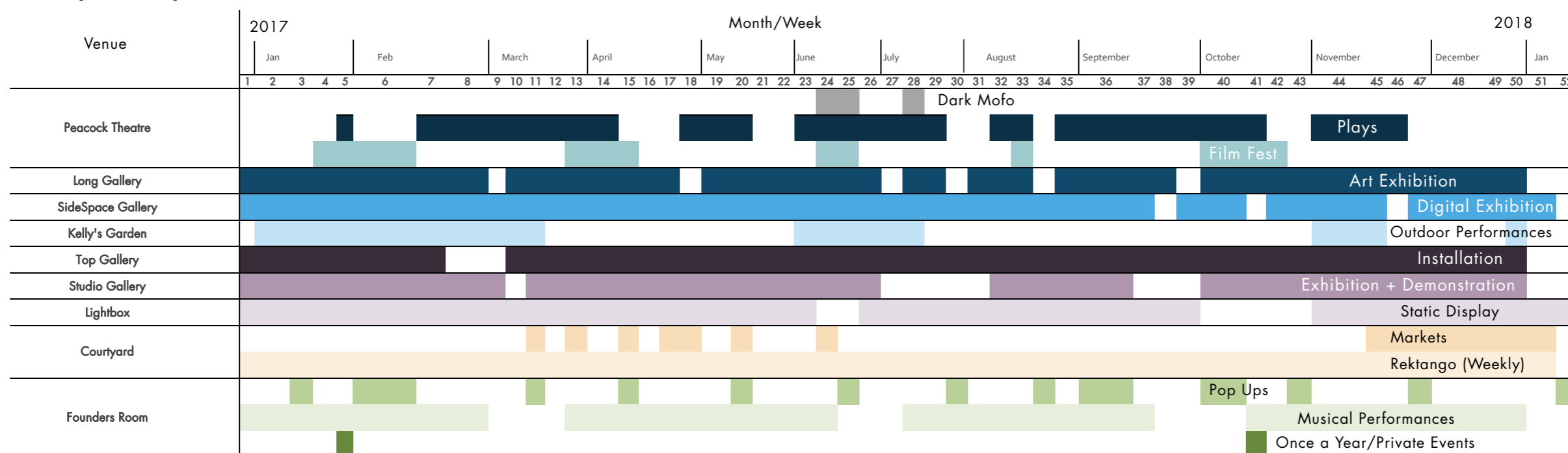
Graft of Courtyard onto site



## 8. PRECEDENTS

### Salamanca Arts Centre

Programs Occurring between 2017-2018



Rektango



Long Gallery Art Exhibition



Dark Mofo



Flamenco Workshop



## 8. PRECEDENTS

### Salamanca Arts Centre

#### 2017 Annual Venues Report

Throughout the year, the Arts Centre has callouts and EOs for new exhibitors/artists. Multiple exhibitions happen simultaneously in different venues. Performers also hold shows that could be either indoor or outdoor, at different frequencies. Some venues are used intermittently throughout the year for workshops and events. Festivals such as Dark Mofo and Festival of Voices that occur once a year have multiple events happening throughout the Arts Centre.

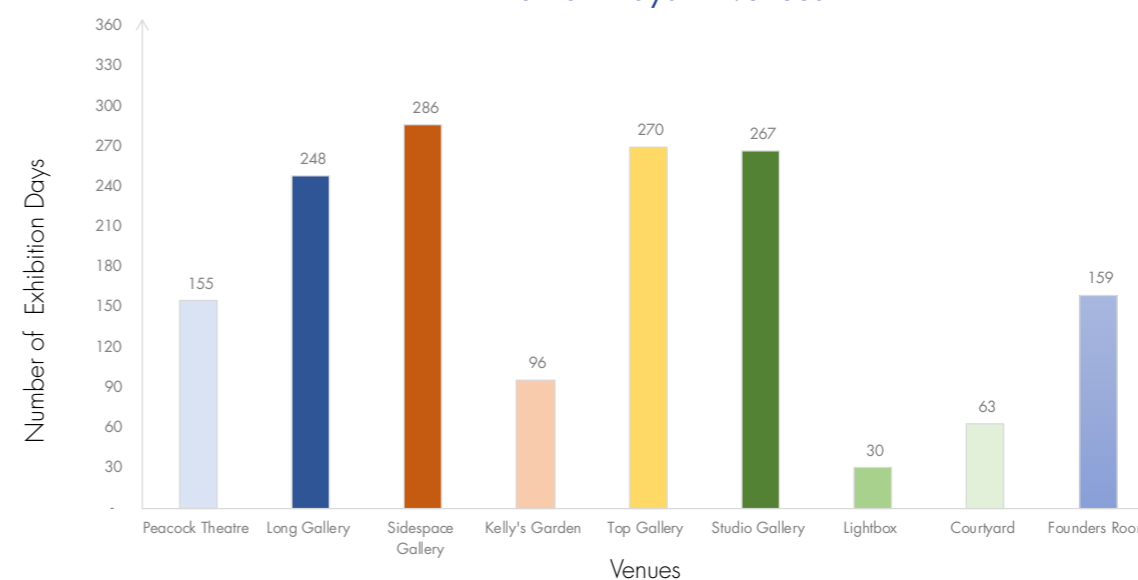
Venue	No of Events	Exhibition Days/ Events	Paid	Free	Total Entrants	No of Artists	No of Emerging Artists
Peacock Theatre	52	155	7,070	2,551	9,621	641	375
Long Gallery	28	248	1,971	24,010	25,981	1,091	388
Sidespace Gallery	28	286	130	10,956	11,086	176	48
Kelly's Garden	5	96	-	1,519	1,519	4	2
Top Gallery	11	270	-	3,833	3,833	57	57
Studio Gallery	8	267	-	6,102	6,102	62	51
Lightbox	11	30	-	6,957	6,957	42	17
Courtyard	16	63	-	17,340	17,340	149	54
Founders Room	79	159	3,526	2,723	6,249	506	203
<b>Total</b>	<b>238</b>	<b>1,574</b>	<b>12,697</b>	<b>75,991</b>	<b>88,688</b>	<b>2,728</b>	<b>1,195</b>

#### Company Directors

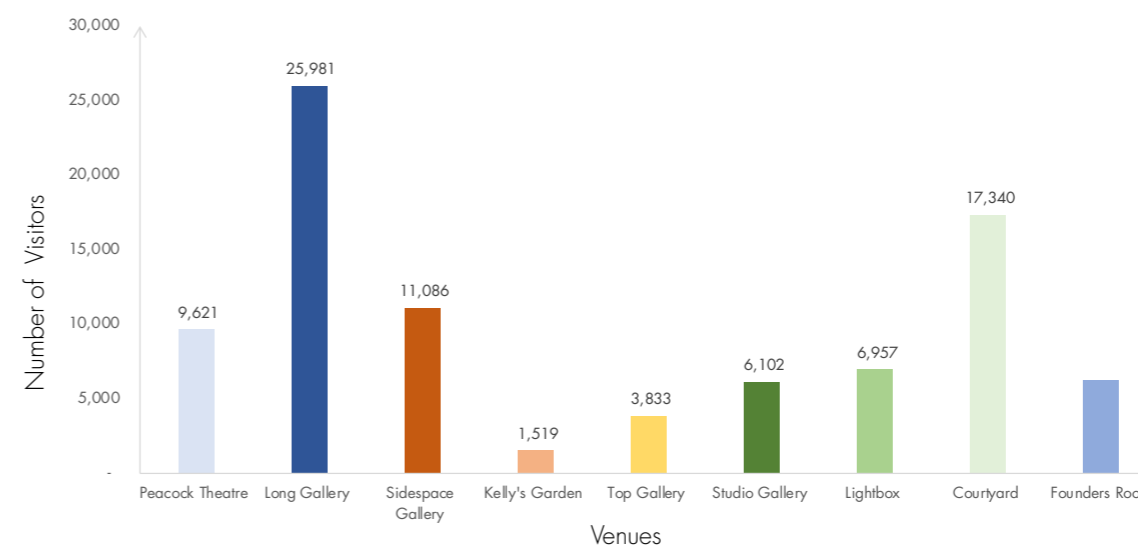
The SAC has 7 directors and the following staff positions:

- CEO
- Creative Producer, Arts& Public Programs
- Communications & Marketing
- Buildings & Facilities Manager
- Venues Manager
- Operations Coordinator
- Technical Manager
- SITUATE Art in Festivals Project Officer / Program Assistant
- Maintenance and Technical Support
- Cleaner

Exhibition Days in Venues



Number of Visitors to Venues



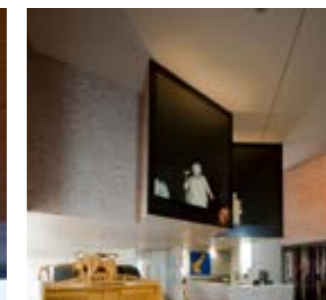
## 8. PRECEDENTS

### Burnie Maker's Workshop

Over recent years, a local initiative, Creative Paper, has built a reputation based upon high quality products and a culture of value-adding upon the paper production for which the town is known for. In addition, the role of the town as a gateway to the fertile farming lands of Tasmania has not been forgotten completely, resulting in a rich sense of its heritage as a rural centre.

The project has 5 spokes (or arms) that houses a different function - back of house, paper making workshop, multi-purpose exhibition/theatre, café and a combined retail/gallery space. Each of these functions terminates with a large picture window which captures a different portion of the panoramic view of its site – therefore similarly, the different aspects of Burnie (port, town, rural hinterland, Bass Strait and adjacent heritage) are identified.

Internally, there are a number of arts and art pods where artists are working. These pods can be viewed by visitors, which allows a better interactive experience for visitors.



## 8. PRECEDENTS

### Rhode Island School of Design Performance Venue in Providence

The Performance Venue shows how a small pavilion in an open space can have multiple functions, can utilize its surrounding space and, through materiality, can be a very simple and elegant object in its environment in the day and night.

This pavilion is the centerpiece of a larger scheme to provide a new public amenity for the city. It was completed by a team of students and faculty at the Rhode Island School of Design, in collaboration with the Southside Cultural Center of Rhode Island, a local non-profit organization.

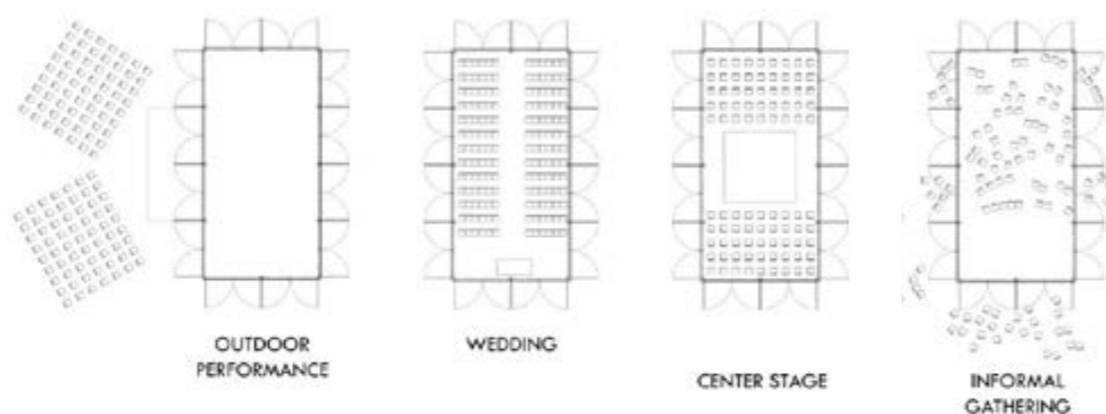
The pavilion is a three-season performance venue that acts as a focal point for the intervention. It encompasses 111.5 m<sup>2</sup> and is shut down annually for the winter season.

A simple metallic frame and polycarbonate panels defines the building, which was built using ready-made parts from a greenhouse manufacturer.

Twenty-four swinging doors are anchored to the 12 posts that form the structure. Changing their position allows the four sides of the pavilion to be opened or closed independently, based on specific functional needs.

The materiality of the structure is a tongue-and-groove translucent polycarbonate cladding, which allows a naturally illuminated interior space during the day, and to illuminate its surroundings at night through the continuous glow of the interior lighting, like a large lantern.

The garden that surrounds the pavilion simultaneously functions as a public space, event venue, storm-water mitigation and educational space.

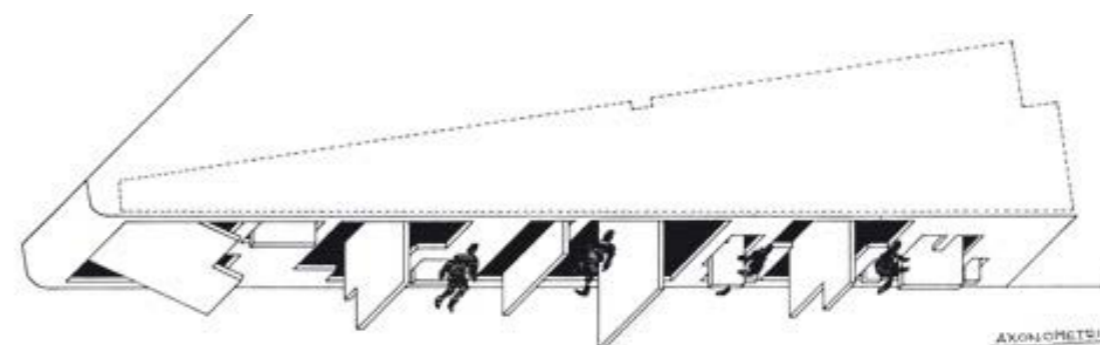
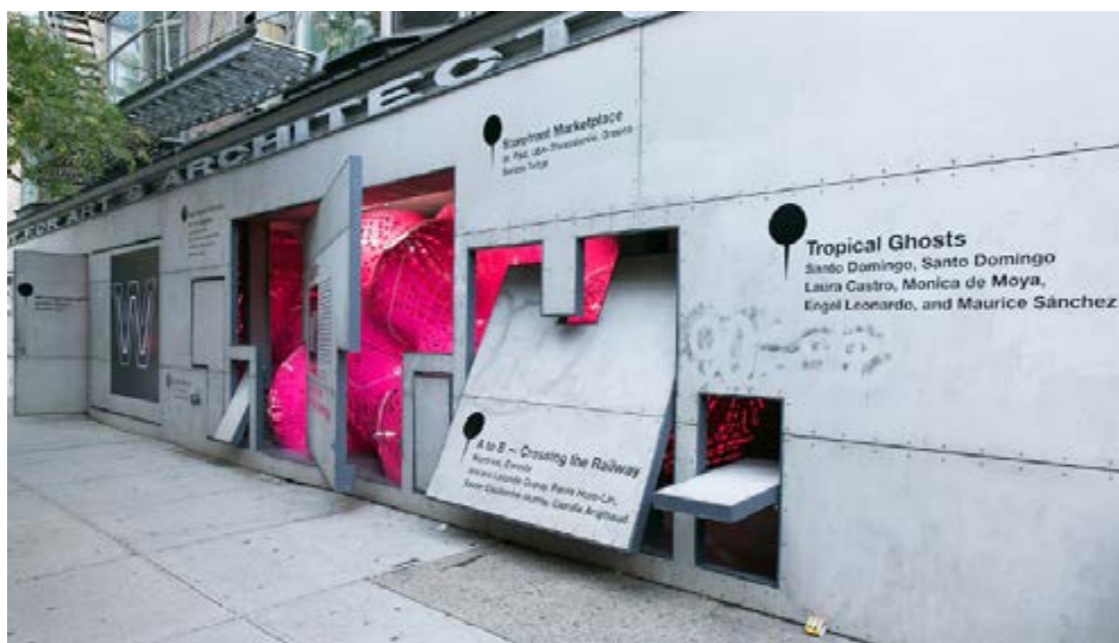


## 8. PRECEDENTS

### Storefront by Steven Holl Architects

Storefront for Art and Architecture is a nonprofit organization committed to the advancement of innovative positions in architecture, art and design. The Storefront has multiple functions, such as an exhibition space, a venue to host artist talks, film screenings, conferences and publications. It is a great public forum for emerging voices in the arts.

Designed by Steven Holl, in collaboration with artist Vito Acconci, in 1992, the Storefront responded to its limited gallery space, a narrow wedge with a triangulated exhibition interior, by making the long exterior edge the dominant structure. The Storefront is a great example of how a building's edge can be activated and can begin to function as an interactive piece with its environment. It also begins to allow the art to bleed out to the sidewalk, allowing a connection between the inside and the outside space.



## 8. PRECEDENTS

### Yagan Square by Lyons Architecture, IPH and Aspect

Yagan Square is a project of local and state significance for the City of Perth and Western Australia respectively. The aim of the Yagan Square is to activate the space with a number of activities, such as the return of food, community and city life to the Horseshoe Bridge, be a place for people to meet, connect, discover and celebrate Perth and Western Australia's culture, produce, heritage and environment.

The composition of the William Street Mall, digital tower, the retail buildings and landscape are arranged to make and enhance connections and linkages to the adjacent areas of the city and Northbridge. The active retail functions and passive landscape elements are arranged to optimise the engagement of the public with the place. Some landscape elements include the use of colour, outdoor furniture, planting and playgrounds.

Yagan Square aims to be an inclusive, welcoming and active cultural and civic destination, representative of a diversity of the local Perth region and broader Western Australia. The concepts are representative of the ideas of convergence: of geologies, tracks, narratives, indigenous and non-indigenous people and culture within the Square.



## 8. PRECEDENTS

### Street Character Activators

Street art is one of the many ways to rejuvenating a site. By applying pops of colour and art to the ground and the wall surfaces, it starts to give a street its own identity and character. This is a great tool to bring attention to a street and activate its associated site.



Greville St Prahran



Roe Street, Perth

### Colour and Story Activators

The use of light is a great tool to activate a site. Bring vibrancy and also can be diverse in colour. The images selected feature pink and red, which could be considered as accent colours for echuca arts precinct with connotations to the colourful history of the old brothel; as a maternity 'hospital' and more commonly known for as a brothel.



Dark MOFO, Hobart



Nestle Factory, Sao Paulo, Brazil

### Graphic and Story Activators

As shown in the image, the original Foundry Building had bold letters on its facade to bring attention to the building. It acts well as a graphic to announce to the area its existence.



Original Foundry Building



MOMA

## 8. PRECEDENTS

### Building Activators

With a majority of the buildings heritage listed around the area, one temporary solution to activate the building edges are graphic banners, which can be replaced over a period of time. The temporary nature of this strategy can maintain community interest and engagement.



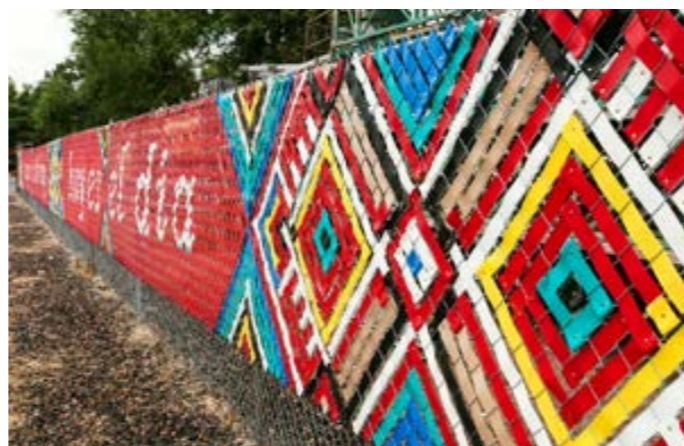
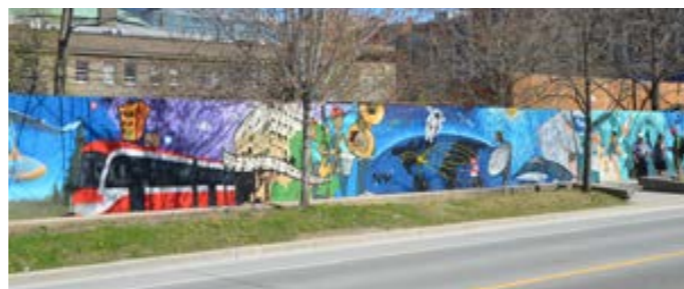
Art Gallery of New South Wales



Durham Banner Wrap

### Fence Activators

The fence along Little Hopwood Street has an opportunity for art to be applied to it. The art can be used as signage, can allow community engagement and can be removed and replaced, to manage public interest.



### Street Seating Activators

As shown in the image, the original Foundry Building had bold letters on its facade to bring attention to the building. It acts well as a graphic to announce to the area its existence.



Teikyo University Nakano Campus (Japan)



Urban design for Favara (Italy)

Public seatings in San Francisco (USA)

## 8. PRECEDENTS

### Night Activation - Building Activators

Street art is one of the many ways to rejuvenating a site. By applying pops of colour and art to the ground and the wall surfaces, it starts to give a street its own identity and character. This is a great tool to bring attention to a street and activate its associated site.



Vivid Sydney

### Night Activation - Street Activators

The use of light is a great tool to activate a site. Bring vibrancy and also can be diverse in colour. The images selected feature pink and red, which could be considered as accent colours for echuca arts precinct with connotations to the colourful history of the old brothel; as a maternity 'hospital' and more commonly known for as a brothel.



Light installations, Vivid Sydney



Projections on the ground, Parrtjima Festival

### Night Activation - Open Space Activators

As shown in the image, the original Foundry Building had bold letters on its facade to bring attention to the building. It acts well as a graphic to announce to the area its existence.



Pop-up Cinema Screen



Art Installations, Parrtjima



Field of Light, Uluru



## 9.3 Riverfront Kiosk

**Division:** Infrastructure

### 1. SUMMARY

That Council consider the future occupancy of the Riverfront Kiosk at 14 Watson Street Echuca and determine how it wishes to proceed.

### 2. RECOMMENDATION

**That Council:**

- 1. Conduct an Expression of Interest process to lease 14 Watson Street, Echuca for a lease term up to 21 years in accordance with Council Policy 110, Commercial Leasing, including;**
  - a. offering the property for use as a Kiosk/Cafe or function venue**
  - b. offering a rent-free period of 12 months**
- 2. Note the property is on Crown Land and the lease is subject to in principle consent and final approval and attestation by the Department of Environment, Land, Water and Planning.**
- 3. Receive a further report following the completion of the Expression of Interest to lease the property.**

### 3. PURPOSE

To consider future options for the Riverfront Kiosk at 14 Watson Street, Echuca.

### 4. DISCUSSION

It is recommended that Council conducts a new Expression of Interest to lease the property by undertaking a public Expression of Interest process.

Refer to Confidential attachment for background information.

### 5. CONSULTATION

Internal consultation:

- Chief Executive Officer
- Manager Projects & Facilities
- Manager Recreation

External consultation:

- Licensed Valuer

Councillors:

- 7 September 2022 Council Briefing Session.

- 15 September 2021 Council Meeting
- 21 July 2021 Council Meeting
- 19 May 2021 Council Meeting

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and the following Council Policy 110 Commercial Leasing and the Leasing Policy for Victorian Crown Land is considered throughout this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

### **Flourishing local economy**

A resilient long-term economy attractive to local and external investors

- Promote Campaspe's competitive advantages to attract new investment and maximise economic growth.

### **Well planned places**

Attractive and useable sites of importance

- Fit for purpose properties offered by Council

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

#### **Issue 1:**

Council potential for adverse reputational damage, by leaving a prominent placed property vacant for a long period of time.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

### **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

### **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

### **15. CONCLUSION**

It is recommended that Council undertake an Expression of Interest to lease the property in accordance with Council Policy 110, Commercial Leasing.

### **16. ATTACHMENTS**

1. CONFIDENTIAL – Riverfront Kiosk Background Information [9.3.1 - 1 page]

## 9.4 Tourism Service Level Agreements

**Division: Community**

### 1. SUMMARY

The management of Destination Marketing (DM) and Visitor Information Services (VIS) is a high profile and important aspect of Council's services for the local tourism industry and the broader community.

Council's current DM and VIS Service Level Agreements (SLAs) with Echuca Moama and District Tourism Association (EMDTA), concluded in June 2022. It should also be noted that agreements for these same services between EMTDA and Murray River Council have also come to an end. This has enabled both Council's the opportunity to discuss and consult with EMTDA on how it can provide a consistent approach to the management of DM and VIS in the short to long term.

Traditionally both Councils have engaged EMTDA separately for the delivery of DM and VIS, which created inefficiencies in service and inconsistencies within expectations.

This report focuses on the implementation of a joint one-year agreement between both Councils and EMTDA for DM and VIS, to ensure agreements are in place for compliance and governance processes.

This approach will allow EMTDA in its undertaking of a full review of its governance and future direction. Due to this it is prudent for both Councils to monitor the progress of the EMDTA review and the merits of a long-term agreement.

### 2. RECOMMENDATION

**That Council:**

- 1. Approve the implementation of a joint agreement between Murray River Council and Campaspe Shire Council for the delivery of Destination Marketing and Visitor Information Services for 2022-2023 which engages Echuca Moama and District Tourism Association to deliver these services**
- 2. Adopt the agreement for Destination Marketing and Visitor Information Services as attached 9.4.1.**

### 3. PURPOSE

Council approval for the implementation of a joint agreement between Murray River Council and Campaspe Shire Council to engage Echuca Moama and District Tourism Association (EMDTA) in the delivery of Destination Marketing and Visitor Information Services until 30 June 2023.

### 4. DISCUSSION

#### **Tourism in Campaspe**

As stated, Destination Marketing (DM) and Visitor Information Services (VIS) are marquee services Council facilitates to support the entire economy, but particularly the tourism sector. It is well documented that tourism is a key economic driver across the region. The management of DM and VIS has received an elevated level of scrutiny over recent years, with Council using that time to reflect upon its process of investment to ensure value for money for ratepayers, while at the same time maximising outcomes for all stakeholders.

Campaspe Shire has traditionally had a thriving visitor economy with a diversity of tourism product, accommodation, events and experiences, making the region an attractive place to visit. The COVID-19 Pandemic had a significant impact on tourism. The most obvious impact was the decline in visitation to the Shire (2019 790,000 Visitors came to Echuca Moama, this declined to 541,000 in 2020, a 30%+ drop in 12 months). Although there are signs of recovery, issues such as access to an adequate workforce is impeding recovery.

## **Joint Approach**

Ongoing consultation with the Murray River Council (MRC) has identified the benefit of implementing a joint approach to the management of contractual arrangements between both local government entities and the provider of DM and VIS. Clear inefficiencies, inconsistent contractual arrangements and differing expectations have impacted the administering and delivery of DM and VIS.

The proposed new agreement focuses on four key pillars:

1. Increase visitation;
2. Increase length of stay;
3. Increase visitor spend;
4. A high level of stakeholder satisfaction:
  - a. Visitors;
  - b. EMDTA Members;
  - c. Both Councils;
  - d. EMDTA Staff.

## **Echuca Moama**

The focus of the next DM contract between MRC and CSC with EMTDA will concentrate on Echuca/Moama. This is to ensure consistency with branding and avoid the inefficiencies identified earlier in this report. The Community/Economic Development Team will work with the other communities across Council to support tourism marketing initiatives specific to these communities.

## **EMDTA Review**

EMDTA is undertaking a review of its governance and operational structures, this has led both Councils to implement a short-term agreement for DM and VIS, which will expire 30 June 2023. This timeframe will enable EMTDA to finalise its long-term roles and structures to provide both Councils clarity on the management of these services post 30 June 2023.

It is anticipated that EMTDA will provide both Councils a detailed plan of its future by January 2022, this will provide all stakeholders the time and the opportunity to finalise arrangements prior to negotiating potential future arrangements.

## **5. CONSULTATION**

### Internal consultation:

- EMG
- Community Development
- Economic Development

### External consultation:

- Echuca Moama and District Tourism Association Board
- Murray River Council

Councillors:

- 10 August 2022 Council Briefing Session.
- 6 July 2022 Council Briefing Session
- 1 June 2022 Council Briefing Session

**6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

**7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

**8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

**9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

**10. RELEVANCE TO COUNCIL PLAN 2021-2025**

**Flourishing local economy**

A resilient long-term economy attractive to local and external investors  
Stimulated economic activity that provides local jobs

**11. ISSUES AND RISK MANAGEMENT**

**Risk:**

Risk	Likelihood	Consequence	Rating	Mitigation action
EMTDA does not successfully complete the internal review	Unlikely	Major	Moderate	EMTDA has extensive experience in delivering these services and has a strong governance structure that will provide Council a status update in December 2022 in relation to its capacity to meet Council's long-term requirements.

**12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

### **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

### **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

### **15. CONCLUSION**

Council's current DM and VIS Service Level Agreements (SLAs) with Echuca Moama and District Tourism Association (EMDTA) concluded in June 2022. Council has a current opportunity to discuss and consult with EMTDA how it can provide a consistent approach to the management of DM and VIS in the short to long term.

This has resulted in a unique opportunity to unite both Murray River Council and Campaspe Shire Council in a joint agreement to engage Echuca Moama and District Tourism Association (EMDTA) in the delivery of Destination Marketing and Visitor Information Services until 30 June 2023.

### **16. ATTACHMENTS**

1. DRAFT - EMT - SOC - MRC Service Agreement 2022 - 2023 v 1 [9.4.1 - 7 pages]

SERVICE LEVEL AGREEMENT

*BETWEEN*

MURRAY RIVER COUNCIL AND CAMPASPE SHIRE COUNCIL

*AND*

ECHUCA MOAMA AND DISTRICT TOURISM DEVELOPMENT INC

2022-2023





## PURPOSE OF AGREEMENT

To outline responsibilities and obligations in relation to the annual funding contribution made by Campaspe Shire Council and Murray River Council (the Councils) to Echuca Moama and District Tourism Association Inc (EMT), for the provision of destination marketing and visitor information services.

## OUTCOMES OF THE AGREEMENT

The aim of the Agreement is to achieve the following outcomes for the Echuca Moama Catchment:

1. Increased visitation;
2. Increased length of stay;
3. Increased visitor spend;
4. A high level of stakeholder satisfaction, including:
  - a) visitors;
  - b) Councils
  - c) EMT members; and
  - d) ;
  - e) EMT staff.

EMT will ensure the above outcomes are a key focus of the organisation's activities and will report to the Councils on the achievement of these outcomes and how the actions of EMT have resulted in the achievement of these outcomes.

## PROVISIONS

EMT will operate the Echuca Moama Visitor Information Centre, as per the Australian Tourism Accreditation Program, seven days per week.

Visitor Information Services will promote towns and attractions throughout the Council's footprints, as well as other tourism projects the Councils are involved in (e.g. The Long Paddock, History Trail, Silo Art Trail and Backroads Trail).

## STRUCTURE OF EMT

EMT acknowledges that it is an association registered pursuant to the *Associations Incorporation Reform Act 2012* and that it will always comply with the provisions of that Act and its Regulations.

EMT acknowledges that it has an effective board. EMT acknowledges that it is authorised to enter into this agreement. If EMT alters its Statement of Purpose or Rules in any significant manner, it will advise Councils of these changes.

The parties acknowledge that EMT is a separate entity from the Councils and that it is responsible for its own financial and statutory responsibilities, conduct, organisation management, insurance etc. Council is not liable or responsible for the activities of EMT or for its debts, liabilities, expenses, losses, or deficiencies.

## PERIOD OF AGREEMENT

This agreement will commence on 1 July 2022 and continue for a one-year period, subject to meeting agreed outcomes, (expiry 30 June 2023).

## COMMUNICATION BETWEEN EMT AND COUNCIL

The Councils do not require a representative from each of the Member Councils to form part of the 8-member Committee (Board). The Councils suggest that at the next AGM, the EMT Constitution be updated to reflect this.

It is recommended that relevant council staff members may attend board meetings of EMT to provide information and/or assistance to EMT (observer/advisory capacity only).

The Councils and EMT are to ensure open and proactive communication. Direct communication is to take place between relevant staff on a regular basis. At a minimum quarterly meetings will be held between representatives of EMT and Council staff, to discuss relevant issues and opportunities.

Councils require that EMT is forthright and prompt in bringing to Council's attention any significant issues, deficiencies, and concerns EMT has regarding the running of the Association.

## EMT REPORTING TO COUNCIL

At the commencement of this contractual arrangement, EMT will provide Councils with a copy of its Strategic Plan, One Year Business Plan, Annual Budget, and Annual Marketing Plan.

Following the Annual General Meeting, EMT will provide Council with its Annual Report and audited financial statement. EMT will provide Council with the agendas, reports, minutes, and attachments relevant to the monthly board meeting.

EMT are to report to the Councils as follows:

Documents to be provided and/or presentations to be made	When
Strategic Plan, One Year Business Plan and Annual Budget and Annual Marketing Plan	Upon contract signing
Annual Report and audited financial statement	After AGM
Agendas, reports, minutes, and attachments relevant to the monthly board meetings	Monthly
Presentation to the Councils to report on the previous six-month period and how the actions of EMT have resulted in the achievement of the key outcomes.	December
Presentation to the Councils to put forward plans for the following financial year, including any requests to make changes to this agreement, or the annual allocation, or any other item to be considered in Council's budget	February

EMT must present to Council in **December** 2022 a report on the previous six-month period and how the actions of EMT have resulted in the achievement of the following key outcomes:

5. Increased visitation;
6. Increased length of stay;
7. Increased visitor spend;
8. A high level of stakeholder satisfaction, including:
  - f) visitors;
  - g) Councils
  - h) EMT members; and
  - i) EMT staff.

EMT will present to Councils in **February** 2023 its plans for the following financial year, including any requests to make changes to this agreement, or the annual allocation, or any other item to be considered in Council's budget (this must also be submitted in writing).

## PAYMENTS

EMT agrees to provide destination marketing and visitor services to achieve the key outcomes listed above.

The Councils agree to provide funding, as follows:

Campaspe Shire Council will:

1. Provide up to **\$92,869 (ex GST)** towards the delivery of Destination Marketing
2. Provide and maintain the Visitor Information Centre venue in line with current lease arrangements
3. Provide up to **\$269,554 (ex GST)** for Visitor Information Services

Murray River Council will:

1. Provide **\$79,939 (ex GST)** to go towards the delivery of destination marketing and visitor services
2. Provide EMT with a registered motor vehicle that will be changed over in accordance with Council's vehicle replacement program. Maintenance of the vehicle is the responsibility of Murray River Council and provision of fuel for the vehicle is the responsibility of EMT.

Payments will be made upon receipt of tax invoice.

## LIABILITY

EMT will not represent itself or its activities or its staff as belonging to or being conducted on behalf of the Councils. EMT acknowledges that the Councils are not liable or responsible for the activities of EMT or for its debts, liabilities, expenses, losses, or deficiencies. EMT will ensure that it is covered by an appropriate insurance policy for its activities.

## PROBITY

EMT will ensure that its board members and staff comply with proper standards of probity as recognized by the relevant State Ombudsman.

## TERMINATION

This Agreement will be valid until 30 June 2023, unless:

- both parties agree to terminate the agreement
- a financial administrator is appointed to any property of EMT
- any application is made, or resolution passed for the winding up of EMT
- EMT becomes insolvent within the meaning of Corporations Law
- a meeting of EMT creditors is called with a view to entering an arrangement or compromise with creditors
- the structure or objectives of EMT are changed substantially, without the approval of the Councils
- either party to the agreement notifies the other party in writing that it seeks to terminate the relationship outlined in this agreement on grounds that the other party had failed to meet its

obligations under this agreement and that the party alleged to have not met its obligations has been provided:

- reasonable notice in writing of the alleged failure to meeting its obligations
- an opportunity to participate in an industry accepted mediation process, and
- a minimum of 60 days' notice of the intended termination.

## AGREEMENT OF CONTINUATION

EMT and the Councils will commence work in a cooperative manner to develop the Service Agreement for the period following this one is drafted by 1 March 2023 and in place before 1 July 2023 as negotiated.

## ALTERATION TO AGREEMENT

Alteration to this agreement can be made by mutual consent of EMT and the Councils.

## DISPUTE RESOLUTION

Any dispute between the parties to the terms of this Agreement or the performance of the parties pursuant to the agreement will be resolved as follows:

The parties will use their best endeavours to resolve the dispute by negotiation.

If the negotiations are not successful either party may serve on the other a notice of dispute setting out the details of the dispute.

The dispute will be arbitrated in accordance with the provisions of the **Commercial Arbitration Act (Vic) 2011**. The parties are authorised to utilise legal representations for such arbitration if they so choose.

## NOTICES

Any notices, demands or other communications between the parties for the purposes of the agreement must be in writing and be addressed to the party at that party's address.

AUTHORISATION

**SIGNED ON BEHALF of the ECHUCA MOAMA & DISTRICT TOURISM DEVELOPMENT ASSOCIATION INC**

on the ..... day of ..... 2022

.....  
John Hall  
**Chairperson**

**SIGNED ON BEHALF of CAMPASPE SHIRE COUNCIL**

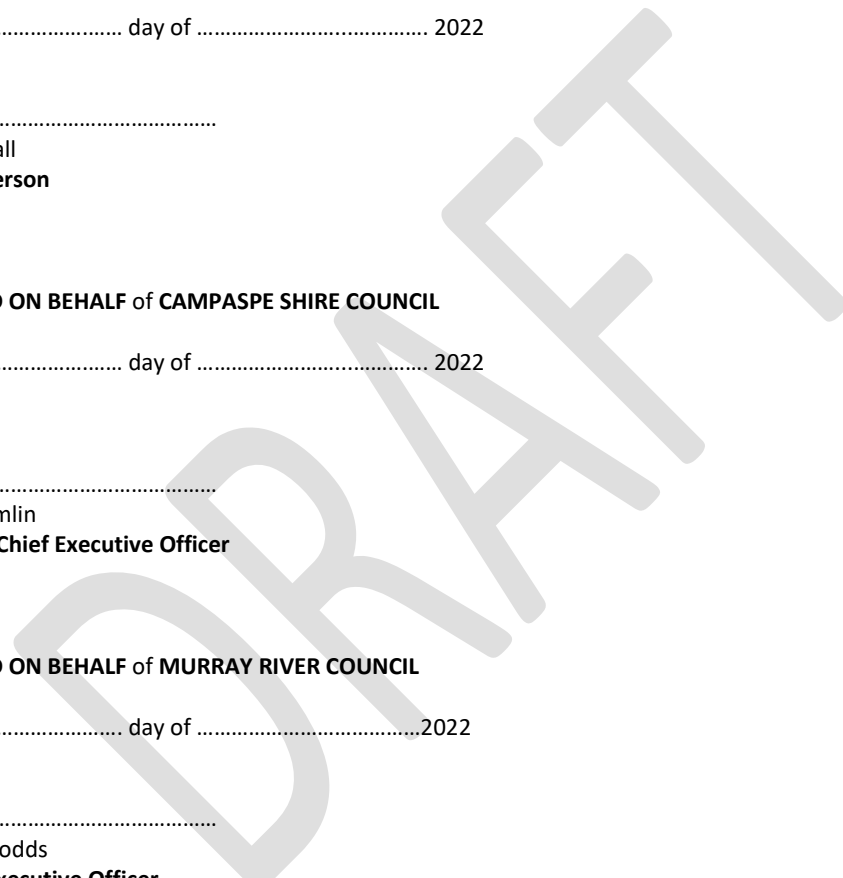
on the ..... day of ..... 2022

.....  
Tim Tamlin  
**Acting Chief Executive Officer**

**SIGNED ON BEHALF of MURRAY RIVER COUNCIL**

on the ..... day of .....2022

.....  
Terry Dodds  
**Chief Executive Officer**



## 9.5 Place Based & Community Facility Planning

Division: Community

### 1. SUMMARY

Council has reviewed the Place Based Plan and Township Facility Plan process and governance framework at various Council briefing sessions and at the with Councillor Strategy Review workshop held on 31 August 2022. A revised process has now been developed to enhance the transparency and governance of the process and that the outcomes compliment and reflect the 2021-2025 Council Plan priorities.

### 2. RECOMMENDATION

**That Council:**

- 1. Approve the Place Based Plan and Township Facility Plan process as outlined in attachment 9.5.1, noting that minor amendments may be made over time to enhance the process once implemented.**
- 2. Approve the extension of the timeline to undertake this work by 6 months from May 2023 to October 2023,**
- 3. Adopt the updated Township Facility Plan Committee Terms of Reference (attachment 9.5.2) and the Place Based Plan Committee Terms of Reference (attachment 9.5.3).**
- 4. Endorse the development and implementation of a communications plan to ensure the community are fully informed of Council's updated process, timelines and governance arrangements.**

### 3. PURPOSE

To seek approval from Council to amend the Place Based Plan and Township Facility Plan process.

### 4. DISCUSSION

Council has reviewed the Place Based Plan and Township Facility Plan process and governance framework at various Council briefing sessions and at the with Councillor Strategy Review workshop held on 31 August 2022. A revised process has now been developed to enhance the transparency and governance of the process and that the outcomes compliment and reflect the 2021-2025 Council Plan priorities.

The key steps of the Place Based Plan and Township Facility Plan process are summarised below: A process chart detailing the individual steps is included at attachment 9.5.1.

- a. Place Based Plans, with outcomes prioritised, will be formally presented to Council.
- b. Council will receive and endorse the priority outcomes that align with the 2021-2025 Council Plan vision and priorities.
- c. Place Based Plans, noting Council's endorsed priorities, will be referred to the relevant Township Facility Planning Committee for consideration.
- d. Community telephone survey undertaken and outcome provided to Council and the Township Facility Planning Committee.

- e. Township Facility Plans will be developed, with outcomes prioritised, and formally presented to Council.
- f. Council will consider the Place Based Plan endorsed priorities and Township Facility Plan priorities through the development of the Annual Council Action Plan and Budget for delivery and implementation.

It is noted that in consideration of the above revised process, the Community Panel previously included is not required due to the shift in focus aligning with the 2021-2025 Council Plan priorities.

To ensure enhanced Council oversight and involvement in the process, it is proposed to extend the timeline to undertake this work by 6 months from May 2023 to October 2023.

Council has also reviewed and updated the Township Facility Plan Terms of Reference (attachment 9.5.2) and the Place Based Plan Committee Terms of Reference (attachment 9.5.3).

## **5. CONSULTATION**

### Internal consultation:

- EMG
- Community Development
- Communications

### Councillors:

- 31 August 2022 Council Briefing Session.
- 14 September 2022 Council Briefing Session.

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

### **Flourishing local economy**

A resilient longterm economy attractive to local and external investors  
Stimulated economic activity that provides local jobs



## Resilient protected and healthy natural environment

Well managed resources for a sustainable future

## Well planned places

Quality, attractive recreational spaces

Improved walkability and cyclability within townships

Digital connectedness maximising mobility, economic productivity, health care access and education participation

## Growing quality of life

Communities have a say on local infrastructure and attractions that stimulate engagement and activity

Effective and efficient services available locally

Children, young people and families healthy and well

Inclusive, connected, culturally diverse and safe

## 11. ISSUES AND RISK MANAGEMENT

### Issues:

#### Community confusion

Council recognises the changes in process will have an impact upon the community and potentially cause concern and impact confidence in the process. Council must implement a robust communication process to ensure the Community are aware of the changes and the rationale used to implement them.

#### Quality Outcomes

Strong community engagement takes time and resources, it is essential that Communities can participate in a fulsome manner. The proposed extension of the process will enable the community and Councillors the time an ability to work together fruitfully to finalised planning activities.

Risk	Likelihood	Consequence	Rating	Mitigation action
Community confusion leading to lower engagement of the community	Possible	Moderate	Moderate	Strong communications strategy to support community understand new process, Officers and Councillors advocating the benefits of the revised process.

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## 12. CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## 13. CHARTER OF HUMAN RIGHTS

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

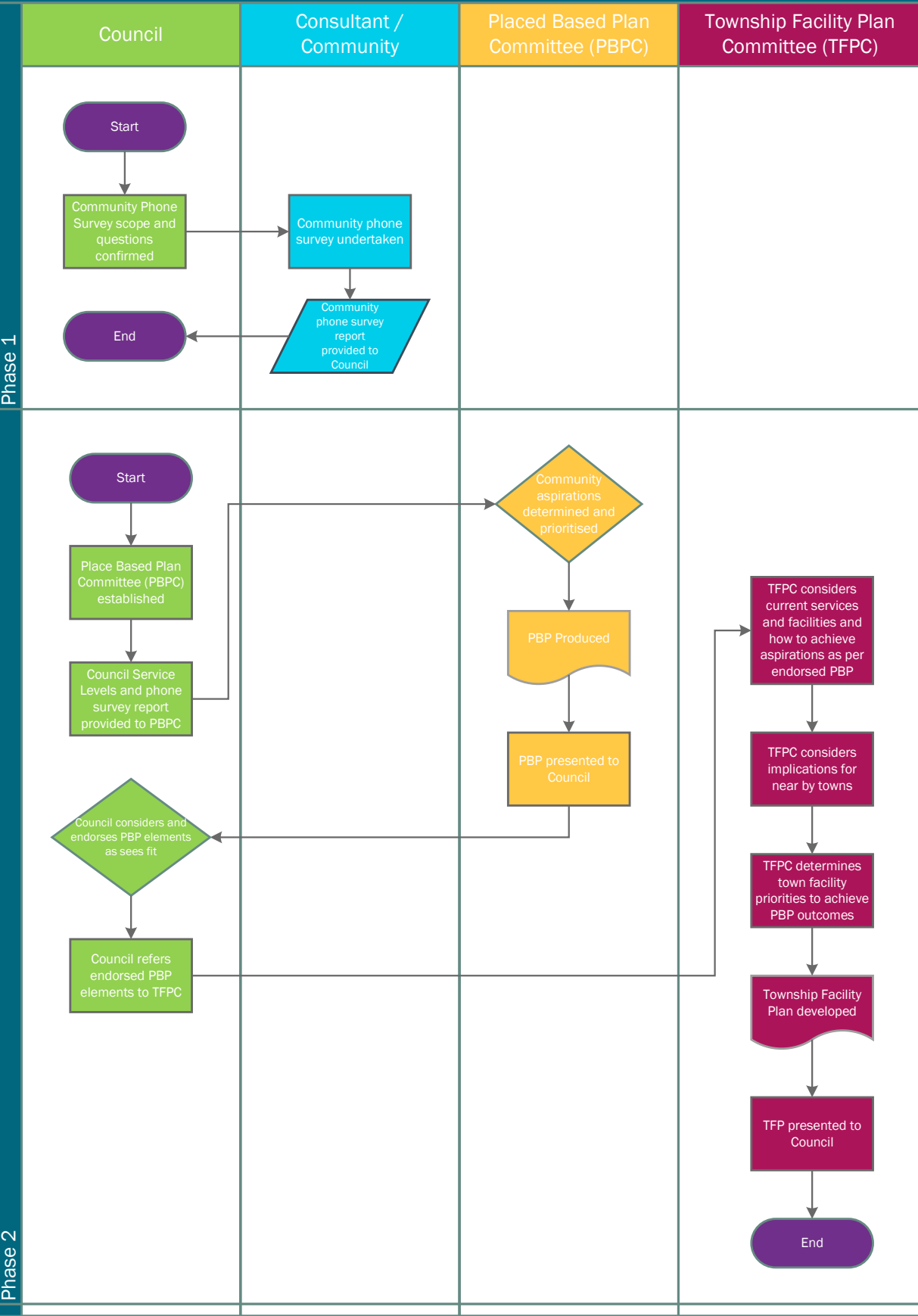
## **15. CONCLUSION**

A revised Place Based Plan and Township Facility Plan process has now been developed to enhance the transparency and governance of the process and that the outcomes compliment and reflect the 2021-2025 Council Plan priorities.

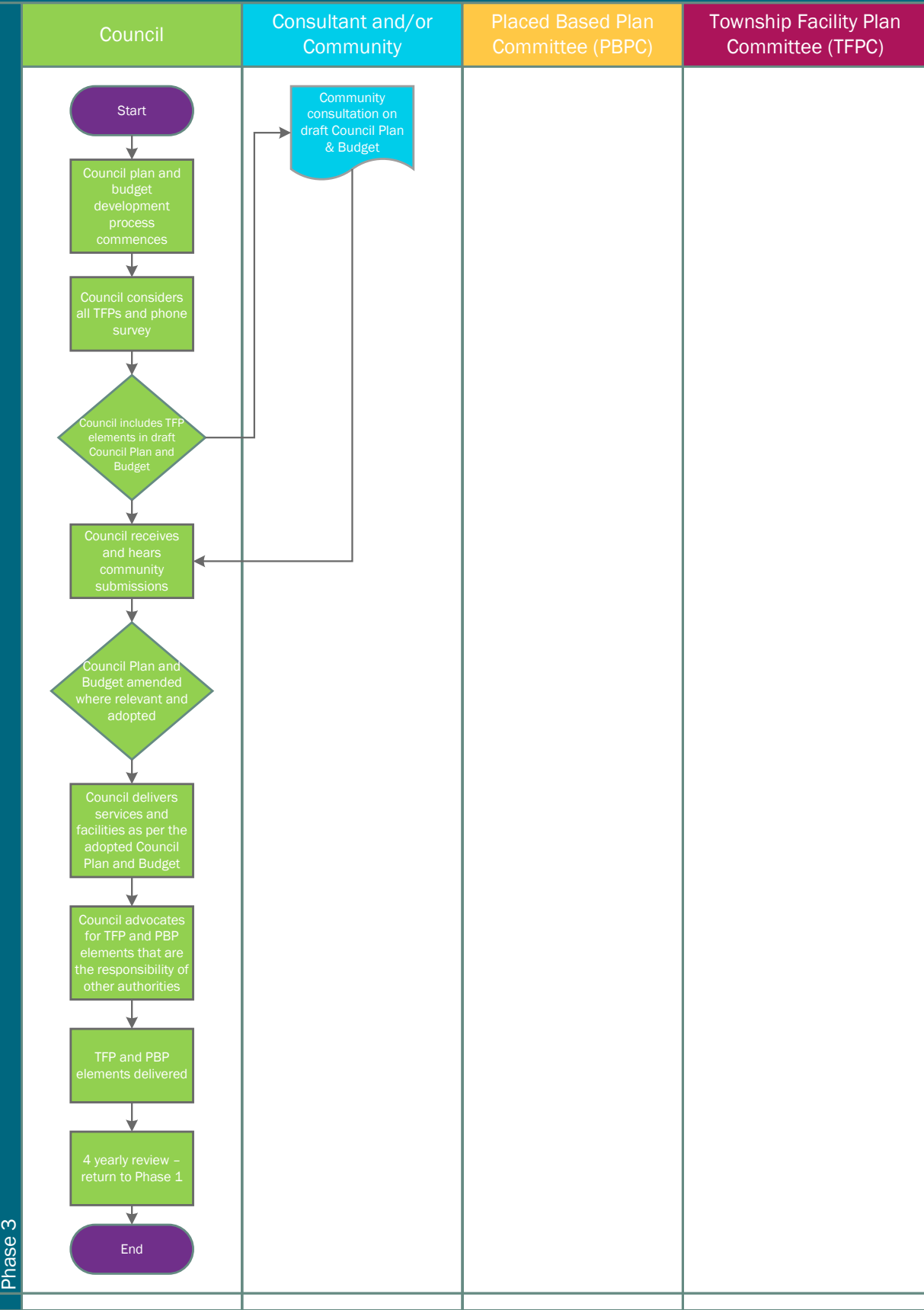
## **16. ATTACHMENTS**

1. Process Map - PBP & TFP [9.5.1 - 2 pages]
2. Township Facility Plan Committee To R 2022.09.15 [9.5.2 - 7 pages]
3. Place Based Plan Committee To R Template 2022.09.15 [9.5.3 - 3 pages]

CSC – Place Based and Township Facility Planning Process



CSC – Place Based and Township Facility Planning Process



Phase 3



**Campaspe Shire Council  
Township Facility Plan Committee  
Terms of Reference**

**Campaspe Shire Council – Township Facility Plan Charter**

OFFICIAL

**Contents**

- 1. Purpose**
- 2. Authority**
- 3. Membership and Tenure**
- 4. Meetings**
- 5. Responsibilities**
  - 5.1 Review Community Assets**
- 6. Reporting to Council**
- 7. Committee Member Code of Conduct**

**Appendices**

- A. Committee Member Code of Conduct – Guidance to Members**

## Campaspe Shire Council – Township Facility Plan Charter

OFFICIAL

### 1. Purpose

Council has established Township Facility Planning groups to support stronger consultation with community about its needs and ambitions for facilities and assets with its townships.

Working in parallel with each communities' Vision/Ambition developed in the Place Based Planning process, a Township Facility Plan Committee (the Committee) will provide a proposal for the future of key community assets within a Township.

The proposal could include a range of recommendations to Council for its township assets, and Committee will develop its recommendations by undertaking a comprehensive review process that must incorporate:

- Consultation with direct and indirect users of community assets within a township, to clearly understand user group needs.
- Consultation with the general community.
- Consultation with Council Officers for clarification on matters relating to:
  - Current Council policy and strategy
  - Legislative requirements
  - Planning considerations
- Council will also provide data relating to operational and capital cost(s) and usage rates.

Justification for recommendations made by the committee are to reflect the Place Based Plan Township aspiration/vision statement and must consider the following as a minimum:

- Social and community health and wellbeing outcomes
- Multiuser approach
- Financially sustainability and economic factors
- Impacts and implications for neighbouring towns

The Committee has no executive authority and no delegated responsibilities.

### 2. Authority

The Committee will be required to:

- Make recommendations to Council about the future of Community assets within its township;
- Seek any relevant information it requires from Council and other relevant external groups to support it making informed recommendations.

The Committee will be supported by Council by having access to appropriate management support to enable it to fulfill its objectives.

## Campaspe Shire Council – Township Facility Plan Charter

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### 3. Membership and Tenure

The Committee will consist of seven (7) to eleven (11) community members appointed by Council.

Details of membership and tenure are set out below:

#### *Committee Members*

- 3.1 will be appointed for the duration of the Township Facility Planning process
- 3.2 should collectively have expertise in areas outlined at clause 3.12 (below).
- 3.3 if absent for two consecutive meetings, without submitting an apology or been granted a leave of absence may be removed from the Committee.

#### *Chairperson*

- 3.4 The Committee will appoint the Chair of the Committee at the first official meeting.
- 3.5 If the Chair is unable to attend a meeting, the members in attendance at the meeting will appoint a Chair for that meeting from among the attending members;

#### *Quorum for Meetings*

- 3.6 A quorum will comprise of at least 50% plus 1 of the independent members, and one Council officer.

#### *Induction*

- 3.7 All Committee members will receive an induction to the purpose and responsibilities of the Committee and on Campaspe Shire Council's objectives for the Township Facility Plan.

#### *Removal of a Member*

- 3.8 If Council proposes to remove a member of the Committee prior to the conclusion of the term of the committee, it must give written notice of its intention to do so and afford the member an opportunity to respond in writing and be heard by the Council, if the affected member so chooses.

#### *Recruitment*

- 3.9 All vacancies will be advertised within the Township through Council's regular media channels. Community members will be invited to self-nominate for their relevant Township Facility Plan Committee.

#### *Selection*

- 3.10 A selection panel, comprising three Councillors and three Council Officers will conduct a selection process to identify candidates meeting the criteria and considered suitable to recommend to Council for appointment.
- 3.11 The criteria for the appointment of members will be experience and qualifications to meet the collective skills mix of the Committee.
- 3.12 The selection panel should consider and give weight to the following points when recommending appointments to Council.



## Campaspe Shire Council – Township Facility Plan Charter

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- a. Individuals who demonstrate skills, qualifications and experience in one or more of the identified fields of expertise:
  - Community/Social Wellbeing
  - Sport and Recreation
  - Business Management and Tourism
  - Construction, Maintenance and Engineering
  - Finance and Accounting
  - Legal
  - Planning and Development
  - Real Estate
  
- b. Individuals who live and/or work within the relevant Township of the Shire of Campaspe.

3.13 Members must demonstrate a capacity to maintain confidentiality, attend a minimum of 80% of meetings and commit to reviewing all information provided to ensure capacity to make informed recommendations.

### Insurance

3.14 Members of the committee are covered by Council's insurance policies.

## 4. Meetings

The Committee will meet as often as may be required to conduct their assignment.

- 4.1 Council will provide administrative support to the Committee including the preparation of minutes and agendas.
- 4.2 All Committee members are expected to attend each meeting in person, although in special circumstances members can attend through electronic means.
- 4.3 Committee members may request the Chair convene additional meetings if they feel that is justified to address unexpected matters that may arise.
- 4.4 Meeting agendas and briefing documents will be provided to the Chair for approval prior to committee distribution. The approved agenda and attachments will be provided to members at least one week before each meeting.
- 4.5 Minutes will be prepared for all meetings, provided to the Chair for review before being distributed to all Committee Members, Councillors and Council staff.

## Campaspe Shire Council – Township Facility Plan Charter

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### 5. Responsibilities

The Committee will carry out the following responsibilities.

#### Review Community Assets

- 5.1 Justification for recommendations made by the committee are to reflect the Place Based Plan Township aspiration/vision statement and must consider the following as a minimum:
  - Social and community health and wellbeing outcomes
  - Multiuser approach
  - Financially sustainability and economic factors
  - Impacts and implications for neighbouring towns
- 5.2 Consider the role, nature, use, condition and fit for purpose status of Township Assets, before making recommendations.
- 5.3 Recommendations may include the renewal, upgrade, repurposing or retirement of the facility.

### 6. Reporting to Council

- 6.1 Officers will circulate briefing papers to Councillors, as required, to update on them on the progress of the project
- 6.2 The Consultant will prepare a report for Council at the completion of the Township Facility Plan, which must include:
  - Full set of recommendations on Council and non-Council owned/managed Community facilities and,
  - Detailed consultation report to support the justification of the recommendations.

## Campaspe Shire Council – Township Facility Plan Charter

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## Appendix A

## Committee Member Code of Conduct

## Guidance to Members

LGA Section	LGA Requirement
<b>Misuse of Position</b>	
123(1)	A Committee member must not intentionally misuse their position to: <ul style="list-style-type: none"> <li>a) Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or</li> <li>b) Cause, or attempt to cause, detriment to the Council or another person</li> </ul>
123(3)	Circumstances involving misuse of a position by a member of the Committee include: <ul style="list-style-type: none"> <li>a) Making improper use of information acquired as a result of being a member of the Committee; or</li> <li>b) Disclosing information that is confidential information; or</li> <li>c) Directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or</li> <li>d) Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or</li> <li>e) Using public funds or resources in a manner that is improper or unauthorised; or</li> <li>f) Participating in a decision on a matter in which the member has a conflict of interest.</li> </ul>
<b>Confidential Information</b>	
125	A member of the Committee must not intentionally or recklessly disclose information that the member knows, or should reasonably know, is confidential information. There are some exemptions to this requirement, the key one being that if the information disclosed by the member has been determined by Council to be publicly available.
<b>Conflicts of Interest</b>	
126	A member of the Committee has a conflict of interest if the member has: <ul style="list-style-type: none"> <li>a) A general conflict of interest as described in Section 127; or</li> <li>b) A material conflict of interest as described in Section 128.</li> </ul>
127	A member of the Committee has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the members private interests could result in that member acting in a manner that is contrary to their public duty as a member of the Committee.
128	A member of the Committee has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.
<p style="text-align: center;"><b>Please Note</b></p> <p><i>The above guidance is not verbatim from the Act and does not include all details as explained in Part 6, Division 1 of the Act. For a full understanding of the requirements of the Act in relation to the matters summarised above, members are expected to make themselves fully aware of the requirements of the Act.</i></p>	

# Campaspe Shire Council

## XXXX Place Based Plan Committee

### Terms of Reference

#### Background

In January 2022 Council endorsed use of Place Based Planning to support it identify the needs and aspirations of the communities within Campaspe.

Place Based Planning is a collaborative process where Council and Community work together to identify the particular needs of township localities, and through strong consultation develop sustainable and supportive solutions.

#### Purpose of this Committee

The purpose of the Governance Committee is to enable Council to work with a diverse cross representation of the XXXXX community. This group is tasked with ensuring its Place Based Plan (PBP) is a reflection on the XXXXX community aspirations and needs.

The XXXXX PBP Governance Committee will focus on the following tasks:

- 1. Monitor the development of the PBP**
  - a. Track progress of the plan against timelines developed by consultant.
  - b. Ensure community feedback is being represented in drafted and final documentation.
- 2. Support the engagement of XXXXX Community**
  - a. Members of the group will act as champions of the PBP, supporting communication through its local networks.
  - b. Members will also encourage community members to participate.
  - c. Members to provide feedback to Council on the level of community satisfaction in relation to the process.
- 3. Authorise the plan once completed**
  - a. Members of the Committee will be required to endorse the plan on behalf of the community prior to its submission to Council.
- 4. Make representation to Council on the outcomes of the Place Based Plan.**
  - a. Members of the Committee will be engaged in delivering a presentation(s) of the PBP to Council, with the assistance of and support of Council staff.

#### Objectives

- Ensure effective communication between the PBP Consultant, Council, and the Community
- Monitor the plan against community expectation.
- Provide leadership and constructive analysis in the development of the PBP
- Provide clarity to Council about the Vision, objectives and priority activities listed in the Place Based Plan.
- Consider implications for nearby towns.

### **Exclusions**

The committee has no financial delegation or responsibility for any actions arising from the PBP once tabled to Council.

### **Duration**

Once the PBP is endorsed by the Committee and tabled to Council, this group will be disbanded.

### **Membership**

Community (Voting Participant):

- Up to nine representatives from the PBP community
- Broad range of representation focusing on all facets of rural/regional lifestyle
- Community members are selected through an Expression of Interest (EOI) process

Councillors (Non-voting Participant):

- Attend meetings to assist with facilitation and guidance.
- Non-voting participant.

Council Officers (Non-voting Participant):

- Includes:
  - Manager Community Development
  - Community Development Coordinator
  - Community Development Officer
- Responsible for:
  - Facilitation and administrative support to the Committee and for PBP process.
  - Providing the required and relevant information to the Committee to enable the informed development of a PBP.
  - Responding to the needs and requests of the Committee relevant to the successful development of a PBP.

### **Meetings**

Meetings are to be held on a need's basis at the discretion of the Chair in consultation with Council.

Meetings will be set on a day agreed upon by Group Members.

**Reporting Mechanisms**

Meeting minutes will be shared with all members.

**Chairperson & Secretary Roles**

The chairperson role will be Community member elected by the committee.

The minute taker and Secretary will be the Campaspe Shire Council Manager Community Development or their delegate.

Agenda items are to be confirmed at the end of each meeting. Additional agenda items shall be forwarded to Chair and secretary.

The Secretary will be responsible for circulation of the minutes and agendas, once approved by the Chair, one week prior to the meeting where possible.

**Quorum**

Minimum 5 Community members

A Staff representative from Council to provide facilitation and administrative support.

## 9.6 Request to fly the Orange Flag to say no to Family and Gender Violence

Division: Office of the CEO

### 1. SUMMARY

In accordance with Council's Flag Flying Policy, a request has been received to fly the Orange Flag in place of the Campaspe Council Flag at the Echuca Office from 25 November to 10 December 2022.

The Orange Flag is used to symbolise the cause of Family Violence and Gender Equity for the period branded as 16 Days of Activism (25 November to 10 December 2022).

### 2. RECOMMENDATION

**That Council approve to fly the Orange Flag in place of the Campaspe Council Flag at appropriate locations across the municipality from 25 November to 10 December 2022 in support of 16 Days of Activism to say no to Family and Gender Violence.**

### 3. PURPOSE

To seek approval to the fly the Orange Flag in place of the Campaspe Council Flag at appropriate locations across the municipality from 25 November to 10 December 2022.

### 4. DISCUSSION

Council's Flag Flying Policy allows for the Council Flag to be replaced by a Recognised Occasional flag. The current Policy does not include "16 Days of Activism to say no to Family and Gender Violence" as a recognised occasion.

An annual gender-based violence international campaign that kicks off on 25 November, the International Day for the Elimination of Violence against Women, and runs until 10 December, Human Rights Day.

Campaspe is a safe, connected and inclusive place to live" with one of the measures of success being: Decrease in family and gender violence.

*Councils Access and Inclusion Strategy* includes Women as one of nine Communities of Priority.

Strategy 3 - Advocate for the needs of council's identified Communities of Priority and includes in the Action Plan a 16 Days of Activism Event - Raise awareness in the community that we say no to family and gendered violence.

- Operationally Council is an active member of the Campaspe Family Violence Action Group's (CFVAG) working parties, and Council takes a lead role in the facilitation in one of the biggest community interventions known as "16 days of Activism".
- Several interventions are facilitated through the 16-days of activism, and these include:
- Banners dispersed throughout the Shire promoting the event and raising awareness
- Promotional flags at the Echuca CBD flag poles

- Civic Event (this year will be known “Campaspe Dashin to Fashin” extending on from a previous Civic Event Campaspe DASH)
- Partner with other CFVAG member with other activities and
- Facilitate a Social media campaign
- For this year’s event Officers seek permission from EMG to raise orange flags at all the Service Centres across the municipality in lieu of the Campaspe Shire Flag

## 5. CONSULTATION

### Internal consultation:

- EMG
- Community Development
- Governance

### External consultation:

- Campaspe Family Violence Action Group (CFVAG)

### Councillors:

- 14 September 2022 Council Briefing Session.

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

### **Growing quality of life**

Inclusive, connected, culturally diverse and safe

## 11. ISSUES AND RISK MANAGEMENT

### Issues:

The current policy has a set of prescribed a recognised occasions where specific flags are flown in place of the Campaspe Shire Flag across the Shire at Council owned facilities.



Branding for the 16 Days of Activism utilises an orange flag, to symbolise the issue a family violence and gender equity. So, in proposing to fly this flag Council is seeking permission to facilitate something outside of current policy and requires Councillor permission to do so. As Council already owns orange flags used for Harmony Day in March, this request would not be at any additional cost to Council.

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

Council authorisation is sought to fly the Orange Flag lieu of the Campaspe Shire Flag at the appropriate locations across the municipality. to support 16 Days of Activism (25 November to 10 December 2022) to say no to Family and Gender Violence.

## **16. ATTACHMENTS**

Nil

## 9.7 Motion to the 2022 MAV State Council on e-cigarettes' Legislation

Division: Office of the CEO

### 1. SUMMARY

At the next meeting of Municipal Association of Victoria's (MAV) State Council, scheduled 14 October 2022, Campaspe has the opportunity to submit a motion in relation to the use and access of e-cigarettes in the community.

Multiple teams within Council, in partnership with key health services within the municipality have identified the need for a collaborative response the growth of E Cigarettes in all our communities across Campaspe.

This report and recommendation will support this collaborative approach by articulating Council's evidence-based position on this growing health concern.

The rise of in use of e-cigarettes is having an impact on the health promotion and legislative interventions implemented over the last 40 years to reduce the use of cigarette smoking. Failure to address this issue could lead to this work being undone and the next generations being exposed to and addicted with nicotine-based products again.

### 2. RECOMMENDATION

**That Council endorse the following motion to be submitted to the MAV State Council Meeting scheduled for 14 October 2022.**

**That the MAV**

- 1. advocate to the State Government to introduce legislation for the banning of the sale of e-cigarettes without a prescription.**
- 2. advocate to the State Government to introduce legislation to restrict the promotion and consumption of e-cigarettes, to mirror the restrictions placed on the promotion and consumption of traditional tobacco products.**

### 3. PURPOSE

To seek endorsement of a motion to be submitted to the 2022 MAV State Council Meeting, advocating for legislation to minimise the promotion, sale and use of e-cigarettes.

### 4. DISCUSSION

#### **MAV State council motion**

The MAV State Council offers municipalities the opportunity to offer motions for consideration under the following parameters:

- Be an issue of state-wide significance to the sector
- link to the key outcomes in MAV Strategy 2021-25 (See attached)

By informing this platform of the issue and driving state-wide support to address e cigarettes it goes towards validating the growing concerns of Council, education providers, health and

wellbeing agencies and the community. If the proposed motion is adopted at the State level, it will also support provide guidance to all council on how it should address this issue.

### **Rationale for Campaspe Shire Council's involvement:**

As part of the *Victorian Local Government Act 2020* Council is required to develop and facilitate a Municipal Public Health and Wellbeing Plan (MPHWP). It is mandated that the MPHWP must address the issue of smoking, and Campaspe has addressed this within our plan by citing the objective:

- Reducing tobacco related harm

The plan qualifies this objective by stating:

“Campaspe Residents will have access to support to reduce smoking”

The plan provides the following indicative performance measures:

- Reduction in smoking rates
- Increased understanding of vaping impact
- De-normalise smoking behaviours and provide access to cessation programs to support smokers to quit

Attached is the complete strategy for this component of the plan.

It has come to the attention of Council that there is a significant growth in the uptake of E-Cigarettes and Vaping. Concerns have been raised by schools and by health agencies within the municipality that children under the age of 18 are being targeted. It is incumbent on council to provide leadership in this regard.

Research conducted to develop this report has identified the position statements of three key peak bodies these include, Cancer Council of Victoria, Australian National University (ANU) and Federal Department of Health. All entities are consistent with evidence-based concerns relating to the growth in usage of e-cigarettes.

### **Cancer Council Victoria** from its website it states

- “Studies increasingly show that e-cigarettes emit harmful substances. The National Health and Medical Research Council advises that e-cigarettes may expose users to chemicals and toxins such as formaldehyde, heavy metals, particulate matter, and flavouring chemicals, at levels that have the potential to cause adverse health effects. For example, propylene glycol and glycerine found in e-cigarettes when overheated can produce dangerous levels of the carcinogens formaldehyde and acetaldehyde.”
- There is growing evidence that using e-cigarettes leads to smoking tobacco cigarettes in young people.
- Given these potential risks, Cancer Council and the National Heart Foundation advise extreme caution on the use of e-cigarettes and make the following recommendations to:
  - ban the retail sale of non-nicotine electronic cigarettes
  - ensure smoke-free laws in each state and territory cover electronic cigarette use
  - prohibit advertising and promotion of electronic cigarettes.

## The Australian National University (ANU)

Report from ANU's National Centre for Epidemiology and Population Health - [summary](#):

- Use of e-cigarettes is increasing and is greatest in young people in Australia.
- In 2019, 11% of the total Australian population aged 14 and over reported ever having used e-cigarettes, with around a quarter of people aged 18-24 reported ever-used.
- Over one-third of current e-cigarette users in Australia were aged under 25, and half were aged under 30.
- Among people aged 18-24, half of all current e-cigarette users had never smoked. Hence, the majority of e-cigarette use is not for smoking cessation, particularly at young ages.
- There is strong evidence that non-smokers who use e-cigarettes are three times as likely to go on to smoke combustible tobacco cigarettes as non-smokers who do not use e-cigarettes, supportive of a "gateway" effect.

## Department of Health [National Tobacco Strategy 2022-2030](#)

- Note that the document is still in draft and open for consultation
- The draft strategy is wide ranging in focus, but it is Priority Area 9: "Strengthen regulations for novel and emerging products" is section relevant to the discussion relating to this topic.
- Key interventions identified in the document include:
  - Marketing restrictions
  - Increased awareness marketing about impact of e-cigarettes
  - Develop a regulatory framework
  - Ban the use of e-cigarettes in the same locations where traditional cigarette usage is already banned
  - Ban e-cigarette sponsorships
  - Strengthen research, monitoring and surveillance of e-cigarette marketing

## Therapeutic Goods Association (TGA)

In reviewing the Therapeutic Goods (Standard for Nicotine Vaping Products) (TGO 110) Order 2021, this document defines parameters for the content (ingredients) and packaging of e-cigarettes. There is a heavy focus on labelling and child resistant packaging.

On 21 December 2020, the Therapeutic Goods Administration (TGA) announced a decision that, from 1 October 2021, consumers need a valid prescription to import nicotine vaping products, such as nicotine e-cigarettes, nicotine pods and liquid nicotine.

The British National Health Service (NHS) do state that there are benefits to using e-cigarette to support people with smoking cessation. It cites on its website that A major UK clinical trial published in 2019 found that, when combined with expert face-to-face support, people who used e-cigarettes to quit smoking were twice as likely to succeed as people who used other nicotine replacement products, such as patches or gum. (<https://www.nhs.uk/live-well/quit-smoking/using-e-cigarettes-to-stop-smoking/>)

## Council's position

Council recognises the data being presented by agencies such as the Cancer Council and ANU that identifies clear concerns about the uptake and misuse by youth, which jeopardises years of work in preventing the uptake of cigarette smoking. It is incumbent on all levels of Government to regulate and minimise the promotion of and access to products of this nature.

## 5. CONSULTATION

### Internal consultation:

- EMG
- Community Development
- Community Health
- Governance
- Management Team

### External consultation:

- Echuca Regional Health
- Echuca Headspace
- Youth Partnerships Forum (All Campaspe Based Secondary schools)
- Loddon Mallee Public Health – Campaspe Unit

### Councillors:

- 14 September 2022 Council Briefing Session.

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and social implications for the municipality have been identified with this report.

There is a significant growth in the uptake of E-Cigarettes and Vaping with the region. Concerns have been raised by schools and by health agencies within the municipality that children under the age of 18 are being targeted. It is incumbent on council to provide leadership in this regard. This motion, if implemented would be a positive start in the campaign to reduce the danger associated with the availability and promotion of e-cigarettes.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

### **Growing quality of life**

Children, young people and families healthy and well

## **11. ISSUES AND RISK MANAGEMENT**

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

Council's leadership is imperative to clarify that in partnership with other locally based health services, it supports access to e-cigarettes in the circumstance where a consumer is receiving medical treatment and support with smoking cessation.

## **16. ATTACHMENTS**

1. CSC MPHWP Focus Area 6 - Reducing Tobacco Related Harm [9.7.1 - 1 page]

## Focus Area Six

### Reducing Tobacco Related Harm



Campaspe Shire supports VicHealth's Tobacco Strategy and Action Agenda 2019-23 to reduce tobacco use. Smoking data for the Campaspe population is inconsistent, however very high rates of chronic obstructive pulmonary disease and lung cancer - particularly for males - indicates that smoking related disease prevalence is high. More generally, there are significant gendered dimensions to tobacco use that open the door to targeted efforts to reduce smoking amongst vulnerable cohorts, including youth. We also see a need to better understand vaping behaviour in our Shire and its health impact. Existing relationships with VicHealth and Quit will be leveraged to develop strategies and access materials that help prevent smoking uptake among young people, support people in general to quit (particularly those from disadvantaged groups), and also to reduce the appeal of tobacco products.

**Goal: Campaspe residents will have access to support to reduce smoking**

Outcomes	How we measure success
<ul style="list-style-type: none"> <li>Widely available tobacco messaging, support and related initiatives reduce smoking rates</li> <li>Tobacco messaging is integrated and available within Council healthcare approaches and venues</li> <li>Tailored prevention focused approaches reach key cohorts</li> <li>Enhanced awareness of the prevalence and risks associated with vaping</li> <li>Intervention approaches support earlier identification of smoking related diseases such as COPD, lung cancer etc.</li> </ul>	<ul style="list-style-type: none"> <li>Reduction in smoking rates</li> <li>Increase in understanding of vaping impact</li> <li>Diverse strategies and engagement approaches in place</li> <li>Latest resources disseminated</li> <li>Vaping messaging integrated within anti-smoking campaigns</li> </ul>

#### Strategies that will help achieve our goal:

- Tobacco messaging is integrated and available within Council healthcare approaches and venues
- Anti-smoking strategies recognise the causal link between smoking and disadvantage, levels of education, and other socio determinants
- Respectful, trauma aware approaches engage cohorts known to be at risk of smoking
- Key determinants of health integrated within anti-smoking approaches (physical activity, healthy living, etc.), drawing on latest resources (Quit)
- Awareness raising to improve understanding of early warnings of significant smoking related health diseases amongst high risk groups
- Strategies in place to support earlier diagnosis and health system engagement
- Workplaces are encouraged to make policy and environmental changes that will support their staff to reduce or cease tobacco use
- Gender responsive approaches (recognising that smoking behaviour is highly gendered)
- Unique support strategies are in place to target different cohorts
- Early intervention programs use approaches well suited to engaging youth
- Identify local advocates for no smoking practices/policies.
- Draw on peer reviewed research to raise awareness of the impact of vaping (adapted to audience)
- Integrate anti-vaping measures within reducing tobacco related harm approaches

## 9.8 Immunisation Administration charge

Division: Development

### 1. SUMMARY

The Department of Health has requested for Council to participate in the rollout of the Japanese Encephalitis Virus (JEV) vaccine to eligible populations. While the vaccine will be provided to Council free of charge, Council is required to cover the cost for administering this vaccine.

Council authorisation is required to enable the introduction of a vaccine administration fee of \$25. This fee will be charged to the public for administration of a vaccine. The authorisation is required as it not listed in Council's fees and charges, nor under the National Immunisation Program Schedule.

The vaccine administration fee will be implemented for the JEV vaccine rollout, however, would be available for any similar programs that may be introduced in the future.

### 2. RECOMMENDATION

#### That Council:

- 1. Approve a vaccine administration charge of \$25 to cover Council's costs in providing a single vaccine dose, exclusive of cost of vaccine (where applicable).**
- 2. Note the vaccine administration charge will be applied to members of the public in the event there is not a specified vaccine fee published in Council's annual budget.**

### 3. PURPOSE

To obtain Council approval for the introduction of a vaccine administration fee of \$25 to be charged to the public for administration of a vaccine that is not listed under the National Immunisation Program Schedule.

### 4. DISCUSSION

The Department of Health Council has requested for Council to participate in the rollout of the Japanese Encephalitis Virus (JEV) vaccine to eligible populations. While the vaccine will be provided to Council free of charge, Council is required to cover the cost for administering this vaccine.

The purpose of this program is to provide the vaccine to eligible populations free of charge to increase coverage in the area leading up to mosquito season. The eligibility for the free vaccine has been set by the Department of Health and at the time of writing this report is as follows:

- people who work at, reside at, or have a planned non-deferable visit to a:
  - piggery, including but not limited to farm workers and their families (including children aged 2 months and older) living at the piggery, transport workers, veterinarians and others involved in the care of pigs
  - pork abattoir or pork rendering plant.



- personnel who work directly with mosquitoes through their surveillance (field or laboratory based) or control and management, and indirectly through management of vertebrate mosquito-borne disease surveillance systems (e.g. sentinel animals) such as:
  - environmental health officers and workers (urban and remote)
  - entomologists
- all diagnostic and research laboratory workers who may be exposed to the virus, such as persons working with JEV cultures or mosquitoes with the potential to transmit JEV; as per the Australian Immunisation Handbook. (These people may need a booster dose if they have ongoing risk of exposure to the virus).
- People who reside or usual place of work in the following local government areas of Mildura, Swan Hill, Gannawarra, Campaspe, Moira, Greater Shepparton, Indigo, Wodonga, Towong, Loddon and who meet the following criteria:
  - aged 50 years and above
  - Spend at least 4 hours per day outdoor (occupational or recreational)

The eligibility is being monitored and reviewed by the department to ensure that the most at-risk populations can access the vaccine.

This is a particularly important public health program for the region given the emergence of the virus in the earlier this year. It is anticipated that mosquito populations will again be of concern in the area this coming season, which presents an increased risk of Japanese Encephalitis Virus infections. Programs to increase vaccination rates in the population is a priority for the Department of Health in high-risk locations.

An administration fee is recommended to cover Council's costs to administer each dose of vaccine. It is proposed the JEV vaccine would be offered through an onsite business-based program, where Council immunisation nurses would attend workplaces and vaccinate eligible staff. It is also proposed the JEV vaccine would be made available to eligible community members by increasing available appointments at already scheduled community sessions.

Council is one of several local providers of the vaccine. Local Government in Victoria has a highly qualified workforce that is well practiced in the administration of community vaccines through existing programs. The JEV vaccine is also available through participating pharmacists and General Practitioners.

The request to participate in the rollout of the program does not include the provision of funding to cover Councils costs in offering the vaccine to the community but does provide the vaccine free of charge.

General Practitioners and Pharmacists are also able to participate in this program and offer the vaccine to the community. No funding will be offered to any providers participating in the program however, all providers are able to set their own fee if they would like to.

When considering whether Council should participate in this program it is important to balance the cost of the program to Council with the benefits to the community. Supporting public health efforts on this issue is encouraged, so to cover Council's cost to provide this vaccine a new vaccine administration charge is recommended to be introduced. This is a small fee that would be charged to the customer to ensure Council is able to viably offer this vaccine. A fee of \$25 is proposed, which has been calculated on the costs for Council to administer a dose of a vaccine to the community. This fee is consistent with other vaccine charges already in place. The affordability of the vaccine has also been considered as part of this fee introduction, considering the need to encourage as many of the eligible population as possible to be vaccinated.

To achieve the best coverage possible, it is proposed that Council offers an in-business/workplace program like that offered for the flu vaccine. This will involve Council's immunisation nurses attending workplaces to vaccinate eligible staff onsite for the relevant fee per dose. This will involve

specific targeting of businesses that will have high numbers of staff that fit the eligibility criteria for the vaccine. In addition to this, it is proposed Council commence offering the vaccine at regular community sessions with additional appointments made available for the community to book. If the demand for the vaccine increases as the mosquito season progresses, additional immunisation sessions may be offered.

Once approved this fee will be able to be charged for the administration of any future vaccine/s where that vaccine is free of charge, not already listed in Council's adopted fees and charges and not listed under the National Immunisation Program Schedule.

## **5. CONSULTATION**

### Internal consultation:

- Environmental Health and Immunisation team.
- Manager Community Health
- Executive Management Team

### External consultation:

- Officers have advised the Department of Health that it is likely a fee will be implemented in Campaspe should Council participate in this program.

### Councillors:

- Not required

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

### **Growing quality of life**

Effective and efficient services available locally  
Children, young people and families healthy and well

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

#### **Issue 1:**

With the increased rain and potential for flooding this mosquito season it is expected that mosquito populations will be highly active in Campaspe Shire. With this there is an increased risk of Japanese Encephalitis virus infections within the community. Widespread rollout of the vaccine will reduce the risk of infections in those that are deemed to be eligible for the vaccine.

#### **Issue 2:**

Council, local GP's and pharmacists are all able to offer the vaccine to the community. If there were only limited providers available for this vaccine it would make it more difficult for people to access due to limited appointment times at GP's and pharmacies. It also places additional strain on the already strained health system if an increase in severe JEV infections were to occur.

#### **Issue 3:**

For the community to access vaccines they need to be affordable for those considered at risk. If the charge is set too high, it is less likely eligible people will take up the free vaccine offer limiting the coverage that is able to be achieved and potentially adding to infection rates in high-risk areas.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is as far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

It is recommended that Campaspe Shire Council participate in the rollout of the Japanese Encephalitis Virus Vaccine to eligible populations in our municipality. To cover Council's costs for this program it is proposed that a vaccine administration charge of \$25 be introduced for each dose administered. The vaccine is proposed at this time to be made available to providers free of charge.

## **16. ATTACHMENTS**

Nil

## 9.9 Unscheduled Council Meeting for the Election of the Mayor and Deputy Mayor

Division: Office of the CEO

### 1. SUMMARY

At the Council Meeting held on 17 November 2021, Campaspe Shire Council resolved that the term of the Mayor and the Deputy Mayor was for 1 year.

Council is required to hold an unscheduled meeting to resolve the following:

- Term of the Mayor and Deputy
- Election of the Mayor
- Election of the Deputy Mayor

### 2. RECOMMENDATION

**That Council resolve to hold an unscheduled meeting on Friday 4 November 2022 at 6.00pm at the Echuca Civic Centre to elect the Mayor and Deputy Mayor.**

### 3. PURPOSE

To enable the election of Mayor and Deputy Mayor, Council is required to hold a meeting of Council. The proposed date for this unscheduled meeting is Friday 4 November 2022.

### 4. DISCUSSION

At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

At the Council Meeting held on 17 November 2021, Campaspe Shire Council Cr Weller was elected as Mayor for a term of one year. As the 12 months of Cr Weller's term as Mayor is nearing completion, Council is therefore required to hold a meeting to resolve the following:

- Term of the Mayor and Deputy Mayor.
- Election of the Mayor
- Election of the Deputy Mayor

The election of the Mayor and Deputy Mayor is to be held in accordance with Council's Governance Rules.

The Mayor and Deputy Mayor are eligible for re-election.

### 5. CONSULTATION

Councillors:

- 14 September 2022 Council Briefing Session.

### 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

All aspects of the Council Plan 2021-2025 are applicable to the election of Mayor and Deputy Mayor as the Council Plan sets out our strategic direction and commitment to the community for the next four years, including what we will deliver, how we will deliver it and how we will measure progress.

The priorities of Council over the duration of the Council Plan are:

- **Flourishing local economy**
- **Resilient protected and healthy natural environment**
- **Well planned places**
- **Growing quality of life**

## **11. ISSUES AND RISK MANAGEMENT**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

**15. CONCLUSION**

A meeting of Council is required to enable the election of Mayor and Deputy Mayor, Council is required to hold a meeting of Council.

**16. ATTACHMENTS**

Nil

## 9.10 Endorsement of the 2021/2022 Financial and Performance Statements

Division: Chief Financial Officer

### 1. SUMMARY

Council is required to produce financial statements and a performance statement at the end of the reporting period, 30 June, which are reviewed by the Audit and Risk Committee and recommended to Council to adopt in principle pending final review by the Victorian Auditor General's Office.

The financial statements (9.10.1) and performance statement (9.10.2) are attached to this report and reflect the appropriate financial position of Council.

### 2. RECOMMENDATION

#### That Council:

- 1. Approve 'in principle' the financial statements and performance statement for the period ended 30 June 2022, appended as attached in 9.10.1 and 9.10.2.**
- 2. Authorise the Manager Finance (Principal Accounting Officer) to make changes to the Financial Statements and Performance Statement as may be determined by the Victorian Auditor General's Office and that any material amendments be made in consultation with the Chief Executive Officer and Chair of the Audit and Risk Committee.**
- 3. Be notified of any material amendments if they are made, as soon as possible.**
- 4. Authorise the Mayor, Cr Chrissy Weller, and Cr \_\_\_\_\_ to sign the annual financial statements and performance statement on behalf of Council.**

### 3. PURPOSE

To present the audited draft financial and performance statements for Council's 'in principle' approval and authorise two Councillors to sign the 2021/22 Financial Statements and Performance Statement on behalf of Council

### 4. DISCUSSION

Under sections 99 (2) and 99 (3) of the Local Government Act 2020, Council cannot submit its financial or performance statements to the Victorian Auditor General's Office (VAGO) until Council has considered the statements, provided 'in principle' approval and signed them.

To satisfy this requirement, Council must pass two resolutions, the first gives 'in principle' approval for the financial statements and performance statement and the second authorises two councillors, on behalf of Council, to certify the statements once amendments or changes requested by the VAGO have been made.

The State Government provides the following guidance to Local Government on the process:

- The Audit and Risk Committee reviews the draft financial statements and performance statement and recommends any required changes.
- Council formally meets to review the draft financial statements and performance statement. These are attached as attachment 9.10.1 and 9.10. 2.
- Council is then required to pass a resolution giving 'in principle' approval to the statements and to authorise two specific councillors to sign the statements in their final form, before they can be forward to VAGO for sign off.
- The statements and other documentation are provided to the audit contractor who forwards them to VAGO.
- VAGO reviews the statements and other documentation and requests changes if appropriate.
- The Principal Accounting Officer considers the VAGO requested changes and incorporates them into the statement as agreed.
- The authorised councillors, CEO and Principal Accounting Officer sign the financial statements and submit a final signed copy of the statements to VAGO.
- VAGO then issues the audit report for both the financial statements and performance statement.

Council's VAGO appointed auditor, Johnsons MME, have worked with council officers to ensure the statements as presented reflect the appropriate financial position of Council. These statements were provided to Council's Audit and Risk Committee and discussed at their meeting held on the 9 September 2022.

The Audit and Risk Committee have referred these statements to Council for their 'in principle' approval.

However, the key differences leading to the variance between budget and actuals are:

- An additional \$8.610 million of income, which includes the recognition of contributed assets (\$.961 million), increased operating grants (\$4.625 of which \$3.915million is additional prepayment of financial assistance grants) and capital grants (\$2.241 million).
- An additional \$6.075 million of expenditure, which includes a loss on disposal of assets (\$5.104 million) due to the capitalisation process that 'writes off' any remaining written down value of assets that are renewed, and then have their new value recognised on the balance sheet: an increase in materials and services (\$3.206 million) due to increased cost of materials for repairs and maintenance; partially offset by savings in employee costs (\$1.535 million).

The surplus result of \$5.999 million includes non-cash item.

- A loss on disposal of property, infrastructure, plant and equipment of \$5.104 million; and
- Contributed assets of \$0.961 million

The following table removes the non-cash items and capital grants to show the adjusted underlying result for the reporting period.

<b>Adjusted underlying result</b>	<b>\$000</b>
Reported surplus	5,999
<b><i>Write back of non-cash items</i></b>	
Net loss on disposal of assets	5,104
Contributed assets	(961)
<b><i>Total of non-cash items</i></b>	<b><i>4,143</i></b>
Remove capital grants	(8,206)
<b>Adjusted operating surplus</b>	<b>1,936</b>



As part of the preparation of the financial statements this year, Council performed an index based revaluation of land and infrastructure assets. This has resulted in a substantial uplift in asset values. More detailed information on these movements can be found in Note 9.1 of the Financial Report.

The performance statement reports on Council's results against the local government performance reporting indicators and demonstrates results consistent with prior years. These results will be available on the Know Your Council website and can be compared with other councils of similar size and all councils across Victoria.

The financial and performance statements are being finalised with VAGO's appointed auditor and are still subject to final review of VAGO.

This report recommends that Mayor, Cr Chrissy Weller, and a Councillor, who is a current member of Council's Audit and Risk Committee, sign the financial statements and performance statement following advice from VAGO.

## **5. CONSULTATION**

### External consultation:

- Council's Audit and Risk Committee reviewed the financial statements and performance statement on 9 September 2022 and discussed the results with Council's VAGO appointed auditor, Johnsons MME.

### Councillors:

- 21 September 2022 Council Briefing Session.

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

Not applicable

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

There are no issues identified in connection with this report.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

It is recommended that Council adopt the financial and performance statements 'in principle' pending VAGO review, to ensure that Council meets the legislative requirements of Section 99 of *Local Government Act 2020*.

Section 99 requires that Council provide the Minister with a copy of the annual report and performance statement as soon as is reasonably practicable after the end of the financial year.

## **16. ATTACHMENTS**

1. SOC - Financial Statements 2021-22 DRAFT [9.10.1 - 63 pages]
2. SOC Performance Statement 2021-22 Draft [9.10.2 - 15 pages]

**Campaspe Shire Council  
ANNUAL FINANCIAL REPORT**

*For the Year Ended 30 June 2022*

**Campaspe Shire Council  
Financial Report  
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**Campaspe Shire Council**  
**2021/2022 Financial Report**

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**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.

*Ailsa Box CPA*

**Principal Accounting Officer**

**Date :** XX/09/2022

*Echuca*

In our opinion the accompanying financial statements present fairly the financial transactions of Campaspe 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.

*Cr Christine Weller*

**Councillor**

**Date :** XX/09/2022

*Echuca*

*Cr XXXXX XXXXXXX*

**Councillor**

**Date :** XX/09/2022

*Echuca*

*Declan Moore*

**Chief Executive Officer**

**Date :** XX/09/2022

*Echuca*

**Campaspe Shire Council**  
**2021/2022 Financial Report**

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**2021/2022 Financial Report**

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**Campaspe Shire Council**  
**2021/2022 Financial Report**

**Comprehensive Income Statement**  
**For the Year Ended 30 June 2022**

	Note	2022 \$'000	2021 \$'000
<b>Income</b>			
Rates and charges	3.1	45,779	44,696
Statutory fees and fines	3.2	1,861	1,941
User fees	3.3	14,610	12,772
Grants - operating	3.4 (a)	19,096	16,201
Grants - capital	3.4 (b)	8,206	4,372
Contributions - monetary	3.5	511	244
Contributions - non monetary	3.5	961	2,774
Other income	3.7	1,102	1,315
<b>Total income</b>		<b>92,126</b>	<b>84,315</b>
<b>Expenses</b>			
Employee costs	4.1	(29,361)	(27,817)
Materials and services	4.2	(26,095)	(21,651)
Depreciation	4.3	(20,626)	(20,650)
Depreciation - right of use assets	4.4	(471)	(633)
Bad and doubtful debts	4.5	(188)	(168)
Borrowing costs	4.6	(88)	(113)
Finance costs - leases	4.7	(18)	(34)
Other expenses	4.8	(4,176)	(4,506)
Impairment loss	6.2	-	(7,316)
Net loss on disposal of property, infrastructure, plant and equipment	3.6	(5,104)	(6,100)
<b>Total expenses</b>		<b>(86,127)</b>	<b>(88,988)</b>
<b>Surplus for the year</b>		<b>5,999</b>	<b>(4,673)</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment	5.2 (b), 6.2	57,747	19,628
<b>Total comprehensive result</b>		<b>63,746</b>	<b>14,955</b>

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



**Campaspe Shire Council**  
**2021/2022 Financial Report**

**Balance Sheet**  
**As at 30 June 2022**

	Note	2022 \$'000	2021 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1 (a)	10,289	14,539
Other financial assets	5.1 (b)	59,020	48,030
Trade and other receivables	5.1 (c)	4,068	4,921
Inventories		728	676
Other assets	5.2 (a)	2,416	561
Non-current assets classified as held for sale	6.1	-	850
<b>Total current assets</b>		<b>76,521</b>	<b>69,577</b>
<b>Non-current assets</b>			
Trade and other receivables	5.1 (c)	16	17
Other financial assets	5.1 (b)	28,000	18,500
Property, infrastructure, plant and equipment	6.2	773,637	717,696
Right of use asset - lease assets	5.8	309	571
Intangible assets - water rights	5.2 (b)	3,919	3,721
<b>Total non-current assets</b>		<b>805,881</b>	<b>740,505</b>
<b>Total assets</b>		<b>882,402</b>	<b>810,082</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3 (a)	8,036	3,716
Trust funds and deposits	5.3 (b)	2,227	2,716
Unearned Income/revenue	5.3 (c)	6,135	3,883
Provisions	5.5	5,923	6,447
Interest-bearing liabilities	5.4	1,430	1,009
Lease liabilities	5.8	205	384
<b>Total current liabilities</b>		<b>23,956</b>	<b>18,155</b>
<b>Non-current liabilities</b>			
Trust funds and deposits	5.3 (b)	18	18
Provisions	5.5	1,818	1,724
Interest-bearing liabilities	5.4	5,090	2,322
Lease liabilities	5.8	116	205
<b>Total non-current liabilities</b>		<b>7,042</b>	<b>4,269</b>
<b>Total liabilities</b>		<b>30,998</b>	<b>22,424</b>
<b>Net assets</b>		<b>851,404</b>	<b>787,658</b>
<b>Equity</b>			
Accumulated surplus		324,051	322,217
Reserves	9.1	527,353	465,441
<b>Total Equity</b>		<b>851,404</b>	<b>787,658</b>

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

**Campaspe Shire Council**  
**2021/2022 Financial Report**

**Statement of Cash Flows**  
**For the Year Ended 30 June 2022**

	Note	2022 Inflows/ (Outflows) \$'000	2021 Inflows/ (Outflows) \$'000
<b>Cash flows from operating activities</b>			
Rates and charges		46,199	44,135
Statutory fees and fines		1,934	2,072
User fees		15,385	13,938
Grants - operating		19,096	16,201
Grants - capital		9,686	7,985
Contributions - monetary		511	244
Interest received		548	1,163
Trust funds and deposits taken		10,606	4,194
Other receipts		438	376
Net GST refund/(payment)		1,589	1,036
Employee costs		(29,113)	(25,729)
Materials and services		(25,087)	(30,305)
Other payments		(4,594)	(4,956)
Short-term, low value and variable lease payments		(145)	(228)
Trust funds and deposits repaid		(11,094)	(3,652)
Payments for landfill rehabilitation		(19)	(58)
<b>Net cash provided by/(used in) operating activities</b>	9.2	<b>35,940</b>	<b>26,416</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment	6.2	(25,529)	(20,507)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	3,221	1,881
Payments for investments		(48,530)	(37,030)
Proceeds from sale of investments		28,041	29,500
<b>Net cash provided by/(used in) investing activities</b>		<b>(42,797)</b>	<b>(26,156)</b>
<b>Cash flows from financing activities</b>			
Finance costs		(88)	(113)
Proceeds from borrowings		4,262	-
Repayment of borrowings		(1,073)	(1,064)
Interest paid - lease liability		(18)	(34)
Repayment of lease liabilities		(477)	(729)
<b>Net cash provided by/(used in) financing activities</b>		<b>2,606</b>	<b>(1,940)</b>
Net increase (decrease) in cash and cash equivalents		(4,250)	(1,680)
Cash and cash equivalents at the beginning of the financial year		14,539	16,219
<b>Cash and cash equivalents at the end of the financial year</b>		<b>10,289</b>	<b>14,539</b>
Financing arrangements	5.6		
Restrictions on cash assets	5.1		

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

**Campaspe Shire Council**  
**2021/2022 Financial Report**

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

		Accumulated		Revaluation	Other
		Total	Surplus	Reserve	Reserves
2022		\$'000	\$'000	\$'000	\$'000
<b>Balance at beginning of the financial year</b>		787,658	322,217	440,200	25,241
Surplus for the year		5,999	5,999	-	-
Net asset revaluation increment	5.2 (b), 6.2, 9.1 (a)	57,747	-	57,747	-
Transfers to other reserves	9.1 (b)	-	(9,821)	-	9,821
Transfers from other reserves	9.1 (b)	-	5,656	-	(5,656)
<b>Balance at end of the financial year</b>		<b>851,404</b>	<b>324,051</b>	<b>497,947</b>	<b>29,406</b>

		Accumulated		Revaluation	Other
		Total	Surplus	Reserve	Reserves
2021		\$'000	\$'000	\$'000	\$'000
<b>Balance at beginning of the financial year</b>		772,410	328,334	420,572	23,503
Recognition of found assets	8.6	294	294	-	-
Deficit for the year		(4,673)	(4,673)	-	-
Net asset revaluation increment	9.1 (a)	19,628	-	19,628	-
Transfers to other reserves	9.1 (b)	-	(6,852)	-	6,852
Transfers from other reserves	9.1 (b)	-	5,114	-	(5,114)
<b>Balance at end of the financial year</b>		<b>787,658</b>	<b>322,217</b>	<b>440,200</b>	<b>25,241</b>

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

**Campaspe Shire Council**  
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**Statement of Capital Works**  
**For the Year Ended 30 June 2022**

	2022 \$'000	2021 \$'000
<b>Property</b>		
Buildings	1,329	88
Heritage buildings	238	-
<b>Total buildings</b>	<b>1,567</b>	<b>88</b>
<b>Total property</b>	<b>1,567</b>	<b>88</b>
<b>Plant and equipment</b>		
Heritage plant and equipment	690	254
Plant, machinery and equipment	2,353	3,266
Computers and telecommunications	54	13
<b>Total plant and equipment</b>	<b>3,097</b>	<b>3,533</b>
<b>Infrastructure</b>		
Roads	9,861	10,088
Bridges	627	484
Footpaths and cycleways	1,269	1,892
Drainage	2,415	2,846
Recreational, leisure and community facilities	6,151	300
Waste management	55	407
Parks, open space and streetscapes	-	74
Aerodromes	-	129
Other infrastructure	455	666
<b>Total infrastructure</b>	<b>20,833</b>	<b>16,886</b>
<b>Total capital works expenditure</b>	<b>25,497</b>	<b>20,507</b>
<b>Represented by:</b>		
New asset expenditure	1,602	814
Asset renewal expenditure	17,382	16,808
Asset upgrade expenditure	6,513	2,885
<b>Total capital works expenditure</b>	<b>25,497</b>	<b>20,507</b>

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

**Note 1 OVERVIEW**

**Introduction**

Campaspe Shire Council was established by an Order of the Governor in Council on 18 November 1994 and is a body corporate.

The Council's main office is located at Heygarth Street, Echuca.

**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, 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 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- 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)
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not *AASB 1059 Service Concession Arrangements: Grantors* is applicable

**Note 1 OVERVIEW**

- other areas requiring judgments

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.

**(b) Impact of Covid-19**

During 2021-22 the COVID-19 pandemic continued to impact on Council's operations. Council has noted the following significant impacts on its financial operations:

- Revenue reductions – several services were closed due to government directives, these services were recreation facilities including aquatic facilities, libraries, caravan parks and tourism related services. The closure of these services has reduced the revenue generated by the service.
- Cost reductions – there have been savings made due to the closure of services, both in materials and labour costs.
- Additional costs – Additional cleaning has been required to comply with the required covid plans, but there have been no other additional costs.
- Asset valuations – Land assets have increased across the municipality between 15% – 25 %. The current market environment, impacted by the pandemic, creates significant valuation uncertainty. This has given rise to performing an index-based revaluation of Council land resulting in a \$21.35 million valuation increment.
- Infrastructure valuations – The values of several classes of assets have increased resulting in a \$36.19 million valuation increment. The current environment has created significant valuation uncertainty, this is being driven by supply chain issues and workforce shortage which are impacting construction costs.
- Rates and debt collection – Council waived interest on unpaid rates until 30 June 2022. Debt collection of unpaid rates resumed in 2022. There has not been an increase in the level of unpaid rates or debtors.

### 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 of the lower of 10 per cent or \$500,000 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 2022 \$'000	Variance %	Ref
<b>Income</b>					
Rates and charges	39,754	39,825	71	0.2%	1
Garbage charges	6,018	5,954	(64)	(1.1%)	
Statutory fees and fines	1,553	1,861	308	19.8%	2
User fees	14,441	14,610	169	1.2%	3
Grants - operating	14,471	19,096	4,625	32.0%	4
Grants - capital	5,965	8,206	2,241	37.6%	5
Contributions - monetary	-	511	511	100.0%	6
Contributions - non monetary	-	961	961	100.0%	7
Gain on disposal of property, infrastructure, plant and equipment	290	-	(290)	100.0%	8
Other income	1,024	1,102	78	7.7%	9
<b>Total income</b>	<b>83,516</b>	<b>92,126</b>	<b>8,610</b>	<b>10.3%</b>	
<b>Expenses</b>					
Employee costs	30,896	29,361	1,535	5.0%	10
Materials and services	22,889	26,095	(3,206)	(14.0%)	11
Depreciation	21,010	20,626	384	1.8%	12
Amortisation - Right of use assets	558	471	87	15.6%	13
Bad and doubtful debts	-	188	(188)	100.0%	14
Borrowing costs	130	88	42	32.6%	15
Finance costs - Leases	-	18	(18)	100.0%	16
Other expenses	4,568	4,176	392	8.6%	17
Loss on disposal of property, infrastructure, plant and equipment	-	5,104	(5,104)	100.0%	18
<b>Total expenses</b>	<b>80,051</b>	<b>86,127</b>	<b>(6,075)</b>	<b>(7.6%)</b>	
<b>Surplus for the year</b>	<b>3,465</b>	<b>5,999</b>	<b>2,534</b>	<b>73.1%</b>	

**2.1.1 Income and expenditure (cont.)**

**(i) Explanation of material variations**

Ref	Explanation
1	<b>Rates and Charges</b> - The variance between the budget and the actual result is due to the supplementary rates raised being greater than expected when setting the budget. A conservative approach is taken when budgeting for supplementary rates.
2	<b>Statutory fees and fines</b> - The variance between the budget and the actual result is due to animal registrations being budgeted incorrectly under user fees, this is responsible for the variance.
3	<b>User fees</b> - The variance between the budget and the actual result is due to taking a very conservative approach when setting the budget due to the uncertainty of the Covid 19 pandemic. Tourism related services have performed above budget expectations which has resulted in the positive variance, which is being partially offset by animal registrations being classified under user fees in the budget. These should have been budgeted under statutory fees and fines.
4	<b>Grants - operating</b> - Pre payment of three quarters of the 2022/23 Financial Assistance Grants is greater than budgeted by \$3.915 million. Additional grants related to assist business as the result of the pandemic have been received.
5	<b>Grants - capital</b> - Grants received in 2020/21 have been recognised as revenue in the 2021/22 year as projects related to the Local Roads and Community Infrastructure Grant scheme have been completed.
6	<b>Contributions - monetary</b> - Monetary contributions from developers for public open space and carparking, as per planning conditions, are unbudgeted.
7	<b>Contributions - non monetary</b> - On completion of the subdivisions by developers, the infrastructures assets are transferred to Council's control. These assets comprise roads, footpaths, kerbs and channel, drainage and parks & reserves. It is unpredictable and unbudgeted during the budget time.
8	<b>Gain on disposal of property, infrastructure, plant and equipment</b> - The budget only considers sale of industrial land, these are all combined with the disposals and the net effect sits in expenese.
9	<b>Other income</b> - Interest rates and the amount of funds available for investments is budgeted conservatively. The actual rates achieved and the amount of funds available to invest have been greater than budgeted, resulting in greater than budgeted interest income.
10	<b>Employee costs</b> - Recruiting qualified staff to fill vacancies is an issue across the local government sector. The variance is related savings of salaries while recruiting to various positions. These roles have been filled by consultant contractors which has contributed to the unfavourable variance in materials and services.



2.1.1 Income and expenditure (cont.)

(i) Explanation of material variations

Ref	Explanation
11	<b>Materials and services</b> - The variance between budget and the actuals results is due to an increase in the use of consultants of \$582k, some of which is covered by savings in employee costs, see Note 9. An increase in contractor costs due to increased costs of construction impacting all types of construction of \$2.345m. A portion of the variance is due to spending on programs provided as a result of receiving unbudgeted grants for business activation of \$360k.
12	<b>Depreciation</b> - The variance between the budget and the actual results is due to Council selling building assets. These were not included in the budget as the sales were not certain when the budget was set.
13	<b>Amortisation right of use assets</b> - The variance between the budget and the actual result is due to budget estimate being based on the prior year result. There has been no new vehicles leased which has reduced the actual result.
14	<b>Bad and doubtful debts</b> - The expense related to the allowance made for bad and doubtful debts is not budgeted.
15	<b>Borrowing costs</b> - The variance between the budget and the actual result is due to the drawdown of a new loan not occurring until June. It was budgeted to occur in December.
16	<b>Finance costs - Leases</b> - The interest component of the cost of leasing assets was not considered when the budget was set.
17	<b>Other expenses</b> - The main variances between the budget and the actual result is due to an decrease in equipment hire \$69k, office supplies and postage \$82k, quarry royalties \$62k and training \$31k . There are other minor savings across other services that contribute to the final result.
18	<b>Loss on disposal of property, infrastructure, plant and equipment</b> - The result is due to the written down value of renewed assets being 'written off' and then written back on at their new value. \$2.99m relates to infrastructure assets such as roads, footpaths and drainage. \$1.1m relates to the write off of assets sold, \$866K relates to the repairs carried out on the three paddlesteamers.

## 2.1.2 Capital works

	Budget 2022 \$'000	Actual 2022 \$'000	Variance 2022 \$'000	Variance 2022 %	Ref
<b>Property</b>					
Land improvements	2,250	-	2,250	100.0%	1
<b>Total Land</b>	<b>2,250</b>	<b>-</b>	<b>2,250</b>	<b>100.0%</b>	
Buildings	2,761	1,329	1,432	51.9%	2
Heritage buildings	-	238	(238)	100.0%	3
<b>Total Buildings</b>	<b>2,761</b>	<b>1,567</b>	<b>1,194</b>	<b>43.3%</b>	
<b>Total Property</b>	<b>5,011</b>	<b>1,567</b>	<b>3,444</b>	<b>68.7%</b>	
<b>Plant and Equipment</b>					
Heritage plant and equipment	25	690	(665)	(2661.7%)	4
Plant, machinery and equipment	2,855	2,353	502	17.6%	5
Computers and telecommunications	-	54	(54)	100.0%	6
<b>Total Plant and Equipment</b>	<b>2,880</b>	<b>3,097</b>	<b>(217)</b>	<b>(7.5%)</b>	
<b>Infrastructure</b>					
Roads	9,591	9,861	(270)	(2.8%)	
Bridges	56	627	(571)	(1020.5%)	7
Footpaths and cycleways	4,406	1,269	3,137	71.2%	8
Drainage	2,900	2,415	485	16.7%	9
Recreational, leisure and community facilities	1,180	6,151	(4,971)	(421.3%)	10
Waste management	240	55	185	77.1%	11
Parks, open space and streetscapes	170	-	170	100.0%	12
Aerodromes	1,824	-	1,824	100.0%	13
Other infrastructure	100	455	(355)	(354.7%)	14
<b>Total Infrastructure</b>	<b>20,467</b>	<b>20,833</b>	<b>(366)</b>	<b>(1.8%)</b>	
<b>Total Capital Works Expenditure</b>	<b>28,358</b>	<b>25,497</b>	<b>2,860</b>	<b>10.1%</b>	
<b>Represented by:</b>					
New asset expenditure	2,608	1,602	1,006	38.6%	
Asset renewal expenditure	18,859	17,382	1,477	7.8%	
Asset upgrade expenditure	6,891	6,513	378	5.5%	
<b>Total Capital Works Expenditure</b>	<b>28,358</b>	<b>25,497</b>	<b>2,860</b>	<b>10.1%</b>	

2.1.2 Capital works (cont.)

(i) Explanation of material variations

Ref	Explanation
1	<b>Land Improvements</b> - The variance between budget and actual result is due to the project to develop the Aquatic Reserve being dependent of receiving grant funding. Unfortunately no funding has been received, therefore the project has not proceeded.
2	<b>Buildings</b> - The variance between budget and actual result is due to a number of projects still to be completed. The projects were budgeted to be fully completed in the 2021/22 year but due to the availability of materials and contractors these will be completed in the 2022/23 year. There are a few projects that have been put on hold pending further investigations of the works.
3	<b>Heritage Buildings</b> - The variance between budget and actual result is due works being completed on buildings with in the Port of Echuca were unbudgeted but possible due to receiving grant funding.
4	<b>Heritage plant and equipment</b> - The variance between budget and actual result is due to the projects to repair and have the paddlesteamer to resume service was budgeted in prior years but completed in the 2021/22 year.
5	<b>Plant, machinery and equipment</b> - The variance between budget and actual result is due to supply chain issues. Delivery of ordered items has been delayed.
6	<b>Computers and telecommunications</b> - The variance is related to a carryover project from the 2020/21 year being completed in 2021/22.
7	<b>Bridges</b> - The variance between budget and actual result is due to works carried over from prior years being completed in the current year.
8	<b>Footpaths and cycleways</b> - The variance between budget and actual result is due to the Waranga Trail still in progress and the additional footpaths funded under grant programs still to be completed.
9	<b>Drainage</b> - The variance between budget and actual result is due to savings having been made on a number of projects. The savings have been returned to reserves to be used on future capital works.
10	<b>Recreational, leisure and community facilities</b> - The variance between budget and actual result is due to the completion of the Echuca East Community Precinct stage 1 and the completion of the redevelopment of Gunbower Lions Park. These were both budgeted in prior years.
11	<b>Waste management</b> - The variance between budget and actual result is due to a number of projects yet to be completed. These will be carried over to the 2022/23 year.

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

**2.1.2 Capital works (cont.)**

**(i) Explanation of material variations**

<b>Ref</b>	<b>Explanation</b>
12	<b>Parks, open space and streetscapes</b> - A number of projects were not completed due to the availability of contractors and materials. These projects have been carried over to the 2022/23 year.
13	<b>Aerodromes</b> - The variance between budget and actual result is due to the project to upgrade the aerodrome being dependent of receiving a grant to do the works. Thus far no grant applications have been successful.
14	<b>Other infrastructure</b> - The variance between budget and actual result is due to projects carried over from prior years being completed in the current year.

**Note 2.2****Analysis of Council results by program**

Council delivers its functions and activities through the following pillars as defined in the Council Plan 2021-2025. These pillars guide the delivery of services.

**Flourishing local economy**

Campaspe's economic drivers are numerous: agriculture, food production, manufacturing, health care and tourism. Many factors within Council's control contribute directly to these and others, such as roads and land allocation, and many areas we indirectly support are also important, such as freight links and education. Our aim over this term is to re-establish a sound basis for investment in Campaspe and, to do this, we will build a program of advocacy that helps attract funding for local infrastructure, boosts vocational education, employs our people, especially younger people, and supports all major sectors of our economy.

**Well planned places**

Council has significant responsibilities to make Campaspe a great place, and these are focused on ensuring we have the land we need for the future, and that we're well connected, within and outside the Shire. This means that Council, over this term, will invigorate and progress development of significant sites, such as the Bridge to Bridge locality, and identify future such sites. In addition, we will pay attention to ensuring we've got enough land available for living, working and industry. And, we'll focus on the underlying infrastructure like drains and stormwater, and the aboveground open spaces that our communities rely upon. All whilst protecting our natural environment for future generations and planning with the changing climate in mind. Roads are a vital part of our Shire, and 50% of our budget will continue to be spent on them. But, increasingly, we rely on digital communications also, so our advocacy efforts will be redoubled here.

**Resilient protected and healthy natural environment**

Council has several responsibilities to ensure a resilient natural environment now, and for future generations especially in light of changing climate. Chief amongst these is to lead — and deliver — an environmentally and economically sustainable waste service. Our aim is to ultimately become a circular economy, so it's important that we work with our communities to use less that ultimately becomes landfill. In addition, we will look carefully at our own practices, especially in water and energy use, and find ways to create less negative impact. We will continue to play an integral role in managing native vegetation and pest plants on roadsides and supporting the goal of 'no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation'. We will support farmers and landowners care for their land, to enable agricultural productivity into the future. Finally, we will act as steward for the land we manage, and as partners and advocates with other land managers so that we and future generations can have the best use and enjoyment of our Campaspe environment.

**Growing quality of life**

Strong economies, resilient natural environments, and great places don't automatically lead to a higher quality of life. But we will ensure that communities have a voice in how Council spends its limited budgets in each community's interests, in a fair way. We will review services and make prudent decisions about improving those the community wants the most and divest ourselves of some that others can perform just as well or better than we can. Finally, we will work with our numerous Communities of Priority to ensure that Campaspe is a place that welcomes, and provides opportunities, for all.

**Organisational support**

Council has several internal, enabling services which provide responsible management to the broader organisation and the community. These services ensure that the organisation has the necessary tools to perform and enhance effectiveness and efficiency.

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

**Note 2 Analysis of Council results by program (cont.)**

**2.2.1 Summary of revenues, expenses, assets and capital expenses by program**

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2022</b>					
Flourishing local economy	14,240	9,335	4,905	-	57,963
Well planned places	40,594	44,378	(3,784)	8,279	680,762
Resilient protected and healthy natural environment	12,415	7,910	4,505	257	15,535
Growing quality of life	14,803	12,193	2,610	1,637	63,097
Organisational support	10,074	12,311	(2,237)	17,130	65,044
	<b>92,126</b>	<b>86,127</b>	<b>5,999</b>	<b>27,302</b>	<b>882,401</b>

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2021</b>					
Balanced Services and infrastructure	24,430	35,961	(11,531)	4,633	542,721
Healthy environment	15,797	10,620	5,176	245	16,480
Resilient economy	11,336	7,828	3,508	-	60,347
Responsible management	10,729	8,404	2,325	12,774	48,340
Strong and engaged communities	22,023	26,174	(4,151)	2,920	141,902
	<b>84,315</b>	<b>88,987</b>	<b>(4,673)</b>	<b>20,572</b>	<b>809,790</b>

**2020/21 comparitaves were catogorised based on the 2017-20 Council Plan.**

**Strong and engaged communities**

Strong and engaged communities will be fostered by the delivery of services, programs and advocacy that enable improved health, wellbeing and safety of our community.

**Resilient economy**

A resilient economy is a diverse and growing economy with increased employment and investment opportunities, economic prosperity and community development.

**Healthy environment**

A healthy environment for current and future generations.

**Balanced Services and infrastructure**

Providing balanced services and infrastructure will ensure services and assets meet current and future community needs.

**Responsible management**

Responsible management is strong leadership, advocacy and good governance and an organisation that is responsive, flexible, honest, accountable and consistent.

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<b>Note 3 Funding for the delivery of our services</b>	<b>2022</b>	<b>2021</b>
<b>3.1 Rates and charges</b>	<b>\$'000</b>	<b>\$'000</b>

Council uses capital improved values as the basis of valuation of all properties within the municipal district. The capital improved value of a property is its equivalent to market price at the prescribed date of valuation.

The valuation base used to calculate general rates for 2021/22 was \$8,979,379 million (2020/21 was \$8,181,739 million).

Residential	20,855	20,525
Commercial	3,642	3,712
Industrial	1,892	1,881
Farm	8,982	8,244
Municipal charge	4,108	4,070
Waste management charge	4,313	4,362
Recycling and garden organics charges	1,641	1,566
Supplementary rates and rate adjustments	346	336
<b>Total rates and charges</b>	<b>45,779</b>	<b>44,696</b>

The date of the general revaluation of land for rating purposes, relevant to the reporting period, within the municipal district was 1 January 2021 by the Victorian Valuer General, and the valuation was first applied in the rating year commencing 1 July 2021.

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**

Infringements and costs	443	474
Town planning fees	759	807
Land information certificates	116	126
Animal registrations	543	534
<b>Total statutory fees and fines</b>	<b>1,861</b>	<b>1,941</b>

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.

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<b>3.3 User fees</b>	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Community Health	71	341
Caravan park fees	3,000	2,435
Child care/children's programs	3,764	3,717
Leisure centre and recreation	877	564
Livestock selling centre	559	563
Tourism	824	657
Other fees and charges	782	711
Parking	871	515
Quarry sales	3,154	2,718
Sale of materials	708	551
<b>Total user fees</b>	<b>14,610</b>	<b>12,772</b>
<b>User fees by timing of revenue recognition</b>		
User fees recognised at a point in time	14,610	12,772
<b>Total user fees</b>	<b>14,610</b>	<b>12,772</b>

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.

### 3.4 Funding from other levels of government

Grants were received in respect of the following :

#### Summary of grants

Commonwealth funded grants	24,445	16,596
State funded grants	2,857	3,977
<b>Total grants received</b>	<b>27,302</b>	<b>20,573</b>

#### (a) Operating Grants

##### Recurrent - Commonwealth Government

Community Care	95	365
Environmental Health	2	3
Financial Assistance Grants - General purpose	10,812	7,942
Financial Assistance Grants - Local roads	5,704	4,212

##### Recurrent - State Government

School Crossing Supervisors	99	91
Family and Children	895	1,020
Community Programs	224	-
Environmental Health	85	76
Libraries	308	298
<b>Total recurrent operating grants</b>	<b>18,224</b>	<b>14,007</b>



3.4 Funding from other levels of government (cont.)	2022	2021
<b>Non-recurrent - Commonwealth Government</b>	<b>\$'000</b>	<b>\$'000</b>
Family and Children	84	144
Community Programs	50	348
Economic Development	-	262
<b>Non-recurrent - State Government</b>		
Community Care	3	-
Family and Children	-	2
Emergency services	73	-
Environmental Health	25	252
Libraries	42	9
Community Programs	525	1,077
Waste Management	70	-
ICT Technology	-	100
<b>Total non-recurrent operating grants</b>	<b>872</b>	<b>2,194</b>
<b>Total operating grants</b>	<b>19,096</b>	<b>16,201</b>
<b>(b) Capital Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Roads to recovery	2,637	2,648
<b>Total recurrent capital grants</b>	<b>2,637</b>	<b>2,648</b>
<b>Non-recurrent - Commonwealth Government</b>		
Economic Development	185	-
Roads	65	116
Recreation	6	-
Local Road and Community Infrastructure	4,805	556
<b>Non-recurrent - State Government</b>		
Roads	(66)	-
Recreation	256	-
Economic Development	306	-
Waste Management	12	1,052
<b>Total non-recurrent capital grants</b>	<b>5,569</b>	<b>1,724</b>
<b>Total capital grants</b>	<b>8,206</b>	<b>4,372</b>

### 3.4 Funding from other levels of government (cont.)

#### (c) Unspent grants received on conditions that they be spent in a specific manner

	2022	2021
	\$'000	\$'000
<b>Operating</b>		
Balance at start of year	1,582	1,712
Received during the financial year and remained unspent at balance date	-	595
Received in prior years and spent during the financial year	(1,539)	(725)
<b>Balance at year end</b>	<b>43</b>	<b>1,582</b>
<b>Capital</b>		
Balance at start of year	3,896	637
Received during the financial year and remained unspent at balance date	4,533	3,444
Received in prior years and spent during the financial year	(2,881)	(185)
<b>Balance at year end</b>	<b>5,548</b>	<b>3,896</b>

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.

#### Income recognised under AASB 1058 *Income of Not-for-Profit Entities*

General purpose	19,095	16,201
Specific purpose grants to acquire non-financial assets	8,206	4,372
	<b>27,302</b>	<b>20,573</b>

### 3.5 Contributions

Monetary	511	244
Non-monetary	961	2,774
<b>Total contributions</b>	<b>1,472</b>	<b>3,018</b>

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

Land	194	189
Buildings	62	-
Infrastructure	705	2,585
<b>Total non-monetary contributions</b>	<b>961</b>	<b>2,774</b>

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

	2022	2021
	\$'000	\$'000
<b>3.6 Net (loss) on disposal of property, infrastructure, plant and equipment</b>		
Proceeds of sale	3,221	1,881
Write down value of assets disposed	(7,471)	(7,980)
Written down value of assets held for sale	(854)	-
<b>Total net loss on disposal of property, infrastructure, plant and equipment</b>	<b>(5,104)</b>	<b>(6,100)</b>

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	668	938
Investment property rental	419	374
Reimbursements	15	3
<b>Total other income</b>	<b>1,102</b>	<b>1,315</b>

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.

**Note 4 The cost of delivering services**

**4.1 (a) Employee costs**

Wages and salaries	19,765	18,729
Annual leave and long service leave	2,584	2,144
Casual staff	2,481	2,649
Superannuation	2,634	2,635
Work cover	225	390
Fringe benefits tax	137	119
Sick leave	1,122	1,118
Redundancy	413	33
<b>Total employee costs</b>	<b>29,361</b>	<b>27,817</b>

**(b) Superannuation**

Council made contributions to the following funds:

**Defined benefit fund**

Employer contributions to Local Authorities Superannuation Fund (Vision Super).	131	135
	<u>131</u>	<u>135</u>
Employer contributions payable at reporting date.	-	-

**Accumulation funds**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	1,670	1,864
Employer contributions - other funds	833	636
	<u>2,503</u>	<u>2,501</u>
Employer contributions payable at reporting date.	97	351

Refer to note 9.3 for further information relating to Council's superannuation obligations.

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	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>4.2 Materials and services</b>		
Consultants	1,498	1,075
Contract payments	9,363	7,721
Contract payments - waste management	2,414	1,916
Information technology	1,529	1,539
Insurance	926	865
Legal services	214	183
Materials	3,793	2,575
Repair and maintenance	2,576	2,432
Service level contributions	875	720
Utility costs	1,860	1,980
Vehicle costs - other	185	73
Vehicle fuel costs	862	572
<b>Total materials and services</b>	<b>26,095</b>	<b>21,651</b>

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

	<b>\$'000</b>	<b>\$'000</b>
<b>4.3 Depreciation</b>		
Property	2,696	2,792
Plant and equipment	2,578	2,428
Infrastructure	15,351	15,430
<b>Total depreciation</b>	<b>20,625</b>	<b>20,650</b>

Refer to note 6.2 for a more detailed breakdown of depreciation charges and accounting policy.

<b>4.4 Depreciation - Right of use assets</b>		
Fleet and plant & equipment	350	463
Office equipment	78	91
Other assets	43	79
<b>Total depreciation - right of use assets</b>	<b>471</b>	<b>633</b>

Refer to note 5.8 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

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	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>4.5 Bad and doubtful debts</b>		
Parking fine debtors	103	85
Animal debtors	78	55
Other debtors	7	28
<b>Total bad and doubtful debts</b>	<b>188</b>	<b>168</b>
<b>Movement in provisions for doubtful debts</b>		
Balance at the beginning of the year	(727)	(558)
New Provisions recognised during the year	(188)	(168)
Amounts already provided for and written off as uncollectible	16	9
Amounts provided for but recovered during the year	1	(10)
<b>Balance at end of year</b>	<b>(898)</b>	<b>(727)</b>

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.

**4.6 Borrowing costs**

Interest - borrowings	88	113
<b>Total borrowing costs</b>	<b>88</b>	<b>113</b>

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.

**4.7 Finance Costs - Leases**

Interest - lease liabilities	18	34
<b>Total finance costs</b>	<b>18</b>	<b>34</b>

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	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>4.8 Other expenses</b>		
Advertising	225	158
Audit expenses - VAGO - audit of the financial statements, performance statement and grant acquittals	56	83
Audit expenses - internal	52	46
Bank fees	181	162
Commission	1,135	993
Contributions and Community Grants	450	299
Councillor - other expenses	3	6
Councillor allowances	339	298
Councillor election costs	6	222
Equipment hire	247	737
Fire service levy	95	97
Food purchases	103	115
Licence fees	16	20
Marketing	208	56
Membership to associations	226	285
Operating lease rentals	219	203
Postage and stationery	275	315
Property rent	86	169
Protective clothing	88	84
Quarry Royalties	14	20
Veterinary costs	152	138
<b>Total other expenses</b>	<b>4,176</b>	<b>4,506</b>

Note 5 Our financial position

5.1 Financial assets

	2022	2021
	\$'000	\$'000
<b>(a) Cash and cash equivalents</b>		
Cash on hand	9	9
Cash at bank	10,280	14,530
<b>Total cash and cash equivalents</b>	<b>10,289</b>	<b>14,539</b>

**(b) Other financial assets**

Term deposits - current	59,020	48,030
Term deposits - non-current	28,000	18,500
<b>Total Other financial assets</b>	<b>87,020</b>	<b>66,530</b>

Council's 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)	2,245	2,734
- Grants received but not acquitted (Note 3.4(c))	5,591	5,478
<b>Total restricted funds</b>	<b>7,836</b>	<b>8,212</b>
<b>Total unrestricted cash and cash equivalents</b>	<b>2,453</b>	<b>6,327</b>

**Intended allocations**

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

- Reserve funds allocated for specific future purposes	29,406	25,241
- Cash held to fund carried forward capital works	8,319	10,565
- Cash held to fund carried forward operational works	43	1,582
<b>Total funds subject to intended allocations</b>	<b>37,768</b>	<b>37,388</b>

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.



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5.1 Financial assets (cont.)	2022	2021
(c) Trade and other receivables	\$'000	\$'000
<b>Current</b>		
<i>Statutory receivables</i>		
Rates debtors	2,165	2,578
Parking infringement debtors	1,335	1,191
Provision for doubtful debts - parking infringements	(898)	(727)
Special rate scheme	-	6
Net GST receivable	-	610
<i>Non statutory receivables</i>		
<i>Other debtors</i>		
Other debtors	1,466	1,263
<b>Total current trade and other receivables</b>	<b>4,068</b>	<b>4,921</b>
<b>Non-current</b>		
<i>Statutory receivables</i>		
Special rate scheme	16	17
<b>Total non-current trade and other receivables</b>	<b>16</b>	<b>17</b>
<b>Total trade and other receivables</b>	<b>4,084</b>	<b>4,938</b>

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)	680	975
Past due by up to 30 days	22	53
Past due between 31 and 180 days	738	162
Past due between 181 and 365 days	15	43
Past due by more than 1 year	11	30
<b>Total trade and other receivables</b>	<b>1,466</b>	<b>1,263</b>

**(e) Ageing of individually impaired Receivables**

At balance date, debtors representing financial assets with a nominal value of \$1,263,900 (2021: \$1,095,578) were impaired. The amount of the provision raised against these debtors was \$897,528 (2021: \$726,684). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged for debt collectors or are on payment arrangements.

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

Current (not yet due)	50	52
Past due by up to 30 days	71	16
Past due between 31 and 180 days	60	54
Past due between 181 and 365 days	108	69
Past due by more than 1 year	975	904
<b>Total trade and other receivables</b>	<b>1,264</b>	<b>1,095</b>

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	<b>2022</b>	<b>2021</b>
<b>5.2 Non-financial assets</b>		
<b>(a) Other assets</b>	<b>\$'000</b>	<b>\$'000</b>
Prepayments	380	250
Accrued Income	2,036	311
<b>Total other assets</b>	<b>2,416</b>	<b>561</b>
<b>(b) Intangible assets</b>		
Water Rights	3,919	3,721
<b>Total intangible assets</b>	<b>3,919</b>	<b>3,721</b>
<b>Gross carrying amount</b>		
Water Rights		
Balance at 1 July 2021	3,721	3,811
Revaluation	198	(74)
Write off water right transferred to community group	-	(16)
Balance at 1 July 2022	<b>3,919</b>	<b>3,721</b>

Valuation of water rights is based upon market value by reference to the water rate charged by the relevant authority and trading prices as at 30 June 2022.

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

<b>(a) Trade and other payables</b>		
Trade payables	6,816	2,994
Accrued expenses	1,220	722
<b>Total trade and other payables</b>	<b>8,036</b>	<b>3,716</b>
<b>(b) Trust funds and deposits</b>		
<b>Current</b>		
Refundable deposits	525	1,143
Refundable contract retention deposits	274	246
Fire services levy	1,085	1,009
Caravan Park deposits	343	318
<b>Total current trust funds and deposits</b>	<b>2,227</b>	<b>2,716</b>
<b>Non-current</b>		
Other refundable deposits	18	18
<b>Total non-current trust funds and deposits</b>	<b>18</b>	<b>18</b>
<b>Total trust funds and deposits</b>	<b>2,245</b>	<b>2,734</b>

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.

**5.3 Payables (cont.)****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 Services 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.

Caravan park deposits - deposits are taken for forward accommodation bookings at the caravan park. These deposits are refundable if the accommodation booking is cancelled or converted to income when accommodation is used.

	2022	2021
	\$'000	\$'000
<b>(c) Unearned income/revenue</b>		
Grants received in advance - capital	5,548	3,444
Prepaid Rates	587	439
<b>Total unearned income/revenue</b>	<b>6,135</b>	<b>3,883</b>

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

**5.4 Interest-bearing liabilities****Current**

Treasury Corporation of Victoria borrowings - secured	788	-
Borrowings - secured	642	1,009
	<b>1,430</b>	<b>1,009</b>

**Non-current**

Treasury Corporation of Victoria borrowings - secured	3,410	-
Borrowings - secured	1,680	2,322
	<b>5,090</b>	<b>2,322</b>
<b>Total</b>	<b>6,520</b>	<b>3,331</b>

Borrowings are secured by rates

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

Not later than one year	1,430	1,009
Later than one year and not later than five years	5,003	2,235
Later than five years	87	87
	<b>6,520</b>	<b>3,331</b>

#### 5.4 Interest-bearing liabilities (cont.)

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.

5.5 Provisions	Employee provision \$ '000	Landfill restoration \$ '000	Total \$ '000
<b>2022</b>			
Balance at beginning of the financial year	6,837	1,335	8,172
Additional provisions	1,475	417	1,892
Amounts used	(1,597)	(111)	(1,708)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(291)	(324)	(615)
<b>Balance at the end of the financial year</b>	<b>6,424</b>	<b>1,317</b>	<b>7,741</b>
<b>2021</b>			
Balance at beginning of the financial year	7,171	1,724	8,895
Additional provisions	1,580	(348)	1,232
Amounts used	(2,211)	58	(2,153)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	297	(99)	198
<b>Balance at the end of the financial year</b>	<b>6,837</b>	<b>1,335</b>	<b>8,172</b>
<b>(a) Employee provisions</b>	<b>2022</b>	<b>2021</b>	
<b>Current provisions expected to be wholly settled within 12 months</b>	<b>\$'000</b>	<b>\$'000</b>	
Annual leave	1,388	1,483	
Long service leave	414	480	
	<b>1,802</b>	<b>1,963</b>	
<b>Current provisions expected to be wholly settled after 12 months</b>			
Annual leave	291	297	
Long service leave	3,726	4,092	
	<b>4,017</b>	<b>4,389</b>	
<b>Total current employee provisions</b>	<b>5,819</b>	<b>6,352</b>	
<b>Non-current</b>			
Long service leave	605	485	
<b>Total non-current employee provisions</b>	<b>605</b>	<b>485</b>	

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<b>5.5 Provisions (cont.)</b>	<b>2022</b>	<b>2021</b>
Aggregate carrying amount of employee provisions:	<b>\$'000</b>	<b>\$'000</b>
Current	5,819	6,352
Non-current	605	485
<b>Total aggregate carrying amount of employee provisions</b>	<b>6,424</b>	<b>6,837</b>

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

*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:	<b>2022</b>	<b>2021</b>
- discount rate	3.38%	1.66%
- inflation rate	3.85%	2.95%
<b>(b) Landfill restoration</b>	<b>\$'000</b>	<b>\$'000</b>
Current	104	96
Non-current	1,213	1,240
	<b>1,317</b>	<b>1,336</b>

The provision for landfill restoration maintenance 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 maintain and monitor the site to comply with EPA requirements. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

Council has no operating landfills, the landfill restoration provision relates to capped landfills previously operated by Council.

Key assumptions:	<b>2022</b>	<b>2021</b>
- discount rate	3.09%	0.70%
- inflation rate	5.10%	1.10%

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5.5 Provisions (cont.)	2022	2021
Provisions	\$'000	\$'000
Current - Employee provisions	5,819	6,352
Current - Landfill provisions	104	96
<b>Total current provisions</b>	<b>5,923</b>	<b>6,447</b>
Non-current - Employee provisions	605	485
Non-current - Landfill provisions	1,213	1,240
<b>Total non-current provisions</b>	<b>1,818</b>	<b>1,724</b>

**5.6 Financing arrangements**

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

Bank overdraft	1,200	1,200
Credit card facilities	200	200
Asset finance leasing	36	59
Loans	6,520	3,392
<b>Total facilities</b>	<b>7,956</b>	<b>4,851</b>
Used facilities	6,612	3,467
Unused facilities	1,344	1,384

**5.7 Commitments**

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**

2022	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating</b>					
Garbage collection	2,529	2,605	8,293	12,265	25,693
Landfill	1,402	1,444	4,598	3,299	10,743
Recycling and transfer stations	2,436	2,510	6,831	14,985	26,762
Consultancies	320	-	-	-	320
Cleaning/maintenance contracts	249	220	227	-	696
Corporate software	880	112	-	-	991
Caravan parks	315	-	-	-	315
<b>Total</b>	<b>8,130</b>	<b>6,891</b>	<b>19,949</b>	<b>30,550</b>	<b>65,520</b>
<b>Capital</b>					
Tourism	329	-	-	-	329
Road	1,656	-	-	-	1,656
Plant and Fleet	280	-	-	-	280
Infrastructure	2,104	-	-	-	2,104
Recreation	4,132	-	-	-	4,132
<b>Total</b>	<b>8,501</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,501</b>

5.7 Commitments (cont.)

(a) Commitments for expenditure (cont.)

2021	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating</b>					
Garbage collection	2,108	2,171	6,911	12,972	24,162
Landfill	1,242	1,228	3,910	4,273	10,653
Recycling and transfer stations	1,771	1,710	4,599	3,011	11,091
Consultancies	5	-	-	-	5
Corporate software	544	760	57	-	1,361
Caravan parks	1,185	331	-	-	1,516
<b>Total</b>	<b>6,856</b>	<b>6,200</b>	<b>15,477</b>	<b>20,256</b>	<b>48,788</b>
<b>Capital</b>					
Tourism	89	-	-	-	89
Roads	162	-	-	-	162
Drainage	600	-	-	-	600
Plant and Equipment	948	-	-	-	948
Infrastructures	580	-	-	-	580
Recreation	137	-	-	-	137
<b>Total</b>	<b>2,516</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,516</b>

(b) Operating lease receivables

*Operating lease receivables*

The Council has entered into commercial property leases on its properties located at the Port of Echuca and surplus commercial properties in Kyabram. These properties held under operating leases have remaining non-cancellable lease revision of the rental charge annually.

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

	2022	2021
	\$'000	\$'000
Not later than one year	388	380
Later than one year and not later than five years	510	305
Later than five years	-	27
	<b>898</b>	<b>712</b>

### 5.8 Leases

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Council has elected to apply the temporary option available under *AASB 16 Leases* which allows not-for-profit entities to not measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Council does not have any leases, as a lessee, that are significantly below-market terms.



## 5.8 Leases (cont.)

<b>Right-of-Use Assets</b>	<b>Office Equipment</b>	<b>Fleet, Plant &amp; Equipment</b>	<b>Other</b>	<b>Total</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Balance at 1 July 2021	108	392	71	571
Additions	-	202	7	209
Depreciation charge	(78)	(350)	(43)	(471)
Balance at 30 June 2022	<b>30</b>	<b>244</b>	<b>35</b>	<b>309</b>
<b>Lease Liabilities</b>	<b>2022</b>	<b>2021</b>		
Maturity analysis - contractual undiscounted cash flows	<b>\$'000</b>	<b>\$'000</b>		
Less than one year	213	400		
One to five years	97	190		
More than five years	33	33		
Total undiscounted lease liabilities as at 30 June:	<b>343</b>	<b>623</b>		
Lease liabilities included in the Balance Sheet at 30 June:				
Current	205	384		
Non-current	116	205		
Total lease liabilities	<b>321</b>	<b>589</b>		

**Short-term and low value leases**

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	<b>2022</b>	<b>2021</b>
<b>Expenses relating to:</b>	<b>\$'000</b>	<b>\$'000</b>
Short-term leases	-	3
Leases of low value assets	132	204
<b>Total</b>	<b>132</b>	<b>207</b>

**Non-cancellable lease commitments - Short-term and low-value leases**

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

<b>Payable:</b>		
Within one year	100	119
Later than one year but not later than five years	53	96
Total lease commitments	<b>153</b>	<b>215</b>

**Note 6 Assets we manage****6.1 Non current assets classified as held for sale**

Buildings held for resale	-	850
<b>Total non current assets classified as held for sale</b>	<b>-</b>	<b>850</b>

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

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For the Year Ended 30 June 2022

6.2 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2021*	Acquisitions	Contributions	Revaluation	Depreciation	Disposal	Impairment of Assets	Adjustments & Transfers	Carrying amount 30 June 2022
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Land	121,894	29	194	21,354	(14)	(2,514)	-	88	141,031
Buildings	103,287	-	-	-	(2,682)	(926)	-	3,535	103,214
Plant and Equipment	13,168	-	-	-	(2,578)	(894)	-	3,507	13,202
Infrastructure	462,308	-	705	36,194	(15,351)	(3,137)	-	18,497	499,216
Artworks	1,138	-	-	-	-	-	-	-	1,138
Work in progress	15,904	25,497	62	-	-	-	-	(25,628)	15,835
<b>Total</b>	<b>717,698</b>	<b>25,526</b>	<b>961</b>	<b>57,548</b>	<b>(20,625)</b>	<b>(7,471)</b>	<b>-</b>	<b>-</b>	<b>773,637</b>

Summary of Work in Progress

	Opening WIP	Additions	Transfers	Write Offs	Contributions	Closing WIP
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Land and Buildings	1,013	4,496	(4,034)	-	62	1,537
Plant and Equipment	305	3,209	(3,507)	-	-	7
Infrastructure	14,584	17,793	(18,086)	-	-	14,291
<b>Total</b>	<b>15,904</b>	<b>25,497</b>	<b>(25,628)</b>	<b>-</b>	<b>62</b>	<b>15,835</b>

\*Restatement of opening balances, refer to note 8.6.

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

6.2 Property, infrastructure, plant and equipment (cont.)

(a) Property

	Land - Un Specialised \$'000	Land under roads \$'000	Land - specialised \$'000	Land improvements \$'000	Total Land \$'000	Buildings Specialised \$'000	Total Buildings \$'000	Work In Progress \$'000	Total Property \$'000
At fair value 1 July 2021	29,303	4,395	87,718	525	121,941	185,889	185,889	1,013	308,844
Accumulated depreciation at 1 July 2021	-	-	-	(47)	(47)	(82,603)	(82,603)	-	(82,650)
	29,303	4,395	87,718	478	121,894	103,287	103,287	1,013	226,194
<b>Movements in fair value</b>									
Acquisition of assets at fair value	29	-	-	-	29	-	-	4,496	4,525
Contributed assets	-	12	182	-	194	-	-	62	256
Revaluation increments/decrements	4,822	793	15,739	-	21,354	-	-	-	21,354
Fair value of assets disposed	(2,309)	-	(206)	-	(2,514)	(2,252)	(2,252)	-	(4,766)
Transfers	-	-	-	88	88	(5,842)	(5,842)	(4,034)	(9,788)
	2,542	805	15,715	88	19,151	(8,094)	(8,094)	523	11,581
<b>Movements in accumulated depreciation</b>									
Depreciation	-	-	-	(14)	(14)	(2,682)	(2,682)	-	(2,696)
Accumulated depreciation of disposals	-	-	-	-	-	1,326	1,326	-	1,326
Transfers	-	-	-	-	-	9,377	9,377	-	9,377
	-	-	-	(14)	(15)	8,021	8,021	-	8,006
At fair value 30 June 2022	31,845	5,200	103,433	614	141,093	177,796	177,796	1,536	320,425
Accumulated depreciation at 30 June 2022	-	-	-	(61)	(61)	(74,582)	(74,582)	-	(74,643)
	31,845	5,200	103,433	552	141,031	103,214	103,214	1,536	245,781

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6.2 Property, infrastructure, plant and equipment (cont.)

(b) Plant and Equipment

	Plant machinery and equipment	Fittings, Heritage plant and furniture and equipment	Heritage plant and equipment	Computers and telecomms	Total plant and equipment before WIP	Artworks	Total artworks	Work In Progress	Total plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	14,531	349	3,029	9,686	27,595	1,138	1,138	305	29,039
Accumulated depreciation at 1 July 2021	(7,880)	(229)	(458)	(5,861)	(14,428)	-	-	-	(14,428)
	6,651	121	2,571	3,825	13,168	1,138	1,138	305	14,612
<b>Movements in fair value</b>									
Acquisition of assets at fair value	-	-	-	-	-	-	-	3,209	3,209
Fair value of assets disposed	(891)	(23)	(1,040)	(504)	(2,458)	-	-	-	(2,458)
Transfers	2,361	-	1,040	107	3,507	-	-	(3,507)	-
	1,470	(23)	-	(398)	1,049	-	-	(298)	751
<b>Movements in accumulated depreciation</b>									
Depreciation	(1,628)	(8)	(37)	(905)	(2,578)	-	-	-	(2,578)
Accumulated depreciation of disposals	891	23	173	477	1,564	-	-	-	1,564
Transfers	-	-	-	-	-	-	-	-	-
	(737)	15	136	(428)	(1,014)	-	-	-	(1,014)
At fair value 30 June 2022	16,001	326	3,029	9,288	28,644	1,138	1,138	7	29,790
Accumulated depreciation at 30 June 2022	(8,617)	(214)	(322)	(6,289)	(15,442)	-	-	-	(15,442)
	7,383	113	2,707	2,999	13,202	1,138	1,138	7	14,348

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For the Year Ended 30 June 2022

6.2 Property, infrastructure, plant and equipment (cont.)  
(c) Infrastructure

	Roads	Bridges	Footpaths and Cycleways	Drainage	Recreational, Leisure and Community*	Parks, Open Spaces and Streetscapes	Other infrastructure	Total infrastructure before WIP	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2021	481,401	33,802	30,087	82,013	19,747	6,151	18,801	672,001	14,584	686,585
Accumulated depreciation at 1 July 2021	(133,322)	(16,808)	(13,217)	(29,760)	(7,800)	(3,045)	(5,742)	(209,693)	-	(209,693)
	348,079	16,994	16,870	52,252	11,947	3,106	13,059	462,308	14,584	476,892
<b>Movements in fair value</b>										
Acquisition of assets at fair value	-	-	-	-	-	-	-	-	17,793	17,793
Contributed Assets	291	-	66	348	-	-	-	705	-	705
Revaluation increments/decrements	44,716	-	-	7,191	-	-	-	51,907	-	51,907
Fair value of assets disposed	(5,863)	(316)	(318)	(456)	(370)	(43)	(97)	(7,463)	-	(7,463)
Transfers	9,535	316	1,452	5,566	916	814	159	18,757	(18,086)	671
	48,679	-	1,200	12,650	545	771	61	63,906	(294)	63,613
<b>Movements in accumulated depreciation</b>										
Depreciation	(11,686)	(337)	(625)	(1,165)	(765)	(294)	(479)	(15,351)	-	(15,351)
Revaluation increments/decrements	(12,742)	-	-	(2,971)	-	-	-	(15,713)	-	(15,713)
Accumulated depreciation of disposals	3,497	161	194	242	165	32	35	4,326	-	4,326
Transfers	-	-	-	-	(260)	-	-	(260)	-	(260)
	(20,930)	(176)	(431)	(3,894)	(860)	(262)	(443)	(26,998)	-	(26,998)
At fair value 30 June 2022	530,080	33,802	31,287	94,662	20,292	6,922	18,862	735,907	14,290	750,198
Accumulated depreciation at 30 June 2022	(154,252)	(16,984)	(13,648)	(33,655)	(8,659)	(3,307)	(6,185)	(236,690)	-	(236,690)
	375,827	16,818	17,639	61,008	11,633	3,615	12,677	499,216	14,290	513,507

\* Restatement of opening balances, refer to note 8.6

**6.2 Property, infrastructure, plant and equipment (cont.)**

*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.

	<b>Depreciation Period 2021/22</b>	<b>Threshold Limit \$'000</b>
<i>Asset recognition thresholds and depreciation periods</i>		
Land and land improvements		
land	Not applicable	At cost
land improvements	Not applicable	0
water rights	Not applicable	At cost
Buildings		
heritage buildings	75 years	10
buildings	75 years	10
building improvements	20 -50 years	10
Plant and Equipment		
heritage plant and equipment (paddlesteamers)	100 years	5
plant, machinery and equipment	3 - 20 years	10
fixtures, fittings and furniture	3 - 15 years	5
computers and telecommunications	4 years	5
Infrastructure		
road seals	15 - 20 years	10
road pavement	80 years	10
road formation and earthworks	999 years	10
road kerb, channel and minor culverts	50 - 80 years	10
gravel roads and gravel shoulders	15 years	10
bridges deck	100 years	10
bridges substructure	100 years	10
footpaths and cycleways	40 - 50 years	10
drainage	20 - 80 years	10

*Land under roads*

Council recognises land under roads it controls at fair value.

**6.2 Property, infrastructure, plant and equipment (cont.)**

*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, Simon Eishold, a qualified independent valuer from Eishold Property in April 2021. 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.

The current market environment, impacted by the pandemic (Covid 19), creates significant valuation uncertainty. The value assessed at the valuation date may therefore change over a relatively short time period.

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.

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.

An indexation valuation was conducted in the current year on land assets based on the Valuer Generals Englobo land indexation factors. The increase used was an average across the shire of 18%. A full valuation of these assets will be conducted in 2023/24.

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

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

6.2 Property, infrastructure, plant and equipment (cont.)

	Level 1 \$ '000	Level 2 \$ '000	Level 3 \$ '000	DoV
Specialised land	-	-	103,433	Jun-21
Non specialised land	-	31,845	-	Jun-21
Non specialised buildings	-	-	103,214	Jun-21
Land under roads	-	-	5,200	Jun-21
Land improvements	-	-	552	Jun-20
<b>Total</b>	<b>-</b>	<b>31,845</b>	<b>212,399</b>	

**Valuation of infrastructure**

Valuation of infrastructure assets has been determined by Council staff using unit rates derived from the construction cost of contributed assets and Rawlinson's indexes. The current environment has created significant valuation uncertainty. The pandemic, supply chain issues and workforce shortages have impacted construction costs.

A revaluation was conducted on the asset class of basins, retaining walls, wetlands and levee banks, these asset classes sit within the asset group 'Drainage'. These assets were revalued by applying a unit rates. A revaluation was conducted on sealed roads, this asset class sits within the asset group 'Roads'. A unit rate was applied to the seal component and an index was applied to the formation. The index used for the revaluation was the ABS construction index.

The total revaluation movement for infrastructure assets is \$36.19 million.

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

The valuation is at fair value based on replacement cost or indexes less accumulated depreciation as at the date of valuation.

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

	Level 1 \$ '000	Level 2 \$ '000	Level 3 \$ '000	DoV
Roads	-	-	375,827	Jun-20
Bridges	-	-	16,818	Jun-20
Footpaths and cycleways	-	-	17,639	Jun-20
Drainage	-	-	61,008	Jun-20
Recreational, leisure and community facilities	-	-	11,633	Jun-20
Parks, open space and streetscapes	-	-	3,615	Jun-20
Other infrastructure	-	-	12,677	Jun-20
<b>Total</b>	<b>-</b>	<b>-</b>	<b>499,217</b>	

**Description of significant unobservable inputs into level 3 valuations**

**Specialised land and land under roads** are 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 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0.17 and \$5,900 per square metre.



## 6.2 Property, infrastructure, plant and equipment (cont.)

**Specialised buildings** are valued using a depreciated 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 \$50 to \$5,000 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 25 years to 75 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 depreciated 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 0 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
<b>Reconciliation of specialised land</b>		
Specialised land	103,433	87,718
Land under roads	5,200	4,396
Land improvements	552	478
<b>Total specialised land</b>	<b>109,186</b>	<b>92,592</b>

### Valuation of Artworks

Artworks are not revalued in line with councils asset revaluation policy but are carried at their nominal value.

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

	Level 1	Level 2	Level 3
	\$ '000	\$ '000	\$ '000
Artworks	-	-	1,138

## 6.3 Investments in associates, joint arrangements and subsidiaries

Council does not have any investments in associates, joint arrangements or subsidiaries.

### Community Asset Committees

All entities controlled by Council that have material revenues, expenses, assets or liabilities, such as community asset committees, have been included in this financial report. Any transactions between these entities and Council have been eliminated in full.

**Note 7 People and relationships**

**7.1 Council and key management remuneration**

**(a) Related Parties**

*Parent entity*

Shire of Campaspe is not the parent entity of any other entities.

*Subsidiaries and Associates*

Council does not have any investments in associates, joint arrangements or subsidiaries.

**(b) Key Management Personnel**

Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

<b>Councillors</b>	Councillor Christine Weller ( Mayor, 17 November 2020 - current)
	Councillor Adrian Weston
	Councillor Leanne Pentreath
	Councillor John Zobec
	Councillor Daniel Mackrell
	Councillor Robert Amos
	Councillor Colleen Gates
	Councillor Paul Jarman
	Councillor Tony Marwood
<b>KMP</b>	Chief Executive Officer x 2
	General Manager - Corporate
	General Manager - Development
	General Manager - Community
	General Manager - Infrastructure x 2
	Manager Planning and Building
	Manager Finance
	Manager Community Business
	Manager Governance & Strategy

	<b>2022</b>	<b>2021</b>
	<b>No.</b>	<b>No.</b>
<b>Total Number of Councillors</b>	9	14
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	11	9
<b>Total Number of Key Management Personnel</b>	<u>20</u>	<u>23</u>

The variance in the number of Councillors relates to the election being held in 2020 and the change of Councillors. There were five Councillors that finished their term as councillors in October 2020.

**Campaspe Shire Council**  
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**7.1 Council and key management remuneration (cont.)**

**(c) Remuneration of Key Management Personnel**

	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Total remuneration of key management personnel was as follows:		
Short-term benefits	2,232	2,172
Long-term benefits	40	41
Post-employment benefits	166	152
Termination benefits	323	-
<b>Total</b>	<b>2,761</b>	<b>2,365</b>

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

	<b>2022</b>	<b>2021</b>
	<b>No.</b>	<b>No.</b>
\$1 - \$9,999	-	5
\$10,000 - \$19,999	-	4
\$20,000 - \$29,999	8	3
\$30,000 - \$39,999	1	-
\$50,000 - \$59,999	-	1
\$60,000 - \$69,999	-	1
\$80,000 - \$89,999	1	-
\$100,000 - \$109,999	1	-
\$160,000 - \$169,999	1	-
\$170,000 - \$179,999	1	-
\$180,000 - \$189,999	-	2
\$190,000 - \$199,999	2	2
\$200,000 - \$209,999	1	-
\$220,000 - \$229,999	-	2
\$230,000 - \$239,999	1	-
\$240,000 - \$249,999	1	2
\$250,000 - \$259,999	1	-
\$350,000 - \$359,999	-	1
\$630,000 - \$639,999	1	-
	<b>20</b>	<b>23</b>

**7.1 Council and key management remuneration (cont.)**

**(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:

	<b>2022</b>	<b>2021</b>
	<b>No.</b>	<b>No.</b>
Income Range:		
<\$151,000	1	-
\$151,000 - \$159,999	5	5
\$160,000 - \$169,999	1	-
\$170,000 - \$179,999	1	1
	<b>8</b>	<b>6</b>
	<b>2022</b>	<b>2021</b>
	<b>\$'000</b>	<b>\$'000</b>
Total Remuneration for the reporting year for Senior Officers included above, amounted to:	1,229	939

**7.2 Related party disclosure**

**(a) Transactions with related parties**

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

Council has six employees who are close family members of key management personnel, the total remuneration paid to these employees is.	548	506
Total rental income received from related parties	87	51
Total transactions paid to related parties	-	3

All contracts and transactions were at arms length and under normal business terms and conditions.

**(b) Outstanding balances with related parties**

There are no balances outstanding at the end of the reporting period in relation to transactions with related parties 2021/2022 Nil (2020/2021 Nil).

**(c) Loans to/from related parties**

No loans have been made, guaranteed or secured by council to a responsible person 2021/2022 Nil (2020/2021 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 council to a related party are as follows:

Council has long term commercial rental agreements with related parties for properties owned by council.	638	384
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**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 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 the Council are not aware of any contingent assets.

**(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 has no major insurance claims that could have a material impact on future operations.

**Legal matters**

Council has no major legal matters that could have a material impact on future operations.

**Building cladding**

Council has no potential contingents existing 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.

### 8.1 Contingent assets and liabilities (cont.)

#### (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.

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.

	2022	2021
	\$'000	\$'000
<i>Bank Guarantees held in favour of other Entities</i>		
(a) Council currently has three Bank Guarantees in favour of the Department or Environment, Land, Water and Planning for the rehabilitation bond at the Nanneella Quarry.	365	365
(b) Council currently has three Bank Guarantees in favour of the Department or Environment, Land, Water and Planning for the rehabilitation bond at the Mt Scobie Quarry.	151	151
(c) Council currently has two Bank Guarantees in favour of the Department or Environment, Land, Water and Planning for the rehabilitation bond at Weeks and Browns Pits.	14	14
(d) Council currently has one Bank Guarantees in favour of the Environmental Protection Agency for the rehabilitation bond for Council landfills.	800	800
<b>Total</b>	<b>1,330</b>	<b>1,330</b>

### 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

Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank and Treasury Victoria Corporation 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 notes of the financial statements. Risk management is carried out by senior management under policies approved by Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

#### (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 exposures to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

### 8.3 Financial instruments (cont.)

#### (b) Market risk (cont.)

##### **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*. We manage 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 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. To help manage this risk:

- Council has a policy for establishing credit limits for the entities we deal with;
- Council may require collateral where appropriate; and
- Council only invests surplus funds with financial institutions which have a recognised credit rating as 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 provides 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.

### **8.3 Financial instruments (cont.)**

#### **(d) Liquidity risk**

Liquidity risk includes the risk that, as a result of our operational liquidity requirements Council 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:

- has 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.

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 finance guarantees disclosed in note 8.1(c) 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 1.93%.

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.



#### **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, 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 5 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.

**8.4 Fair value measurement (cont.)**

*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 other matters have occurred after balance date that require disclosure in the financial report.

**8.6 Adjustment directly to equity**

Following a review of infrastructure assets registers Council found that assets to the value of \$294 thousand were not reflected in the register. The asset category effected is recreation leisure and community. In 2022 the asset adjustments have been brought to account as an adjustment to the Councils accumulated surplus in the 2020/21 year.

	<b>2022</b>
	<b>\$'000</b>
<b>(a) Found assets</b>	
Sports lighting	294
<b>Total assets found</b>	<b>294</b>

The effect of Council recognising found assets in the 2021/22 year is an increase to the years opening balance of accumulated surplus of \$294 thousand and an increase to property, infrastructure, plant and equipment of \$294 thousand.

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Note 9 Other matters

9.1 Reserves

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>(a) Asset revaluation reserves</b>			
<b>2022</b>			
<b>Property</b>			
Land and land improvements	50,586	21,354	71,940
Water rights	3,450	198	3,648
Artworks	124	-	124
Plant and Equipment	1,659	-	1,659
Buildings	83,523	-	83,523
	<b>139,342</b>	<b>21,552</b>	<b>160,894</b>
<b>Infrastructure</b>			
Roads	254,966	31,974	286,940
Bridges	11,305	-	11,305
Footpaths and cycleways	4,623	-	4,623
Drainage	22,233	4,220	26,453
Other infrastructure	7,731	-	7,731
	<b>300,858</b>	<b>36,194</b>	<b>337,052</b>
<b>Total asset revaluation reserves</b>	<b>440,200</b>	<b>57,747</b>	<b>497,947</b>
<b>2021</b>			
	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>Property</b>			
Land and land improvements	27,457	23,129	50,586
Water rights	3,524	(74)	3,450
Artworks	124	-	124
Plant and equipment	1,659	-	1,659
Buildings	83,401	122	83,523
	<b>116,165</b>	<b>23,176</b>	<b>139,342</b>
<b>Infrastructure</b>			
Roads	258,750	(3,784)	254,966
Bridges	11,305	-	11,305
Footpaths and cycleways	4,623	-	4,623
Drainage	22,233	-	22,233
Other infrastructure	7,496	235	7,731
	<b>304,407</b>	<b>(3,549)</b>	<b>300,858</b>
<b>Total asset revaluation reserves</b>	<b>420,572</b>	<b>19,628</b>	<b>440,200</b>

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

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9.1 (b) Other reserves	Balance at beginning of reporting period	Transfer to accumulated surplus	Transfer from accumulated surplus	Balance at end of reporting period
	\$'000	\$'000	\$'000	\$'000
<b>2022</b>				
<b>Restricted reserves</b>				
Recreational land	1,397	-	74	1,471
Car parking	188	-	10	198
	<b>1,585</b>	<b>-</b>	<b>84</b>	<b>1,669</b>
<b>Unrestricted reserves</b>				
Accumulated unallocated cash	2,517	-	-	2,517
Asset renewal	10,436	(813)	5,847	15,470
Asset renewal - plant replacement	1,970	(2,586)	1,614	998
Commercial investment - Holiday Park	954	(1,150)	250	54
Community plan implementation	79	-	-	79
Capital Works Contingency	1,000	(977)	977	1,000
Disability Discrimination Act reserve	561	(130)	100	531
Industrial land	2,001	-	949	2,950
Rochester water rights reserve	173	-	-	173
Waste reserve	3,965	-	-	3,965
	<b>23,656</b>	<b>(5,656)</b>	<b>9,737</b>	<b>27,737</b>
<b>Total Other reserves</b>	<b>25,241</b>	<b>(5,656)</b>	<b>9,821</b>	<b>29,406</b>
	Balance at beginning of reporting period	Transfer to accumulated surplus	Transfer from accumulated surplus	Balance at end of reporting period
	\$'000	\$'000	\$'000	\$'000
<b>2021</b>				
<b>Restricted reserves</b>				
Recreational land	1,326	-	71	1,397
Car parking	184	-	4	188
	<b>1,510</b>	<b>-</b>	<b>75</b>	<b>1,585</b>
<b>Unrestricted reserves</b>				
Accumulated unallocated cash	2,517	-	-	2,517
Asset renewal	8,474	(2,000)	3,962	10,436
Asset renewal - plant replacement	3,027	(2,403)	1,346	1,970
Commercial investment - Holiday Park	1,162	(458)	250	954
Community plan implementation	82	(3)	-	79
Capital Works Contingency	1,000	-	-	1,000
Disability Discrimination Act reserve	674	(250)	137	561
Industrial land	1,806	-	195	2,001
Rochester water rights reserve	173	-	-	173
Waste reserve	3,078	-	887	3,965
	<b>21,993</b>	<b>(5,114)</b>	<b>6,777</b>	<b>23,656</b>
<b>Total Other reserves</b>	<b>23,503</b>	<b>(5,114)</b>	<b>6,852</b>	<b>25,241</b>

9.1 (b) Other reserves (cont.)

**Restricted Reserves** - Must be cash backed at all times and relate to funds received that must be used by Council for a specific purpose.

**Recreational Land** - The purpose of this reserve is to provide improved recreational facilities for the Campaspe Shire Council, both of an active and passive nature. This reserve is funded solely from subdivision developer contributions in lieu of the 5% public open space requirement. Outflows are limited to capital works on parks and playgrounds, recreation reserves and other outdoor sporting activities including swimming pool development. The call on the reserve has to be directly connected to the residential catchments for which the contribution has been made.

**Car parking** - The purpose of this reserve is to capture funds that are received by Council either from developer contributions for lieu of parking or from the sale of car parking land, and also to establish funding for future development of car parking spaces in accordance with the Echuca CBD and Heritage Parking Strategies. This reserve is funded principally from developer contributions and used to provide parking development.

**Unrestricted Reserves** - Must be cashed back at year end but can be used throughout the year to fund Council's working capital requirements.

**Accumulated Unallocated Cash**

The purpose of this reserve is to separately identify Council's unallocated cash and is funded from the year end unallocated cash result.

**Asset Renewal**

The purpose of this reserve is to isolate funds identified for asset renewal that have not been expended in the budget year and any savings from completed capital projects. These funds are to be used to support the delivery of the adopted 10 year capital works program.

**Asset Renewal - plant replacement**

The purpose of this reserve is to provide for the replacement of fleet, major and minor plant and is funded by a 100% budgeted depreciation allocation of these assets.

**Capital Works Contingency**

The purpose of this reserve is to hold funds to cover unforeseeable additional costs associated with capital works projects.

**Commercial Investment - Echuca Holiday Park**

The purpose of this reserve is to allocate funds for investment in the Echuca Holiday Park to maintain and grow revenue and is funded from operations or the resale of assets on the site.

**Community Plan Implementation**

The purpose of this reserve is to allocate funds for implementation of community plans in line with Council strategy and is funded from operations.

**Disability Discrimination Act reserve**

The purpose of this reserve is to allocate funds to upgrade community facilities in line with the Disability Discrimination Act when it is deemed necessary and is funded from operations.

**Industrial land**

The purpose of this reserve is to develop industrial land that can facilitate the growth, expansion and attraction of business across the Shire. This reserve is funded solely from sales of industrial land and must be used for the establishment of industrial estates.

**Rochester water rights reserve**

The purpose of this reserve is to manage the funds from the sale of water rights in Rochester to ensure these funds are spent back in the community.

**Waste reserve**

The purpose of this reserve is to provide funding in line with the approved waste strategy as adopted by Council. It is funded from the surplus or deficit of the waste service.

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	2022	2021
	\$'000	\$'000
<b>9.2 Reconciliation of cash flows from operating activities to surplus/deficit</b>		
Surplus/(deficit) for the year	5,999	(4,673)
Depreciation	20,626	20,650
Depreciation - right of use assets	471	633
(Profit)/loss on disposal of property, infrastructure, plant and equipment	5,104	6,100
Impairment losses	-	7,316
Contributions - Non-monetary assets	(961)	(2,774)
Borrowing costs	88	113
Finance costs - leases	18	34
Bad debts	188	168
Other	(193)	(151)
<b>Change in assets and liabilities:</b>		
(Increase)/decrease in trade and other receivables	854	(62)
(Increase)/decrease in prepayments	(130)	(25)
Increase/(decrease) in trust funds and deposits	(489)	543
Increase/(decrease) in accrued income	(1,725)	225
Increase/(decrease) in unearned income	2,252	3,314
Increase/(decrease) in trade and other payables	4,320	(4,316)
(Increase)/decrease in inventories	(52)	44
Increase/(decrease) in provisions	(430)	(723)
Net cash provided by/(used in) operating activities	<b>35,940</b>	<b>26,416</b>

### 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 the Comprehensive Operating Statement when they are made or due.

#### **Accumulation**

The Fund's accumulation category, Vision MySuper/Vision Super Saving, 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%).

#### **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 Campaspe Shire 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.

### 9.3 Superannuation (cont.)

#### **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 to be 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.

#### **Employer contributions**

##### *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.

#### **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.

**9.3 Superannuation (cont.)**

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.

**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 investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	<b>2021</b>	<b>2020</b>
	(Interim)	(Triennial)
	\$m	\$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 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).



**9.3 Superannuation (cont.)**

**Superannuation contributions**

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2022 are detailed below:

<b>Scheme</b>	<b>Type of Scheme</b>	<b>Rate</b>	<b>2022 \$'000</b>	<b>2021 \$'000</b>
Vision super	Defined benefits	10% (2021:9.5%)	131	135
Vision super	Accumulation	10% (2021:9.5%)	1,670	1,864
Other funds	Accumulation	10% (2021:9.5%)	833	636

In addition to the above contributions, Council has paid unfunded liability payments to Vision Super totalling \$NIL for 2021/22 year (2020/21 \$NIL).

There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2023 is \$135,000.

**Note 10 Change in accounting policy**

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



# PERFORMANCE STATEMENT

For the year ending 30 June 2022



## Performance Statement

For the year ended 30 June 2022

### Description of municipality

The Shire of Campaspe is located in north central Victoria, approximately 180 kilometres north of Melbourne. It includes the communities of Echuca, Kyabram, Rochester, Lockington, Gunbower, Rushworth, Stanhope and Tongala as well as many smaller areas outside of these main townships. The shire is located in the heart of one of the richest and most diverse agriculture and food processing areas in Victoria. Its climate, history, cultural heritage, natural assets and location in relation to major urban centres provide the shire with extensive opportunities. The shire encompasses a total land area of over 4,500 square kilometres.

The Shire of Campaspe scores 967 on the SEIFA (Socio-Economic Indexes for Areas) index, indicating that it is more disadvantaged than the Victorian average of 1010 and the national average of 1001.9. The level of disadvantage varies across the Shire of Campaspe from well below the national average to above the Victorian average.

### Overview of 2021/2022

On 30 January 2020, COVID 19 was declared as a global pandemic by world health organisation. Since then, various measures were taken by all three levels of Government in Australia to reduce the spread of COVID-19. This crisis and measures taken to mitigate it has impacted Council's operations in the following areas for the financial year ended 30 June 2022.

- Additional revenue – several grant programs have been rolled out by both the Federal and State governments. These grants have been for both capital and operational projects.
- Revenue reductions – several services were closed due to government directives, these services were recreation facilities including aquatic facilities, libraries, caravan parks and tourism related services. Initially the revenue from these services was reduced. Since lockdowns were lifted and restrictions reduced there has been greater activity in tourism related services which has seen revenue exceed initial budget expectations. Revenue from recreation services has remained less than budgeted.
- Additional costs – Additional cleaning has been required to comply with the required covid plans, but there have been no other additional costs.
- Cost reductions – there have been savings made due to the closure of services, both in materials and labour costs.
- Asset valuations – Land assets have increased across the municipality between 12% – 26 %. The current market environment, impacted by the pandemic, creates significant valuation uncertainty. This has given rise to performing an index-based revaluation of Council land resulting in a \$21.35 million valuation increment.
- Infrastructure assets valuations – The values of several classes of assets have increased, resulting in a \$36.19 million valuation increment. The current environment has created significant valuation uncertainty, this is being driven by supply chain issues and workforce shortage which are impacting construction costs.
- Rates and debt collection – Council waived interest on unpaid rates up to 30 June 2022 in response to the pandemic. This measure has not impacted the collection of rate revenue with collection with the percentage of rates collected above prior years by 1.33 percent.

The comments against individual indicators will explain the impact of these closures on the indicators results.

## Sustainable Capacity Indicators

For the year ended 30 June 2022

Indicator/measure	Results 2019	Results 2020	Results 2021	Results 2022	Material variations and comments
<b>Population</b>					
C1 Expenses per head of municipal population * <i>[Total expenses / Municipal population]</i>	\$2,117.87	\$2,434.72	\$2,361.99	\$2,280.81	The result in 2021-22 is in line with prior years. A one off net loss of \$13.3 million on the disposal of property plant and equipment impacting in the 2019-20 result.
C2 Infrastructure per head of municipal population <i>[Value of infrastructure / Municipal population]</i>	\$13,362.55	\$16,123.72	\$15,806.42	\$16,752.45	The increase in the indicator is due to a valuation adjustment made to a number of asset classes.
C3 Population density per length of road <i>[Municipal population / Kilometres of local roads]</i>	9.26	9.39	9.40	9.42	The long-term trend of the population density per length of road remains generally steady.
<b>Own-source revenue</b>					
C4 Own-source revenue per head of municipal population <i>[Own-source revenue / Municipal population]</i>	\$1,625.64	\$1,677.88	\$1,611.76	\$1,677.69	The overall trend in own-source revenue per head of municipal population has been an increase over the preceding four years in line with Council's financial principles of cost recovery for services where possible. The reduction in 2020-21 is the result of service closures due to the pandemic and therefore a reduction in the associated revenue.
<b>Recurrent grants</b>					
C5 Recurrent grants per head of municipal population <i>[Recurrent grants / Municipal population]</i>	\$469.59	\$485.50	\$442.07	\$552.43	The increase in this indicator for this year is due to the pre-payment of three quarters of the 2022-23 Financial Assistance Grants being paid in the 2021-22 year.
<b>Disadvantage</b>					
C6 Relative Socio-Economic Disadvantage <i>[Index of Relative Socio-Economic Disadvantage by decile]</i>	3.00	3.00	3.00	3.00	
<b>Workforce turnover</b>					
C7 Percentage of staff turnover <i>[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100</i>	11.9%	19.01%	15.2%	17.3%	Staff turnover is trending similar to prior years. Attracting and retaining staff is a sector wide issue. There have been 6 staff resigned due to noncompliance with vaccine mandates in 21/22. The result in 19/20 is due to exiting aged care services and the subsequent a number of staff being made redundant.

\* Population data used in the indicators is ABS March 2022 estimates.

**Sustainable Capacity Indicators**

For the year ended 30 June 2022

**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 council

"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.

**Service Performance Statement**  
For the year ended 30 June 2022

	<i>Service/indicator/measure</i>	<b>Results 2019</b>	<b>Results 2020</b>	<b>Results 2021</b>	<b>Results 2022</b>	<b>Material variations and comments</b>
	<b>Aquatic Facilities Utilisation *</b>					
AF6	<i>Utilisation of aquatic facilities [Number of visits to aquatic facilities / Municipal population]</i>	6.22	3.04	1.87	3.31	There was a significant increase in visitation across all aquatic facilities due to the easing of COVID restrictions. The Echuca Indoor Facility noted an almost 50% increase in visitation compared to the previous year. Due to COVID restrictions, school swimming programs were held at a number of outdoor pools to abide by capacity limitations. This resulted in an increase in visitation at each of these locations.
	<b>Animal Management</b>					
	<b>Health and safety Animal management prosecutions</b>					
AM7	<i>Animal management prosecutions [Number of successful animal management prosecutions/Total number of animal management prosecutions]x100</i>	New in 2020	0.00	0.00	0.00	No animal prosecutions were issued in 2021/22.
	<b>Food Safety</b>					
	<b>Health and safety Critical and major non- compliance outcome notifications</b>					
FS4	<i>Critical and major non-compliance outcome notifications [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</i>	100.00%	100.00%	100.00%	85.00%	Officers identified 20 major or critical non-compliances in 2021. There were no major or critical non-compliances identified by external auditors. Of the 20 non-compliances, three premises did not receive a follow up assessment in 2021. This was primarily due to State Government COVID regulations impacting officer practices. These premises have been prioritised in 2022 for assessment.
	<b>Governance</b>					
	<b>Satisfaction</b>					
G5	<i>Satisfaction with council decisions [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</i>	47.00	48.00	52.00	43.00	Throughout 2021/22, Council made several significant decisions. Council recognises that there are diverse views across the community in relation to many of these decisions. Understanding the drivers behind community satisfaction remains a focus for Council decisions.

\* Population data used in the indicators is ABS March 2022 estimates.

## Service Performance Indicators

For the year ended 30 June 2022

	Service/indicator/measure	Results 2019	Results 2020	Results 2021	Results 2022	Material variations and comments
<b>Libraries</b>						
	<b>Participation *</b>					
LB4	<i>Active library borrowers in municipality</i> [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	15.34%	15.31%	13.69%	12.33%	Due to State Government COVID regulations, library closures and capacity limitations impacted library members ability to access the collection and to keep their membership activated. A review of the library management system is underway to investigate membership auto-renewal.
<b>Maternal and Child Health (MCH)</b>						
	<b>Participation</b>					
MC4	<i>Participation in the MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	73.71%	72.81%	72.20%	69.11%	Service delivery was impacted, with restricted service models in place during COVID restrictions and peak periods. 0-8 week old infants and vulnerable children were prioritised for service delivery during much of the reporting period, with physical and telephone assessments undertaken. Additionally, cancellations due to staff or client illness were greatly increased compared to previous years.
	<b>Participation</b>					
MC5	<i>Participation in the MCH service by Aboriginal children</i> [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	69.54%	73.91%	82.74%	78.23%	Service delivery was impacted during the reporting period, with restricted service models in place during COVID lockdown and peak infection periods. 0-8 week infants and vulnerable children were prioritised for service delivery during much of the reporting period, with a blend of physical and telephone assessments undertaken. Additionally, cancellations due to staff or client illness were greatly increased compared to prior years. Improved reporting from 2020 has given more accurate data in the following years.

\* Population data used in the indicators is ABS March 2022 estimates.

## Service Performance Indicators

For the year ended 30 June 2022

	Service/indicator/measure	Results 2019	Results 2020	Results 2021	Results 2022	Material variations and comments
<b>Roads</b>						
<b>Satisfaction</b>						
R5	<i>Satisfaction with sealed local roads</i> [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	47.00	49.00	47.00	41.00	Improved understanding of the sealed local road network (gained through customer service requests and the ongoing inspection program) indicate that the network is in good condition. All results from the community satisfaction survey have been impacted by some council decisions.
<b>Statutory Planning Decision making</b>						
SP4	<i>Council planning decisions upheld at VCAT</i> [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	90.91%	83.33%	80.00%	62.50%	Council had very few decisions appealed to VCAT (eight). Staff seek to address concerns through the processing of applications, including consultation meetings so concerns are addressed. This prevents VCAT appeals. The service measure does not reflect that changes were made to applications prior to the appeal or what type of appeal was considered (conditions or decision). Staff note and review VCAT decisions to ensure consistency and to understand any changes to planning case law.
<b>Waste Collection</b>						
<b>Waste diversion</b>						
WC5	<i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	39.03%	48.02%	48.46%	48.76%	The diversion rate increased slightly which can be attributed to additional Food and Garden Organic services adopted by residents.



**Service Performance Indicators**

For the year ended 30 June 2022

**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 sections 98 of the Act

"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

## Financial Performance Indicators

For the year ended 30 June 2022

Dimension/ indicator/ measure	Results				Forecast				Material variations and comments	
	2019	2020	2021	2022	2023	2024	2025	2026		
<b>Efficiency</b>										
E2	<b>Expenditure level</b> <i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$3,860.50	\$4,408.60	\$4,202.70	\$4,034.29	\$3,896.13	\$3,894.90	\$3,960.54	\$4,027.38	There has been a trend of decrease in expenses per property assessment due to expenses remaining relatively steady and an increase in the number of assessments due additional subdivisions coming on line. The trend in the forecast years is expected to remain steady.
E4	<b>Revenue level</b> <i>Average rate per property assessment.</i> [General rates and Municipal charges / Number of property assessments]	New in 2020	1,784.07	\$1,830.88	\$1,865.47	\$1,921.61	\$1,949.87	\$1,979.12	\$2,008.83	The overall trend for the average rate per property assessment is consistent with the increase in property values.
<b>Liquidity</b>										
L1	<b>Working capital</b> <i>Current assets compared to current liabilities</i> [Current assets / Current liabilities] x100	370.05%	376.00%	383.24%	319.42%	311.76%	253.53%	222.41%	229.81%	The trend in working capital will remain strong but has decrease in the current year, this will continue in the forecast period. This is due to an increase in borrowings and a decrease in cash held as reserves are used to fund capital works.
L2	<b>Unrestricted cash</b> <i>Unrestricted cash compared to current liabilities</i> [Unrestricted cash / Current liabilities] x100	190.66%	270.55%	232.48%	213.31%	233.24%	164.38%	132.04%	142.43%	The trend in percentage of unrestricted cash has seen an decrease in 2021-22 from the previous year due to more cash being required for carried forward capital works from the prior year. The cash reserves are anticipated to decrease as the spend on maintenance and renewal of assets increases to improve the condition of Council's assets.

Thursday, 8 September 2022

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## Financial Performance Indicators

For the year ended 30 June 2022

Dimension/ indicator/ measure	Results				Forecast				Material variations and comments	
	2019	2020	2021	2022	2023	2024	2025	2026		
<b>Loans and borrowings</b>										
<b>Obligations</b>										
O2	<i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	12.83%	10.01%	7.45%	14.24%	18.42%	15.19%	11.98%	9.79%	Loans have increased in 2021-22 as Council has draw down borrowings to complete two significant pieces of community infrastructure, these are Echuca East Community Centre and redevelopment of the Gunbower Lions Park. There are no further borrowings planned and the forward trend is a decrease in this indicator as loans are repaid.
O3	<i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	3.22%	2.69%	2.63%	2.54%	3.24%	3.21%	3.17%	2.14%	The trend across the preceding four years has been a steady decline as current borrowings are paid down. The trend is forecast to increase next year due to the effect of new borrowings, it will then decline as these are paid down.
<b>Indebtedness</b>										
O4	<i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	11.39%	9.98%	7.03%	11.12%	15.87%	13.11%	11.02%	9.41%	The trend across the preceding four years has been a steady decline as current borrowings are paid down. The trend is forecast to increase next years as the effect of new borrowings impact the result. It will then decline as loans are paid down.

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## Financial Performance Indicators

For the year ended 30 June 2022

Dimension/ indicator/ measure	Results				Forecast				Material variations and comments
	2019	2020	2021	2022	2023	2024	2025	2026	
<b>Asset renewal and Upgrade</b> O5 <i>Asset renewal and upgrade compared to depreciation</i> [Asset renewal and asset upgrade expense / Asset Depreciation] x 100	New in 2020	108.59%	95.37%	116.15%	148.36%	141.06%	107.07%	84.20%	The trend in the forecast shows that Council is meeting its asset renewal obligations. Council's ten year capital works plan has planned to do additional works in the 2023 and 2024 years, reducing in the following two years.
<b>Operating position</b> <b>Adjusted underlying result</b> OP1 <i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	0.22%	(10.49%)	(11.38%)	(0.75) %	(4.34%)	(3.00%)	(3.41%)	(3.81%)	This result is an improvement on prior years as the loss on the disposal of property, plant and equipment is less than prior years. Council has planned to run deficit operational budgets over the forecast years.
<b>Stability</b> <b>Rates concentration</b> S1 <i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	52.82%	53.02%	56.17%	53.54%	59.30%	59.43%	59.55%	59.67%	The trend in the percentage of rates concentration has generally remained steady over the four years of reporting and is forecast to continue to remain steady through to 2025-26.

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## Financial Performance Indicators

For the year ended 30 June 2022

Dimension/ indicator/ measure	Results				Forecast				Material variations and comments
	2019	2020	2021	2022	2023	2024	2025	2026	
<b>Rates effort</b>									
S2 <i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.57%	0.57%	0.54%	0.50%	0.43%	0.42%	0.41%	0.40%	The trend in this indicator is reduction over the forecast years. This is due the rate cap environment that restrains rate income as property values rise.

## Retired Measures

The following indicators were retired in the year ended 30 June 2020

Service/indicator/measure	Results 2018	Results 2019	Results 2020	Material variations and comments
<b>Animal Management</b>				
AM4 <b>Health and Safety</b> <i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	3.00	0.00	Retired in 2020	Retired in 2020 and replaced by a similar indicator which is a measure of proportion (percentage) rather than a number.
<b>Efficiency</b>				
E1 <b>Revenue level</b> <i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$1,721.59	\$1,866.47	Retired in 2020	Retired in 2020 and replaced by a similar indicator that includes all assessment types across all differential categories, instead of just residential.
<b>Obligations</b>				
O1 <b>Asset renewal</b> <i>Asset renewal compared to depreciation</i> [Asset renewal expense / Asset depreciation] x100	71.07%	69.50%	Retired in 2020	Retired in 2020 and replaced by a similar indicator that includes asset renewal and upgrade, instead of just renewal.

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**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 in

paragraphs (a) and (b)

"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 the budget

"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 council

"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.

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**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 budget. *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 budget on 15 June 2022, which forms part of the council plan. The budget 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 budget can be obtained from Council's website.

Thursday, 8 September 2022

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### 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*.

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*Ailsa Box, CPA*  
**Principal Accounting Officer**  
**Dated:** XX September 2022

In our opinion, the accompanying performance statement of the *Campaspe 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.

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*Cr Christine Weller*  
**Councillor**  
**Dated:** XX September 2022

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*Cr Xxxxx Xxxxxx*  
**Councillor**  
**Dated:** XX September 2022

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*Tim Tamlin*  
**Interim Chief Executive Officer**  
**Dated:** XX September 2022

Thursday, 8 September 2022  
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## 9.11 Annual Audit and Risk Committee Report

**Division:** Office of the CEO

### 1. SUMMARY

The Audit and Risk Committee supports Council in discharging its governance oversight responsibility including financial management, risk management, fraud prevention, maintenance of a sound internal control environment and the assurance activities through internal and external audit.

The Audit and Risk Committee (Committee) reports to Council twice per year under its Charter that was adopted by Council in July 2020. This Charter aligns with the requirements of the Local Government Act 2020.

The attached annual report, prepared by the Chair of the Committee, reports on the activities undertaken by the Committee against the key responsibility areas defined in their Charter.

### 2. RECOMMENDATION

**That Council:**

- 1. Note the Annual Report 2021-22 from the Audit and Risk Committee as attachment 9.11.1.**
- 2. Acknowledge and thank the independent committee members for their commitment and contribution provided to the Audit and Risk Committee over the past 12 months.**

### 3. PURPOSE

To note the Audit and Risk Committee Annual Report that highlights the functions and activities of the Audit and Risk Committee for the financial year period of 1 July 2021 to 31 June 2022.

### 4. DISCUSSION

- In accordance with the Committee Charter, 'the Chairperson will prepare a report to Council through the Chief Executive Officer on the Committee's Activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the performance statements have been considered and recommended to Council for adoption, such report indicating how the Committee has discharged its responsibilities as set out in the charter for the previous year.'

On receipt of the report from the Committee the Chief Executive Officer must table the report to the next available Council meeting. This report satisfies these requirements.

The Committee's half year report was noted by Council at its meeting held on the 16 February 2022.

## 5. CONSULTATION

### External consultation:

- The Audit and Risk Committee reviewed the annual report prepared in consultation with the Chair of the Committee at their meeting held on 9 September 2022.

### Councillors:

- The Chair of the Audit and Risk Committee will attend the Council Briefing Session held on the 21 September 2022 to talk to the annual report and provide an opportunity for Councillors to ask questions.

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no Council Policy and relevant law has been identified within this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no economic sustainability issues for the municipality have been identified within this report.

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

Not applicable

## 11. ISSUES AND RISK MANAGEMENT

### Issues:

There are no issues identified in connection with this report.

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

The Audit and Risk Committee reports to Council twice a year to report on its activities and how it is fulfilling its responsibilities defined within the Audit and Risk Committee Charter. This report outlines the activities of the Committee for the period 1 July 2021 to 30 June 2022.

## **16. ATTACHMENTS**

1. Audit Risk Committee Annual Report 2021-22 [9.11.1 - 9 pages]



# Audit and Risk Committee Annual Report 2021-22



OFFICIAL

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**1. MESSAGE FROM THE CHAIRPERSON**

The Audit and Risk Committee Charter, in alignment with the Local Government Act 2020, requires the chairperson of the Campaspe Shire Council Audit and Risk Committee, to prepare a report to Council, through the Chief Executive Officer on the Committee's activities. The Committee has agreed that a mid year report be prepared for the 1 July -31 December period with an annual report covering the full financial year. These reports provide the Council with details of how the Committee has discharged its responsibilities contained in the Committee's Charter. The half yearly report for this financial year was presented to Council at its meeting held on 16 February 2022.

This is the annual report for the 2021-22 financial year.

The key purpose of this report is to:

- Increase awareness of the composition, purpose, role and responsibilities of the Audit and Risk Committee;
- Outline the activities of the Audit and Risk Committee;
- Provide Council and the Community with confidence about the oversight provided on Council's operations, risk management, governance, internal controls and financial management.

During the 2021-22 year, Council's internal auditor, AFS and Associates, presented a program of four separate internal audit reviews. Further details of these audits can be found in section 4 of this report.

This year the Committee provided oversight to the implementation of numerous internal audit recommendations and Council's Internal Auditor has verified the implementation of the recommendations that addressed the identified risks.

For the 2021-22 financial year the Victorian Auditor General's Office (VAGO) appointed Johnsons MME as its external audit agent for Campaspe Shire. The external auditors play a key role in providing the Committee and Council with confidence that the annual financial audits fully reflect the financial performance of Council.

In addition to the formal audit programs, the Committee reviews Council's quarterly finance reports to ensure that any financial risks are being appropriately managed and are an accurate reflection of Council's financial position. Further to this, the Committee monitored Council's implementation of the legislative obligations within the Local Government Act 2020 and the Gender Equality Act 2020. Council responses to a number of VAGO audit report recommendations were also considered.

The Committee adds value to the Council's governance and control processes through the diverse experience and knowledge of its members.

This year Council and the Committee welcomed Chis Gillard to the committee as an independent member. Chris's first meeting was in October 2021. Council and the Committee farewellled Ray Warren at the conclusion of his term. Ray was a member of the Committee for two and a half years as an affiliate member.

On behalf of the Committee, I wish to acknowledge the professionalism and support of the Victorian Auditor General's appointed external audit agents, Johnsons MME, Council's internal auditor, AFS and Associates and all Council officers who contributed to the work of the Committee.

Finally, I thank all my fellow Audit and Risk Committee members (Councillors and independent members) for their participation, diligence, professionalism and contributions throughout 2021-22. I also wish to thank the Mayor, Councillor Chrissy Weller for her attendance at each meeting.

**Linda MacRae – Chair & External Member**

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**2. AUDIT & RISK COMMITTEE PURPOSE**

The Audit and Risk Committee (the Committee) operates under a Charter that defines the role, responsibilities, composition and operation of the Committee. This Charter was reviewed, updated and approved by Council in July 2020.

The Committee's purpose is to support Council in discharging its oversight responsibilities related to:

- financial and performance reporting,
- risk management,
- fraud prevention systems and controls,
- maintenance of a sound internal control environment,
- assurance activities including internal and external audit functions; and
- Council's performance with regard to compliance with its policy and legislative requirements.

Further details of the Committee's responsibilities under each of the above points can be found in the Committee's Charter that is available on Council's website.

The Committee achieves its purpose by monitoring, reviewing, endorsing and advising on the above matters.

To ensure that the Committee is appropriately discharging its responsibilities, the Committee can request information from management on issues, within its areas of responsibility. This assists the Committee in providing further assurance to Council that it is meeting the responsibilities contained in the adopted Charter.

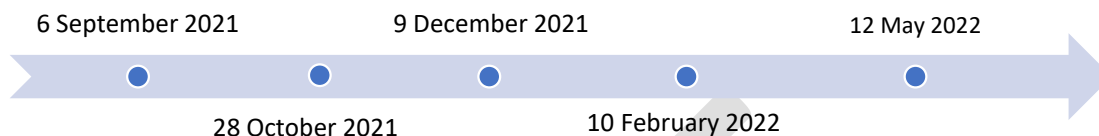
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**3. MEMBERSHIPS, MEETINGS AND PERFORMANCE**

Committee membership comprises three external members, one affiliate member and two councillors, with support provided by the Corporate Division staff and Chief Executive Officer.

The Committee is required to meet a minimum of four times each year, based on the approved Charter.

For the 2021-22 year the Committee met five times as follows:



The following is a table of attendance for each of the Committee Members for the financial year:

Committee member	Eligible to attend	Attended
Linda MacRae (Full Member)	5	5
Simone Knight (Full member)	5	5
Ray Warren (Affiliate Member)	3	1
Chris Gillard (Full Member)	4	4
Cr Rob Amos (Councillor Member)	5	4
Cr Tony Marwood (Councillor Member)	5	5
AFS Chartered Accountants (internal auditor)	5	5
JohnsonsMME (external auditor)	5	2

In addition to the appointed members of the Committee, the Committee Charter provides for the Mayor or any other Councillor to attend a meeting of the Audit and Risk Committee as an observer. The Mayor attended each of the meetings held during the reporting period.

Each year the Committee undertakes a self-assessment of its performance against the Campaspe Shire Council's Audit and Risk Committee Charter. This assessment was managed and completed in March 2022 by AFS & Associates, Council's appointed internal auditor.

The results of this self-assessment were independently collated and of the seven (7) committee members invited to participate, six (6) committee members responded.

The following is an excerpt from the AFS report on the summary of results from the self-assessment.

**'Overall Result**

*The overall average response score from Audit and Risk Committee ('Committee') members on a scale of 1 to 5 was 4.16. This is a strong positive result with a slight decrease from last year's average response of 4.22.*



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**4. AUDIT & RISK COMMITTEE ACTIVITIES 2021-22**

The following table outlines the activities of the Committee during the reporting period under the areas of responsibilities defined within the Audit and Risk Committee Charter.

Financial & Performance Reporting
<p><b>6 September 2021</b></p> <ul style="list-style-type: none"> <li>Review of the Annual Financial Statements and Performance Statement for the 2020/21 year were considered by the Committee. The review included presentation and discussion of the Victorian Auditor General's Office (VAGO) drafts of the 2020-21 Management Letter, Closing Report and Management Representation Letter. After review and consideration of all documentation, the Committee recommended to Council that the Annual Financial Statements and Performance Statement be signed.</li> </ul> <p><b>28 October 2021</b></p> <ul style="list-style-type: none"> <li>Reviewed the Quarterly Budget Report for the period ended 30 September 2021.</li> </ul> <p><b>9 December 2021</b></p> <ul style="list-style-type: none"> <li>Reviewed a reconciliation of Council's cash position and requested further clarification be provided on some of the items contained within the cash reconciliation scheduled with a further report to be brought back at or before the May 2022 meeting.</li> </ul> <p><b>10 February 2022</b></p> <ul style="list-style-type: none"> <li>Reviewed the Quarterly Budget Report for the period ended 31 December 2021.</li> <li>Received a further report on the Council's cash position that provided an update to the information received at the 9 December 2021 meeting.</li> </ul> <p><b>12 May 2022</b></p> <ul style="list-style-type: none"> <li>Reviewed the Quarterly Budget Report for period ended 31 March 2022.</li> </ul>
Internal Control Environment
<p><b>28 October 2021</b></p> <ul style="list-style-type: none"> <li>Reviewed a revised Procurement Policy that incorporated a range of changes to ensure alignment with the Local Government Act 2020 and recommended adoption by Council.</li> <li>Provided clarity of the policies that require Audit and Risk Committee consideration and review prior to the consideration and approval by Council for Council policies or the approval of the Chief Executive Officer for administration policies.</li> </ul> <p><b>9 December 2021</b></p> <ul style="list-style-type: none"> <li>Reviewed the Investment Policy and several proposed changes that were made and recommended adoption by Council.</li> <li>Reviewed the outcomes of a completed Security Penetration Testing.</li> </ul>
Risk Management
<p><b>9 December 2021</b></p> <ul style="list-style-type: none"> <li>Reviewed the operational risk register review undertaken by the organisation and noted the updates performed as a result of the organisation review.</li> </ul> <p><b>12 May 2022</b></p> <ul style="list-style-type: none"> <li>Provided an overview of the review of the Human Resources Operational Risks to ensure it responds to the findings and risks identified through the VAGO Sexual Harassment in Local Government Report.</li> </ul>

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<b>Risk Management cont...</b>
At all meetings the Committee: <ul style="list-style-type: none"> <li>Reviewed the status and risk profile of the Strategic Risk Register and the controls in place for each of the 19 strategic risks.</li> </ul>
<b>Fraud Prevention Systems &amp; Controls</b>
<b>6 September 2021</b> <ul style="list-style-type: none"> <li>Reviewed the Fraud Policy (Policy) and Fraud Minimisation &amp; Reporting Procedure (Procedure) that incorporated minor amendments and recommended that the Policy and Procedure be presented to Council for consideration and adoption.</li> </ul>
<b>Internal Audit</b>
<b>6 September 2021</b> <ul style="list-style-type: none"> <li>Reviewed the Internal Audit Plan including proposed amendments to the forward plan and requested an updated Internal Audit Plan be circulated to Committee members.</li> <li>Reviewed the outcome of the Asset Management Framework Internal Audit completed by the Internal Auditor, noting that management accepted all the recommendations made by the Auditor.</li> </ul>
<b>28 October 2021</b> <ul style="list-style-type: none"> <li>Reviewed an update on the progress of the Contract Management Framework.</li> </ul>
<b>9 December 2021</b> <ul style="list-style-type: none"> <li>Reviewed past actions identified in internal audits that were verified by the Internal Auditor in a Past Issues Review. Eleven (11) actions were put forward for closure and all were confirmed as responded to and closed.</li> </ul>
<b>10 February 2022</b> <ul style="list-style-type: none"> <li>Reviewed the outcome of the Risk Management (Application &amp; Culture) Internal Audit completed by the Internal Auditor, noting that management accepted or partially accepted the 5 recommendations made and agreed to accept 2 of the 3 opportunities identified. One opportunity while not accepted by management identified an alternative approach to be considered when reviewing the Risk Management Plan.</li> <li>Reviewed and endorsed the Internal Audit Charter, which remains current and reflective of the role of the current appointed internal auditor.</li> </ul>
<b>12 May 2022</b> <ul style="list-style-type: none"> <li>Reviewed past actions identified in internal audits that were verified by the Internal Auditor in a Past Issues Review. Six (6) actions were put forward for closure and all were confirmed as responded to and closed.</li> </ul>
At all meetings the Committee: <ul style="list-style-type: none"> <li>Reviewed the status of the Annual Internal Audit Plan and the scopes for four Internal Audits that are scheduled during 2022.</li> <li>Monitored the status of all actions recommended by the Internal Auditor from past Internal Audits that remain in progress.</li> </ul>
<b>External Audit</b>
<b>6 September 2021</b> <ul style="list-style-type: none"> <li>Reviewed the drafts of the 2020-21 Final Closing Report and Management Letter issued by the Victorian Auditor General's Office (VAGO). The draft 2020-21 Management Letter confirmed management had resolved all outstanding points from previous audits and no additional points were identified during the 2020-21 audit.</li> </ul>

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External Audit cont...
<p><b>28 October 2021</b></p> <ul style="list-style-type: none"> <li>Received a management report on the results of the VAGO report released in December 2020 titled 'Sexual Harassment in Local Government' along with results specific to Campaspe Shire Council and requested a further report on the actions taken by Council in response to the recommendations made within the VAGO report.</li> </ul> <p><b>9 December 2021</b></p> <ul style="list-style-type: none"> <li>Received a management report on the results of the VAGO independent assurance report titled 'Council Waste Management Services' that was tabled in Parliament on 2 December 2021.</li> </ul> <p><b>10 February 2022</b></p> <ul style="list-style-type: none"> <li>Received a management report on the results of the VAGO report titled 'Results of 2020-21 Audits: Local Government' that was tabled in Parliament on 2 December 2021.</li> </ul> <p><b>12 May 2022</b></p> <ul style="list-style-type: none"> <li>Reviewed the Audit Strategy for the 2021/22 year.</li> </ul>
Compliance Management
<p><b>6 September 2021</b></p> <ul style="list-style-type: none"> <li>Reviewed the legislated Governance and Management Checklist for inclusion in Council's 2020-21 Annual Report.</li> </ul> <p><b>28 October 2021</b></p> <ul style="list-style-type: none"> <li>Received a management report providing an overview of the Gender Equality Act 2020 and the obligations it places on Local Government along with the links to recommendations made under the VAGO report titled 'Sexual Harassment in Local Government'.</li> </ul> <p><b>12 May 2022</b></p> <ul style="list-style-type: none"> <li>Received a management report providing an update on the actions taken by the organisation in response to the recommendations made within the VAGO report titled 'Sexual Harassment in Local Government'.</li> <li>Received a management report on the response to recommendations made by Energy Safe Victoria following an Electric Line Clearance Management Plan Audit.</li> <li>Received a management report providing an update on the obligations under the Gender Equality Act 2020 and the organisation's achievement of these obligations.</li> </ul> <p>At all meetings the Committee:</p> <ul style="list-style-type: none"> <li>Reviewed the status of Council's compliance with implementing the requirements of the Local Government Act 2020.</li> </ul>
Reporting to Council
<p><b>6 September 2021</b></p> <ul style="list-style-type: none"> <li>A draft 2020-2021 Audit and Risk Committee Annual Report was reviewed and recommended to be presented to Council at the next available meeting. The report was included in the agenda of Council's meeting held on the 15 September 2021.</li> </ul> <p><b>9 December 2021</b></p> <ul style="list-style-type: none"> <li>Following a call for nominations for the role of Chairperson for the 2022 calendar year and none being received, the Committee recommended to Council that it appoint Linda MacRae as Chairperson for the 2022 year, notwithstanding that it would be for a third consecutive year and beyond the terms defined within the Audit and Risk Committee Charter. Council considered this recommendation at its meeting held on 19 January 2022. Having considered the recommendation Council resolved to appoint Linda MacRae as Chairperson for the 2022 year.</li> </ul>

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<p><b>10 February 2022</b></p> <ul style="list-style-type: none"> <li>A draft Half Yearly Report for the period 1 July 2021 to 31 December 2021 was reviewed and recommended to be presented to Council at the next available meeting. The report was included in the agenda of Council's meeting held on 16 February 2022.</li> </ul>
Performance Evaluation
<p><b>12 May 2022</b></p> <ul style="list-style-type: none"> <li>Reviewed the results of the Committee's self assessment that was conducted by the Internal Auditor. A summary of these results is contained within this report.</li> </ul>
Review of Charter
<ul style="list-style-type: none"> <li>As the Committee charter was adopted by Council at its meeting held on the 21 July 2020, the charter is next due for review in the second half of 2022.</li> </ul>
Other Matters
<p><b>6 September 2021</b></p> <ul style="list-style-type: none"> <li>Met with the Internal and External Auditors in the absence of management. There were no issues identified requiring action from the meeting.</li> </ul> <p><b>10 February 2022</b></p> <ul style="list-style-type: none"> <li>The Committee met without management. There were no issues identified requiring action from this meeting.</li> </ul> <p>At all meetings the Committee:</p> <ul style="list-style-type: none"> <li>Reviewed the Annual Work Plan of the Committee.</li> <li>Received a report summarising Councillor expenses &amp; reimbursements received in accordance with Council's adopted Councillor Expenses Policy.</li> </ul>

## 9.12 Instrument of Delegations from Council to the CEO

**Division: Office of the CEO**

### 1. SUMMARY

Delegations are a critical governance tool of the Council. It is important to ensure that councils have properly delegated their powers, duties and functions, in order to avoid any issues arising regarding the legality of a decision or an action purportedly made or taken on behalf of the council.

Most Council decisions are not made at Council meetings. Effective functioning of local government would not be possible if they were. Most decision-making power is, or should be, allocated by formal delegations.

### 2. RECOMMENDATION

**That Council in the exercise of the power conferred by S11(1)(b) of the Local Government Act 2020 (the Act) resolves that:**

- 1. there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument, as attached 9.12.1.**
- 2. the instrument comes into force immediately the common seal of Council is affixed to the instrument;**
- 3. on the coming into force of the instrument, all previous delegations to the Chief Executive Officer are revoked; and**
- 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.**

### 3. PURPOSE

Council to adopt the revised Instrument of Delegations to enable the CEO to effectively perform their role.

### 4. DISCUSSION

The previous Instrument of Delegation from the Council to the CEO was authorised by resolution at a Council meeting held on 20 October 2021. This review has been undertaken in accordance with the template provided by Maddocks Lawyers, as part of Councils subscription to their Delegations and Authorisation service.

This Instrument of Delegation from Council to CEO delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO.

The following cannot be delegated by Council:

- (a) the power of delegation;
- (b) the power to elect a Mayor or Deputy Mayor;
- (c) the power to grant a reasonable request for leave under section 35;
- (d) subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;

- (e) the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
- (f) the power to approve or amend the Council Plan;
- (g) the power to adopt or amend any policy that the Council is required to adopt under this Act;
- (h) the power to adopt or amend the Governance Rules;
- (i) the power to appoint the chair or the members to a delegated committee;
- (j) the power to make, amend or revoke a local law;
- (k) the power to approve the budget or revised budget;
- (l) the power to borrow money;
- (m) subject to section 181H(1)(b) of the Local Government Act 1989, the power to declare general rates, municipal charges, service rates and charges and special rates and charges;
- (n) any power, duty or function prescribed by the regulations for the purposes of this subsection.

## 5. CONSULTATION

### Internal consultation:

- 5 September 2022 Manager Governance and the CEO

### External consultation:

- Nil

### Councillors:

- 14 September 2022 Council Briefing Session.

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

### **Resilient protected and healthy natural environment**

Well managed resources for a sustainable future

### **Growing quality of life**

Effective and efficient services available locally

## 11. ISSUES AND RISK MANAGEMENT

### **Issues:**

#### **Issue 1:**

The requirement for biannual review and updating of delegations, there are several reasons why delegations should be made carefully and reviewed regularly. In particular:

- accountability and responsibility for decisions is possible only if decision-makers are identified;
- in delegating responsibility, Council can set conditions, limitations and guidelines for decision-makers, including reporting requirements;
- Council decisions are often subject to legal scrutiny in courts and tribunals. This calls for precision about what decision was made, who made it and when it was made.

Council subscribes to the Maddocks delegations and authorisations service. Every six months, Maddocks provides to Councils an update on changes to legalisation that effective allocation and control of decision-making powers.

## 12. CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## 13. CHARTER OF HUMAN RIGHTS

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## 14. INSTRUMENT OF DELEGATION

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## 15. CONCLUSION

This Instrument of Delegation from Council to CEO provides the essential powers, duties and functions to the CEO to effectively manage the day-to-day operations of Council.

## 16. ATTACHMENTS

1. Draft - S 5 Instrument of Delegation - Council to CEO - September 2022 [9.12.1 - 4 pages]
2. S 5 Instrument of Delegation - Council to CEO - Track Changes - 2022 [9.12.2 - 6 pages]

# INSTRUMENT OF DELEGATION

Council to the Chief Executive Officer



Adopted: 21 September 2022



# Instrument of Delegation by Council to the Chief Executive Officer

## Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Campaspe Shire Council ("Council") delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 21 September 2022;
2. the delegation
  - 2.1. comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2. is subject to any conditions and limitations set out in the Schedule;
  - 2.3. must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4. remains in force until Council resolves to vary or revoke it;

**The Common Seal of the  
Campaspe Shire Council  
was hereunto affixed  
on the twenty first day of September 2022  
in the presence of:**

)  
)  
)  
)  
)

\_\_\_\_\_

Councillor

\_\_\_\_\_

Councillor

\_\_\_\_\_

Chief Executive Officer

# Instrument of Delegation by Council to the Chief Executive Officer

## Schedule

The power to

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

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

## Conditions and Limitations

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

1. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 1.1 entering into a contract exceeding the value of \$1,000,000 inclusive of GST.
  - 1.2 making any expenditure that exceeds \$1,000,000 (unless it is expenditure made under a contract already entered into or is expenditure which Council is, by or under legislation, required to make in which case it must not exceed \$2,000,000.
  - 1.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 1.4 electing a Mayor or Deputy Mayor;
  - 1.5 granting of a reasonable request for leave under section 35 of the Act;
  - 1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 1.7 approving or amending of the Council Plan;
  - 1.8 adopting or amending of any policy that Council is required to adopt under the Act;
  - 1.9 adopting or amending of the Governance Rules;
  - 1.10 appointing of the chair or the members to a delegated committee;
  - 1.11 making, amending or revoking a local law;
  - 1.12 approving the Budget or Revised Budget;
  - 1.13 approving the borrowing of money;
  - 1.14 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges; or
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously been designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

## Instrument of Delegation by Council to the Chief Executive Officer

4. 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
  - 4.1 policy; or
  - 4.2 strategy  
adopted by Council;
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act, or otherwise; or
6. 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.

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# INSTRUMENT OF DELEGATION

Council to the Chief Executive Officer



Adopted: ~~20-October~~  
2021/21-September 2022

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# Instrument of Delegation by Council to the Chief Executive Officer

## Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Campaspe Shire Council ("Council") delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on ~~20 October 2024~~ 21 September 2022;
2. the delegation
  - 2.1. comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2. is subject to any conditions and limitations set out in the Schedule;
  - 2.3. must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4. remains in force until Council resolves to vary or revoke it;

~~The Common Seal of the~~ )  
~~Campaspe Shire Council~~ )  
~~was hereunto affixed~~ )  
~~on the twenty first day of September 2022~~ )  
~~in the presence of:~~ )

~~THE COMMON SEAL of the~~ )

~~CAMPASPE SHIRE COUNCIL~~ )

~~was hereunto affixed on twentieth day~~ )

~~of October 2024 in the presence of:~~ )

..... Councillor

..... Councillor

# Instrument of Delegation by Council to the Chief Executive Officer

..... Chief Executive Officer

# Instrument of Delegation by Council to the Chief Executive Officer

## Schedule

The power to

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

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

## Conditions and Limitations

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

~~4.1~~ if the issue, action, act or thing is an issue, action, act or thing which involves

~~1.1 entering into a contract exceeding the value of \$1,000,000 inclusive of GST.~~

~~4.1 making any expenditure that exceeds \$1,000,000 (unless it is expenditure made under a contract already entered into or is expenditure which Council is, by or under legislation, required to make in which case it must not exceed \$2,000,000, entering into a contract exceeding the value of \$1,000,000 inclusive of GST. Awarding contracts between \$150,000 and \$1,000,000 will only be permitted when the expenditure has been previously approved during the budget process.~~

~~4.2~~ appointing an Acting Chief Executive Officer for a period exceeding 28 days;

~~4.3~~ electing a Mayor or Deputy Mayor;

~~4.4~~ granting of a reasonable request for leave under section 35 of the Act;

~~4.5~~ making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;

~~4.6~~ approving or amending of the Council Plan;

~~4.7~~ adopting or amending of any policy that Council is required to adopt under the Act;

~~4.8~~ adopting or amending of the Governance Rules;

~~4.9~~ appointing of the chair or the members to a delegated committee;

~~4.10~~ making, amending or revoking a local law;

~~4.11~~ approving the Budget or Revised Budget;

~~4.12~~ approving the borrowing of money;

~~4.13~~ subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges; or

~~5.2~~ if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;

~~6.3~~ if the issue, action, act or thing is an issue, action or thing which Council has previously been designated as an issue, action, act or thing which must be the subject of a Resolution of Council;



## Instrument of Delegation by Council to the Chief Executive Officer

~~7.4.~~ if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

~~7.4.1~~ policy; or

~~7.2.2~~ strategy

adopted by Council;

~~8.5.~~ if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act, or otherwise; or

~~9.6.~~ 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.

## 9.13 Instrument of Delegations from Council to Members of Council Staff

Division: Office of the CEO

### 1. SUMMARY

In the Instrument of Delegations from Council to the CEO, Council delegates by exemption, there are however, certain powers and functions of Council which cannot be sub-delegated by the CEO to Members of Council staff, in accordance with Section 11 of the Local Government Act 2020 (the Act).

Instrument of Delegation from Council to members of Council staff relating to Council powers, duties and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation.

This instrument delegates certain powers directly from Council to members of Council staff due to the legislation referred to containing specific powers of delegation.

### 2. 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 (9.13.1) 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; and**
- 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.**

### 3. PURPOSE

The purpose of this report is to delegate certain powers and functions of Council which cannot be sub-delegated by the CEO to Members of Council staff, in accordance with Section 11 of the Local Government Act 2020 (the Act).

### 4. DISCUSSION

The Instrument of Delegation to Members of Staff was last adopted by Council on 20 October 2021. This review has been prompted by the biannual updates provided by Maddocks Lawyers which council subscribes to. This ensures Council continues to operate in accordance with current legislative requirements.

Council delegates the majority of its delegable powers to the Chief Executive Officer (CEO), who is permitted under the act to further sub-delegate these powers to other members of Councils staff. The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO and must be delegated by resolution of Council directly to Council officers.

## **5. CONSULTATION**

### Internal consultation:

- Manager Governance and the CEO
- All affected members of staff

### External consultation:

- Maddocks Lawyers – Subscription Service

### Councillors:

- 14 September 2022 Council Briefing Session.

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

Not applicable

## **11. ISSUES AND RISK MANAGEMENT**

### Issues:

The review of Instruments of Delegation ensures that they remain valid, legal and that generally routine decisions are able to be made without the need for a Council meeting. The Council subscribes to the Delegations and Authorisations Service provided by Maddocks Lawyers. Subscribing to the Maddocks service ensures that legislative changes which have implications for the Council's delegations and authorisations are identified and implemented accordingly.

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

It is important that all of Council's Instruments of Delegation remain up to date with the latest versions of legislation and that the document reflects the current organisation structure. The amended Instrument of Delegation reflects such changes, and it is therefore recommended that the updated document comes into force and the previous Instrument is revoked.

## **16. ATTACHMENTS**

1. S 6 Instrument of Delegation - Council to Members of Staff - September 2022 [9.13.1 - 39 pages]
2. S 6 Instrument of Delegation - Council to Members of Staff - Track Changes - 2022 [9.13.2 - 71 pages]

# INSTRUMENT OF DELEGATION COUNCIL TO MEMBERS OF STAFF



## Instrument of Delegation – Council to Members of 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:

<b>Abbreviation</b>	<b>Position</b>
ND	Not Delegated
CEO	Chief Executive Officer
CFO	Chief Financial Officer
DCOM	Director Community
DCOR	Director Corporate
DINF	Director Infrastructure
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
ED	Executive Director
LLC	Local Laws Coordinator
LLO1	Local Laws Officer 1
LLO2	Local Laws Officer 2
MA	Manager Assets
MCH	Manager Community Health
MPB	Manager Planning & Building
MPF	Manager Projects & Facilities
PL	Planner
PBA1	Planning and Building Assistant 1
PBA2	Planning and Building Assistant 2
PTL	Planning Team Leader
SP	Senior Planner

3. declares that:
  - 3.1 this Instrument of Delegation is authorised by resolution" of Council passed on 21 September 2022, if appropriate; 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

# Instrument of Delegation – Council to Members of Staff

- 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; or
    - (b) strategy
 adopted by Council;
  - 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  
Campaspe Shire Council  
was hereunto affixed  
on the twenty first day of September 2022  
in the presence of:** )  
)  
)  
)  
)

	Councillor
	Councillor
	Chief Executive Officer

## Instrument of Delegation – Council to Members of Staff

### Schedule

#### Legislation Delegated

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## Instrument of Delegation – Council to Members of Staff

Domestic Animals Act 1994			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	ED, DCOM, LLC, LLO1, LLO2	Council may delegate this power to a Council authorised officer

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
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, EHC, MCH	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, EHC, MCH	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, EHC, MCH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

## Instrument of Delegation – Council to Members of Staff

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, EHC, MCH	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, EHC, MCH	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, EHC, MCH	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 19CB(4)(b)	Power to request copy of records	EHO, EHC, MCH	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO, EHC, MCH	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	EHO, EHC, MCH	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, EHC, MCH	Where Council is the registration authority

## Instrument of Delegation – Council to Members of Staff

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	EHO, EHC, MCH	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	EHO, EHC, MCH	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO, EHC, MCH	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	EHO, EHC, MCH	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO, EHC, MCH	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	EHO, EHC, MCH	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO, EHC, MCH	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.

## Instrument of Delegation – Council to Members of Staff

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, EHC, MCH	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO, EHC, MCH	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, EHC, MCH	Where Council is the registration authority
	Power to register or renew the registration of a food premises	EHO, EHC, MCH	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, EHC, MCH	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, EHC, MCH	Where Council is the registration authority

## Instrument of Delegation – Council to Members of Staff

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, EHC, MCH	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, EHC, MCH	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO, EHC, MCH	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO, EHC, MCH	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, EHC, MCH	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, EHC, MCH	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	EHO, EHC, MCH	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, EHC, MCH	Where Council is the registration authority

## Instrument of Delegation – Council to Members of Staff

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	EHO, EHC, MCH	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	EHO, EHC, MCH	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	EHO, EHC, MCH	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	EHO, EHC, MCH	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, EHC, MCH	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, EHC, MCH	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, EHC, MCH	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	EHO, EHC, MCH	

## Instrument of Delegation – Council to Members of Staff

Food Act 1984			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40F	Power to cancel registration of food premises	EHO, EHC, MCH	Where Council is the registration authority
s 43	Duty to maintain records of registration	EHC, MCH	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	EHO, EHC, MCH	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, EHC, MCH	Where Council is the registration authority
s 45AC	Power to bring proceedings	EHO, EHC, MCH	
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, EHC, DCOM, MCH	Where Council is the registration authority

## Instrument of Delegation – Council to Members of Staff

Heritage Act 2017			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	ND	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			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO, EHC, DCOM, MCH	



## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CEO, DCOM, MPB	If authorised by the Minister
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CEO, DCOM, MPB	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, DCOM, MPB	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	ND	
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	CEO, DCOM, MPB	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	ND	
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	CEO, DCOM, MPB	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DCOM, MPB	Until the proposed amendment is approved or lapsed

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, DCOM, MPB	
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	ND	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DCOM, MPB	Until the end of 2 months after the amendment comes into operation or lapses
s 22(1)	Duty to consider all submissions received before the date specified in the notice	DCOM, MPB	Except submissions which request a change to the 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	DCOM, MPB	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, DCOM, MPB	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DCOM, MPB	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
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	MPB, PBA1, PBA2	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	CEO, DCOM, MPB	
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	CEO, DCOM, MPB	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 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, DCOM, MPB	
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	CEO, DCOM, MPB	
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, DCOM, MPB	Where Council is the collecting agency
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	CEO, DCOM, MPB, PTL	Where Council is the collecting agency

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CEO, DCOM, MPB, PTL	Where Council is the collecting agency
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	CEO, DCOM, MPB, PTL	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	CEO, DCOM, MPB, PTL	Where Council is a collecting agency or development agency
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, DCOM, MPB, PTL	
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	CEO, DCOM, MPB, PTL	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, DCOM, MPB, PTL	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, DCOM, MPB, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DCOM, MPB, PTL	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, DINF, DCOM, MPB, PTL, CFO	Only applies when levy is paid to Council as a 'development agency'
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, DCOR, DINF, DCOM, MPB, PTL	
s 47	Power to decide that an application for a planning permit does not comply with that Act	DCOM, MPB, PTL	
s 50(5)	Power to refuse to amend application	CEO, DCOM, MPB, PTL	
s 50A(1)	Power to make amendment to application	PL, CEO, DCOM, MPB, SP, PTL	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	PL, CEO, DCOM, MPB, SP, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(3)	Power to give any further notice of an application where appropriate	PL, CEO, DCOM, MPB, SP, PTL	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	PL, CEO, DCOM, MPB, SP, PTL	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	PL, CEO, DCOM, MPB, SP, PTL	
s 54(1)	Power to require the applicant to provide more information	PL, CEO, DCOM, MPB, SP, PTL	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	PL, CEO, DINF, DCOM, MPB, SP, PTL	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, DINF, MPB, SP, PTL	
s 57A(5)	Power to refuse to amend application	CEO, DINF, DCOM, MPB, SP, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	CEO, DINF, DCOM, MPB, SP, PTL	
s 60(1A)	Duty to consider certain matters	PL, CEO, DINF, DCOM, MPB, SP, PTL	
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	CEO, DINF, DCOM, MPB, SP, PTL	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.  Council has the ability to call in an application proposed to be approved or refused by a delegate, if consistent with the approved 'call-in' process.
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, DINF, DCOM, MPB	Council has the ability to call in an application proposed to be approved or refused by a delegate, if consistent with the approved 'call-in' process.
s 62(2)	Power to include other conditions	CEO, DINF, DCOM, MPB, SP, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO, DINF, DCOM, MPB, SP, PTL	
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	CEO, DCOM, MPB, SP, PTL	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, DCOM, MPB, SP, PTL	
s 69(2)	Power to extend time	CEO, DCOM, MPB, SP, PTL	
s 71(1)	Power to correct certain mistakes	CEO, DINF, DCOM, MPB, SP, PTL	
s 73	Power to decide to grant amendment subject to conditions	PL, CEO, DINF, DCOM, MPB, SP, PTL	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, DCOM, MPB, SP, PTL	



## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DCOM, MPB, SP, PTL	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, DINF, DCOM, MPB, SP, PTL	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, DINF, DCOM, MPB, SP, PTL	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CEO, DINF, DCOM, MPB	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	CEO, DINF, DCOM, MPB	
s 96H(3)	Power to give notice in compliance with Minister's direction	PL, CEO, DINF, DCOM, MPB, SP, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96J	Duty to issue permit as directed by the Minister	CEO, DINF, DCOM, MPB, SP, PTL	
s 97C	Power to request Minister to decide the application	CEO, DINF, DCOM, MPB, PTL	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DCOM, MPB	
s 107(3)	Power to agree to extend time for making claim	CEO, DINF, DCOM, MPB	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	ND	
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, DCOM, MPB, PTL	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, DCOM, MPB, PTL	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, DCOM, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DCOM, MPB	Except Crown Land
s 130(5)	Power to allow person served with an infringement notice further time	CEO, DCOM, MPB, PTL	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, DINF, DCOM, MPB, PTL	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO, DCOM, MPB, PTL	
s 171(2)(f)	Power to carry out studies and commission reports	CEO, DINF, DCOM, MPB, SP, PTL	
s 171(2)(g)	Power to grant and reserve easements	CEO, DINF, DCOM, MPB, PTL	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO, DCOM, MPB	Where Council is a development agency specified in an approved infrastructure contributions plan

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	CEO	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)	CEO	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	CEO, MPB	
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	CEO, DCOM, MPB	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	CEO, DINF, DCOM, MPB, PTL	
	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	CEO, DINF, DCOM, MPB, PTL	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, DINF, DCOM, MPB, PTL	
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	CEO, DINF, DCOM, MPB, PTL	
s 178A(5)	Power to propose to amend or end an agreement	CEO, DINF, DCOM, MPB, SP, PTL	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DINF, DCOM, MPB, SP, PTL	If no objections are made under s 178D 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	CEO, DINF, DCOM, MPB, SP, PTL	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	CEO, DINF, DCOM, MPB, SP, PTL	If no objections are made under s 178D Must consider matters in s 178B

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DINF, DCOM, MPB, SP, PTL	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	CEO, DINF, DCOM, MPB, SP, PTL	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, DINF, DCOM, MPB	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, DINF, DCOM, MPB, SP, PTL	After considering objections, submissions and matters in s 178B
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	CEO, DINF, DCOM, MPB	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, DCOR, DINF, DCOM, MPB	

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Act 1987			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 182	Power to enforce an agreement	CEO, DINF, DCOM, MPB, SP, PTL	
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	CEO, DINF, DCOM, MPB, SP, PTL	
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 Minister is required to give notice	CEO, DCOM, MPB	
	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	PL, CEO, DINF, DCOM, MPB, SP, PTL	
	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, DINF, DCOM, MPB, SP, PTL	

## Instrument of Delegation – Council to Members of Staff

Residential Tenancies Act 1997			
Column 1	Column 2	Column 3	Column 4
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, EHC, MCH	
s 522(1)	Power to give a compliance notice to a person	EHO, EHC, MCH	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, DCOM	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DCOM	

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
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	ND	Obtain consent in circumstances specified in s 11(2)



## Instrument of Delegation – Council to Members of Staff

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	ND	
s 12(2)	Power to discontinue road or part of a road	ND	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	DINF	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DINF	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	ND	
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	ND	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	ND	

## Instrument of Delegation – Council to Members of Staff

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	DINF	
s 17(3)	Power to decide that a road is reasonably required for general public use	ND	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	ND	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	ND	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	ND	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DINF	
s 42(1)	Power to declare a public road as a controlled access road	DINF	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	DINF	Power of coordinating road authority and sch 2 also applies

## Instrument of Delegation – Council to Members of Staff

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	DINF	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 49	Power to develop and publish a road management plan	DINF	
s 51	Power to determine standards by incorporating the standards in a road management plan	DINF	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DINF	
s 54(6)	Power to amend road management plan	DINF	
s 63(1)	Power to consent to conduct of works on road	DINF	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	DINF	Where Council is the infrastructure manager
s 66(1)	Power to consent to structure etc	DINF	Where Council is the coordinating road authority

## Instrument of Delegation – Council to Members of Staff

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to request information	DINF, MO, MA	Where Council is the coordinating road authority
s 68(2)	Power to request information	DINF, MO, MA	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	
s 112(2)	Power to recover damages in court	DINF	
s 116	Power to cause or carry out inspection	DINF, MO, MA	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DINF, MO, MA	
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)	DINF, MO, MA	
s 121(1)	Power to enter into an agreement in respect of works	DINF, MO, MA	
s 122(1)	Power to charge and recover fees	DINF, MO, MA	

## Instrument of Delegation – Council to Members of Staff

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(1)	Power to charge for any service	DINF, MO, MA	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DINF, MA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DINF, MA	
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DINF	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DINF	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DINF	Where Council is the coordinating road authority
sch 7 cl 13(2)	Power to vary notice period	DINF	Where Council is the coordinating road authority
sch 7 cl 16(1)	Power to consent to proposed works	DINF, MA	Where Council is the coordinating road authority
sch 7 cl 16(5)	Power to consent to proposed works	DINF	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DINF	Where Council is the coordinating road authority

## Instrument of Delegation – Council to Members of Staff

Road Management Act 2004			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	DINF	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	DINF	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	DINF	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	DINF	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	DINF	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	DINF	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DINF	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

## Instrument of Delegation – Council to Members of Staff

Planning and Environment Regulations 2015			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CEO, DCOM, MPB, SP, PTL	

Planning and Environment (Fees) Regulations 2016			
Column 1	Column 2	Column 3	Column 4
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	CEO, DINF, MPB	when Council is the responsible authority
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, DINF, MPB	when Council is the planning authority

## Instrument of Delegation – Council to Members of Staff

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	EHC, DCOM, MCH	Agreements that may incorporate or impact on Essential Services Requirements under the control of the MBS must have the prior approval of the MBS
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCOM, MCH	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHC, DCOM, MCH	
r 14(3)	Power to determine where notice of transfer is displayed	EHC, MCH	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	ND	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHC, MCH	
r 18(6)	Power to determine where certain information is displayed	EHC, MCH	



## Instrument of Delegation – Council to Members of Staff

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHC, MCH	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHC, MCH	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHC, DCOM, MCH	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHC, DCOM, MCH	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DCOM, MPB, MCH	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DCOM, MPB, MCH	

## Instrument of Delegation – Council to Members of Staff

Road Management (General) Regulations 2016			
Column 1	Column 2	Column 3	Column 4
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 16(3)	Power to issue permit	DINF, MO, MA	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DINF, MO, MA	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DINF	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DINF, MO, MA	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DINF, MO, MA	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))	CEO, DINF	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, DINF	

## Instrument of Delegation – Council to Members of Staff

Road Management (Works and Infrastructure) Regulations 2015			
Column 1	Column 2	Column 3	Column 4
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	CEO, DINF, MPF, MO, MA	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	CEO, DINF, MPF, MO, MA	Where Council is the coordinating road authority

# INSTRUMENT OF DELEGATION

Council to Members of Staff



# Instrument of Delegation – Council to Members of Staff

## 1. Instrument of Delegation

In exercise of the power conferred by the legislation referred to in the attached Schedule, the Campaspe Shire Council:

1. Delegates each duty and/or function and/or power described in *Provision* column of the Schedule (and summarised in the *Thing Delegated* column 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 the *Delegate* column of the Schedule;
2. Record that a reference in the Schedule are as follows:

<u>Abbreviation</u>	<u>Position</u>
<u>ND</u>	<u>Not Delegated</u>
<u>CEO</u>	<u>Chief Executive Officer</u>
<u>CFO</u>	<u>Chief Financial Officer</u>
<u>DCOM</u>	<u>Director Community</u>
<u>DCOR</u>	<u>Director Corporate</u>
<u>DINF</u>	<u>Director Infrastructure</u>
<u>EHC</u>	<u>Environmental Health Coordinator</u>
<u>EHO</u>	<u>Environmental Health Officer</u>
<u>ED</u>	<u>Executive Director</u>
<u>LLC</u>	<u>Local Laws Coordinator</u>
<u>LLO1</u>	<u>Local Laws Officer 1</u>
<u>LLO2</u>	<u>Local Laws Officer 2</u>
<u>MA</u>	<u>Manager Assets</u>
<u>MCH</u>	<u>Manager Community Health</u>
<u>MPB</u>	<u>Manager Planning &amp; Building</u>
<u>MPF</u>	<u>Manager Projects &amp; Facilities</u>
<u>PL</u>	<u>Planner</u>
<u>PBA1</u>	<u>Planning and Building Assistant 1</u>
<u>PBA2</u>	<u>Planning and Building Assistant 2</u>
<u>PTL</u>	<u>Planning Team Leader</u>
<u>SP</u>	<u>Senior Planner</u>

<u>COUNCIL</u>	=	<u>Council</u>
<u>CEO</u>	=	<u>Chief Executive Officer</u>
<u>GMCOR</u>	=	<u>General Manager Corporate</u>
<u>GMCOM</u>	=	<u>General Manager Community</u>
<u>GMDEV</u>	=	<u>General Manager Development</u>
<u>GMINF</u>	=	<u>General Manager Infrastructure</u>
<u>MA</u>	=	<u>Manager Assets</u>
<u>MBS</u>	=	<u>Municipal Building Surveyor</u>
<u>MCH</u>	=	<u>Manager Community Health</u>
<u>MCB</u>	=	<u>Manager Community Business</u>

Issue Date: ~~20 October 2024~~ 21 September 2022

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## Instrument of Delegation – Council to Members of Staff

MF	=	Manager Finance
PM	=	Property Manager
MPB	=	Manager Planning & Building
MW	=	Manager Works
EHC	=	Environmental Health Coordinator
EHO	=	Environmental Health Officer
PL	=	Planner
PTL	=	Planning Team Leader
SP	=	Senior Planner

### 3. Declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on ~~20 October 2021~~ 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: or

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

(a) policy; or

(b) strategy

adopted by Council; or

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; 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 )  
Campaspe Shire Council )  
was hereunto affixed )  
on the twenty first day of September 2022 )  
in the presence of: )

Issue Date: ~~20 October 2021~~ 21 September 2022

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# Instrument of Delegation – Council to Members of Staff

~~The Common Seal of the~~ \_\_\_\_\_>  
~~Campaspe Shire Council~~ \_\_\_\_\_>  
~~was hereunto affixed~~ \_\_\_\_\_>  
~~on the twentieth day of October 2021~~ \_\_\_\_\_>  
~~in the presence of:~~ \_\_\_\_\_>

\_\_\_\_\_ Councillor

\_\_\_\_\_ Councillor

\_\_\_\_\_ Chief Executive Officer

# Instrument of Delegation – Council to Members of Staff

## 2. Schedule

### Legislation Delegated

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## Instrument of Delegation – Council to Members of Staff

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## Instrument of Delegation – Council to Members of Staff

<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS-AND-LIMITATIONS</b>
s.41A(1)	power to declare a dog to be a menacing dog	GMCOM MCB	Council may delegate this power to an authorised officer

<b>Domestic Animals Act 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 41A(1)	Power to declare a dog to be a menacing dog	ED, DCOM, LLC, LLO1, LLO2	Council may delegate this power to a Council authorised officer

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, EHC, MCH	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, EHC, MCH	If s 19(1) applies

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## Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 19(3)</a>	<a href="#">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</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">If s 19(1) applies</a> <a href="#">Only in relation to temporary food premises or mobile food premises</a>
<a href="#">s 19(4)(a)</a>	<a href="#">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</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">If s 19(1) applies</a>
<a href="#">s 19AA(2)</a>	<a href="#">Power to direct, by written order, that a person must take any of the actions described in (a)-(c).</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19AA(4)(c)</a>	<a href="#">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</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">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</a>
<a href="#">s 19CB(4)(b)</a>	<a href="#">Power to request copy of records</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19E(1)(d)</a>	<a href="#">Power to request a copy of the food safety program</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>

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## Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 19EA(3)</a>	<a href="#">Function of receiving copy of revised food safety program</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19GB</a>	<a href="#">Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s19IA(1)</a>	<a href="#">Power to form opinion that the food safety requirements or program are non-compliant.</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19IA(2)</a>	<a href="#">Duty to give written notice to the proprietor of the premises</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a> <a href="#">Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))</a>
<a href="#">s 19M(4)(a) &amp; (5)</a>	<a href="#">Power to conduct a food safety audit and take actions where deficiencies are identified</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19N(2)</a>	<a href="#">Function of receiving notice from the auditor</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19NA(1)</a>	<a href="#">Power to request food safety audit reports</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>

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# Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 19U(3)</a>	<a href="#">Power to waive and vary the costs of a food safety audit if there are special circumstances</a>	<a href="#">EHO, EHC, MCH</a>	
<a href="#">s 19UA</a>	<a href="#">Power to charge fees for conducting a food safety assessment or inspection</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.</a>
<a href="#">s 19W</a>	<a href="#">Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19W(3)(a)</a>	<a href="#">Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 19W(3)(b)</a>	<a href="#">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</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
	<a href="#">Power to register or renew the registration of a food premises</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">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))</a>

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## Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 36A</a>	<a href="#">Power to accept an application for registration or notification using online portal</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38AA(5)</a>	<a href="#">Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38AB(4)</a>	<a href="#">Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38A(4)</a>	<a href="#">Power to request a copy of a completed food safety program template</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38D(3)</a>	<a href="#">Power to request copies of any audit reports</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38E(2)</a>	<a href="#">Power to register the food premises on a conditional basis</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)</a>
<a href="#">s 38F(3)(b)</a>	<a href="#">Power to require proprietor to comply with requirements of this Act</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>

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## Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 38G(1)</a>	<a href="#">Power to require notification of change of the food safety program type used for the food premises</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38G(2)</a>	<a href="#">Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 38G(4)</a>	<a href="#">Power to require the proprietor of the food premises to comply with any requirement of the Act</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 39(2)</a>	<a href="#">Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed</a>	<a href="#">EHO, EHC, MCH</a>	
<a href="#">s 39A</a>	<a href="#">Power to register, or renew the registration of a food premises despite minor defects</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a> <a href="#">Only if satisfied of matters in s 39A(2)(a)-(c)</a>
<a href="#">s 39A (6)</a>	<a href="#">Duty to comply with a direction of the Secretary</a>	<a href="#">EHO, EHC, MCH</a>	
<a href="#">s 40(1)</a>	<a href="#">Duty to give the person in whose name the premises is to be registered a certificate of registration</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>

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# Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 40(2)</a>	<a href="#">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</a>	<a href="#">EHO, EHC, MCH</a>	
<a href="#">s 40C(2)</a>	<a href="#">Power to grant or renew the registration of food premises for a period of less than 1 year</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 40D(1)</a>	<a href="#">Power to suspend or revoke the registration of food premises</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 40E</a>	<a href="#">Duty to comply with direction of the Secretary</a>	<a href="#">EHO, EHC, MCH</a>	
<a href="#">s 40F</a>	<a href="#">Power to cancel registration of food premises</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 43</a>	<a href="#">Duty to maintain records of registration</a>	<a href="#">EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>
<a href="#">s 43F(6)</a>	<a href="#">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</a>	<a href="#">EHO, EHC, MCH</a>	<a href="#">Where Council is the registration authority</a>



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## Instrument of Delegation – Council to Members of Staff

<b>Food Act 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<u>s 43F(7)</u>	<u>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</u>	<u>EHO, EHC, MCH</u>	<u>Where Council is the registration authority</u>
<u>s 45AC</u>	<u>Power to bring proceedings</u>	<u>EHO, EHC, MCH</u>	
<u>s 46(5)</u>	<u>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</u>	<u>EHO, EHC, DCOM, MCH</u>	<u>Where Council is the registration authority</u>

<b>FOOD ACT 1984</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
<u>s.19(2)(a)</u>	<u>power to direct by written order that the food premises be put into a clean and sanitary condition</u>	<u>EHC EHO</u>	<u>If section 19(1) applies. Section 19(1) states: <i>This section applies if the relevant authority is satisfied from the report of an authorized officer that—</i> <i>(a) a food premises is in an unclean or unsanitary condition or in a state of disrepair; or</i></u>

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## Instrument of Delegation – Council to Members of Staff

FOOD-ACT 1984			
PROVISION	THING-DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><del>(b) food being prepared, sold or otherwise handled at a food premises is unsafe or unsuitable; or</del></p> <p><del>(c) food is prepared, sold or otherwise handled at a food premises in a manner that makes it likely the food is unsafe or unsuitable.</del></p>
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	EHC EHO	<p>If section 19(1) applies.</p> <p>Section 19(1) states: This section applies if the relevant authority is satisfied from the report of an authorized officer that—</p> <p><del>(a) a food premises is in an unclean or unsanitary condition or in a state of disrepair; or</del></p> <p><del>(b) food being prepared, sold or otherwise handled at a food premises is unsafe or unsuitable; or</del></p> <p><del>(c) food is prepared, sold or otherwise handled at a food premises in a manner that makes it likely the food is unsafe or unsuitable.</del></p>
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	EHC EHO	<p>If section 19(1) applies.</p> <p>Section 19(1) states: This section applies if the relevant authority is satisfied from the report of an authorized officer that—</p> <p><del>(a) a food premises is in an unclean or unsanitary condition or in a state of disrepair; or</del></p> <p><del>(b) food being prepared, sold or otherwise handled at a food premises is unsafe or unsuitable; or</del></p>

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# Instrument of Delegation – Council to Members of Staff

FOOD-ACT-1984			
PROVISION	THING-DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><i>(c) food is prepared, sold or otherwise handled at a food premises in a manner that makes it likely the food is unsafe or unsuitable.</i></p> <p>Only in relation to temporary food premises or mobile food premises.</p>
s.19(4)(a)	power to direct that an order made under section 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	EHC EHO	<p>If section 19(1) applies.</p> <p>Section 19(1) states: <i>This section applies if the relevant authority is satisfied from the report of an authorized officer that—</i></p> <p><i>(a) a food premises is in an unclean or unsanitary condition or in a state of disrepair; or</i></p> <p><i>(b) food being prepared, sold or otherwise handled at a food premises is unsafe or unsuitable; or</i></p> <p><i>(c) food is prepared, sold or otherwise handled at a food premises in a manner that makes it likely the food is unsafe or unsuitable.</i></p>
s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)–(c)	EHC EHO	when council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under section 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	EHC EHO	Note; the power to direct the matters under section 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19CB(4)(b)	power to request copy of records	EHC EHO	when council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	EHC EHO	when council is the registration authority

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# Instrument of Delegation – Council to Members of Staff

FOOD-ACT-1984			
PROVISION	THING-DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHC EHO	when council is the registration authority
s.19M(4)(a)&(5)	power to conduct a food safety audit and take actions when deficiencies are identified	EHC EHO	when council is the registration authority
s.19NA(1)	power to request food safety audit reports	EHC EHO	when 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	EHC EHO	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	EHC EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHC EHO	when council is the registration authority
s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHC EHO	when 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	EHC EHO	when council is the registration authority
—	power to register, renew or transfer registration	EHC EHO	when council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council (see section 58A(2)) Section 58A(2) states: <i>(2) — The refusal by an officer or member of a council's staff to grant or renew the registration of a food premises is of no effect until it is ratified by the council or the chief executive officer of the council.</i>
s.36A	power to accept an application for registration or notification using online portal	MCH EHC	when Council is the registration authority

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# Instrument of Delegation – Council to Members of Staff

FOOD-ACT-1984			
PROVISION	THING-DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		EHO	
s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHC EHO	when council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	EHC EHO	when council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	EHC EHO	when council is the registration authority
s.38D(3)	power to request copies of any audit reports	EHC EHO	when council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	EHC EHO	when council is the registration authority not exceeding the prescribed time limit defined under subsection (5)
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	EHC EHO	when 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	EHC EHO	when Council is the registration authority
s.38G(2)	power to require the proprietor of the food premises to comply with any requirement of the Act	EHC EHO	when Council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	EHC EHO	when council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	EHC EHO MCH	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	EHC EHO	when council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	EHC EHO	when council is the registration authority

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## Instrument of Delegation – Council to Members of Staff

<b>FOOD-ACT-1984</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.40F	power to cancel registration of food premises	MCH EHC	when 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	EHC EHO	when council is the registration authority
s.46(5)	power to institute proceedings against another person when the offence was due to an act or default by that other person and when the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	GMDEV	when council is the registration authority

### Heritage Act 2017

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	ND	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>

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## Instrument of Delegation – Council to Members of Staff

<b>HERITAGE ACT 2017</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.116	power to sub-delegate Executive Director's functions, duties or powers	COUNCIL	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

<b>Local Government Act 1989</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO, EHC, DCOM, MCH	

<b>LOCAL GOVERNMENT ACT 1989</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO <sup>1</sup>	

### **Planning and Environment Act 1987**

<sup>1</sup>The only member of staff who can be a delegate is the CEO.

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 4B</u>	<u>Power to prepare an amendment to the Victorian Planning Provisions</u>	<u>CEO, DCOM, MPB</u>	<u>If authorised by the Minister</u>
<u>s 4I(2)</u>	<u>Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements</u>	<u>CEO, DCOM, MPB</u>	
<u>s 8A(2)</u>	<u>Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A</u>	<u>CEO, DCOM, MPB</u>	
<u>s 8A(3)</u>	<u>Power to apply to Minister to prepare an amendment to the planning scheme</u>	<u>ND</u>	
<u>s 8A(7)</u>	<u>Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days</u>	<u>CEO, DCOM, MPB</u>	
<u>s 8B(2)</u>	<u>Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district</u>	<u>ND</u>	
<u>s 12(3)</u>	<u>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</u>	<u>CEO, DCOM, MPB</u>	



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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 18</a>	<a href="#">Duty to make amendment etc. available in accordance with public availability requirements</a>	<a href="#">DCOM, MPB</a>	<a href="#">Until the proposed amendment is approved or lapsed</a>
<a href="#">s 19</a>	<a href="#">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</a>	<a href="#">CEO, DCOM, MPB</a>	
<a href="#">s 20(1)</a>	<a href="#">Power to apply to Minister for exemption from the requirements of s 19</a>	<a href="#">ND</a>	<a href="#">Where Council is a planning authority</a>
<a href="#">s 21(2)</a>	<a href="#">Duty to make submissions available in accordance with public availability requirements</a>	<a href="#">DCOM, MPB</a>	<a href="#">Until the end of 2 months after the amendment comes into operation or lapses</a>
<a href="#">s 22(1)</a>	<a href="#">Duty to consider all submissions received before the date specified in the notice</a>	<a href="#">DCOM, MPB</a>	<a href="#">Except submissions which request a change to the items in s 22(5)(a) and (b)</a>
<a href="#">s 22(2)</a>	<a href="#">Power to consider a late submission</a> <a href="#">Duty to consider a late submission, if directed by the Minister</a>	<a href="#">DCOM, MPB</a>	
<a href="#">s 23(2)</a>	<a href="#">Power to refer to a panel submissions which do not require a change to the amendment</a>	<a href="#">CEO, DCOM, MPB</a>	

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 26(1)</u>	<u>Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act</u>	<u>DCOM, MPB</u>	
<u>s 26(2)</u>	<u>Duty to keep report of panel available in accordance with public availability requirements</u>	<u>MPB, PBA1, PBA2</u>	<u>During the inspection period</u>
<u>s 27(2)</u>	<u>Power to apply for exemption if panel's report not received</u>	<u>CEO, DCOM, MPB</u>	
<u>s 46GI(2)(b)(i)</u>	<u>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</u>	<u>CEO, DCOM, MPB</u>	<u>Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency</u>
<u>s 46GR(2)</u>	<u>Power to consider a late submission</u> <u>Duty to consider a late submission if directed to do so by the Minister</u>	<u>CEO, DCOM, MPB</u>	
<u>s 46GS(1)</u>	<u>Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ</u>	<u>CEO, DCOM, MPB</u>	
<u>s 46GV(3)(b)</u>	<u>Power to enter into an agreement with the applicant</u>	<u>CEO, DCOM, MPB</u>	<u>Where Council is the collecting agency</u>

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 46GV(9)</a>	<a href="#">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</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	<a href="#">Where Council is the collecting agency</a>
<a href="#">s 46GX(1)</a>	<a href="#">Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	<a href="#">Where Council is the collecting agency</a>
<a href="#">s 46GZH</a>	<a href="#">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</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	<a href="#">Where Council is the collecting agency under an approved infrastructure contributions plan</a>
<a href="#">s 46GZK</a>	<a href="#">Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	<a href="#">Where Council is a collecting agency or development agency</a>
<a href="#">s 46N(2)(d)</a>	<a href="#">Power to enter into an agreement with the applicant regarding payment of development infrastructure levy</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	
<a href="#">s 46O(1)(a) &amp; (2)(a)</a>	<a href="#">Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	
<a href="#">s 46O(1)(d) &amp; (2)(d)</a>	<a href="#">Power to enter into agreement with the applicant regarding payment of community infrastructure levy</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 46P(1)</u>	<u>Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured</u>	<u>CEO, DCOM, MPB, PTL</u>	
<u>s 46P(2)</u>	<u>Power to accept provision of land, works, services or facilities in part or full payment of levy payable</u>	<u>CEO, DCOM, MPB, PTL</u>	
<u>s 46Q(3)</u>	<u>Power to refund any amount of levy paid if it is satisfied the development is not to proceed</u>	<u>CEO, DINF, DCOM, MPB, PTL, CFO</u>	<u>Only applies when levy is paid to Council as a 'development agency'</u>
<u>s 46QC</u>	<u>Power to recover any amount of levy payable under Part 3B</u>	<u>CEO, DCOR, DINF, DCOM, MPB, PTL</u>	
<u>s 47</u>	<u>Power to decide that an application for a planning permit does not comply with that Act</u>	<u>DCOM, MPB, PTL</u>	
<u>s 50(5)</u>	<u>Power to refuse to amend application</u>	<u>CEO, DCOM, MPB, PTL</u>	
<u>s 50A(1)</u>	<u>Power to make amendment to application</u>	<u>PL, CEO, DCOM, MPB, SP, PTL</u>	

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 50A(3)</a>	<a href="#">Power to require applicant to notify owner and make a declaration that notice has been given</a>	<a href="#">PL, CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 52(3)</a>	<a href="#">Power to give any further notice of an application where appropriate</a>	<a href="#">PL, CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 53(1)</a>	<a href="#">Power to require the applicant to give notice under s 52(1) to persons specified by it</a>	<a href="#">PL, CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 53(1A)</a>	<a href="#">Power to require the applicant to give the notice under s 52(1AA)</a>	<a href="#">PL, CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 54(1)</a>	<a href="#">Power to require the applicant to provide more information</a>	<a href="#">PL, CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 54A(3)</a>	<a href="#">Power to decide to extend time or refuse to extend time to give required information</a>	<a href="#">PL, CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 57(2A)</a>	<a href="#">Power to reject objections considered made primarily for commercial advantage for the objector</a>	<a href="#">CEO, DINF, MPB, SP, PTL</a>	

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 57A(5)</u>	<u>Power to refuse to amend application</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 58A</u>	<u>Power to request advice from the Planning Application Committee</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 60(1A)</u>	<u>Duty to consider certain matters</u>	<u>PL, CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 61(1)</u>	<u>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</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	<u>The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006</u>  <u>Council has the ability to call in an application proposed to be approved or refused by a delegate, if consistent with the approved 'call-in' process.</u>
<u>s 61(2A)</u>	<u>Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit</u>	<u>CEO, DINF, DCOM, MPB</u>	<u>Council has the ability to call in an application proposed to be approved or refused by a delegate, if consistent with the approved 'call-in' process.</u>

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 62(2)</a>	<a href="#">Power to include other conditions</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 62(5)(a)</a>	<a href="#">Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 62(5)(b)</a>	<a href="#">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</a>	<a href="#">CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 62(5)(c)</a>	<a href="#">Power to include a permit condition that specified works be provided or paid for by the applicant</a>	<a href="#">CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 69(2)</a>	<a href="#">Power to extend time</a>	<a href="#">CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 71(1)</a>	<a href="#">Power to correct certain mistakes</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 73</a>	<a href="#">Power to decide to grant amendment subject to conditions</a>	<a href="#">PL, CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 84(1)</a>	<a href="#">Power to decide on an application at any time after an appeal is lodged against failure to grant a permit</a>	<a href="#">CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 84AB</a>	<a href="#">Power to agree to confining a review by the Tribunal</a>	<a href="#">CEO, DCOM, MPB, SP, PTL</a>	
<a href="#">s 87(3)</a>	<a href="#">Power to apply to VCAT for the cancellation or amendment of a permit</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 96A(2)</a>	<a href="#">Power to agree to consider an application for permit concurrently with preparation of proposed amendment</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 96C</a>	<a href="#">Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C</a>	<a href="#">CEO, DINF, DCOM, MPB</a>	
<a href="#">s 96G(1)</a>	<a href="#">Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the</a>	<a href="#">CEO, DINF, DCOM, MPB</a>	



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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
	<u>determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996</u>		
<u>s 96H(3)</u>	<u>Power to give notice in compliance with Minister's direction</u>	<u>PL, CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 96J</u>	<u>Duty to issue permit as directed by the Minister</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 97C</u>	<u>Power to request Minister to decide the application</u>	<u>CEO, DINF, DCOM, MPB, PTL</u>	
<u>s 103</u>	<u>Power to reject a claim for compensation in certain circumstances</u>	<u>CEO, DCOM, MPB</u>	
<u>s 107(3)</u>	<u>Power to agree to extend time for making claim</u>	<u>CEO, DINF, DCOM, MPB</u>	
<u>s 113(2)</u>	<u>Power to request a declaration for land to be proposed to be reserved for public purposes</u>	<u>ND</u>	

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 114(1)</a>	<a href="#">Power to apply to the VCAT for an enforcement order</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	
<a href="#">s 120(1)</a>	<a href="#">Power to apply for an interim enforcement order where s 114 application has been made</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	
<a href="#">s 123(1)</a>	<a href="#">Power to carry out work required by enforcement order and recover costs</a>	<a href="#">CEO, DCOM, PTL</a>	
<a href="#">s 123(2)</a>	<a href="#">Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)</a>	<a href="#">CEO, DCOM, MPB</a>	<a href="#">Except Crown Land</a>
<a href="#">s 130(5)</a>	<a href="#">Power to allow person served with an infringement notice further time</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	
<a href="#">s 149A(1)</a>	<a href="#">Power to refer a matter to the VCAT for determination</a>	<a href="#">CEO, DINF, DCOM, MPB, PTL</a>	
<a href="#">s 149A(1A)</a>	<a href="#">power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement</a>	<a href="#">CEO, DCOM, MPB, PTL</a>	

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s 171(2)(f)</a>	<a href="#">Power to carry out studies and commission reports</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	
<a href="#">s 171(2)(g)</a>	<a href="#">Power to grant and reserve easements</a>	<a href="#">CEO, DINF, DCOM, MPB, PTL</a>	
<a href="#">s 172C</a>	<a href="#">Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan</a>	<a href="#">CEO, DCOM, MPB</a>	<a href="#">Where Council is a development agency specified in an approved infrastructure contributions plan</a>
<a href="#">s 172D(1)</a>	<a href="#">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)</a>	<a href="#">CEO</a>	<a href="#">Where Council is a collecting agency specified in an approved infrastructure contributions plan</a>
<a href="#">s 172D(2)</a>	<a href="#">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)</a>	<a href="#">CEO</a>	<a href="#">Where Council is the development agency specified in an approved infrastructure contributions plan</a>
<a href="#">s 173(1)</a>	<a href="#">Power to enter into agreement covering matters set out in s 174</a>	<a href="#">CEO, MPB</a>	
<a href="#">s 173(1A)</a>	<a href="#">Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing</a>	<a href="#">CEO, DCOM, MPB</a>	<a href="#">Where Council is the relevant responsible authority</a>

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
	<u>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</u>	<u>CEO, DINF, DCOM, MPB, PTL</u>	
	<u>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</u>	<u>CEO, DINF, DCOM, MPB, PTL</u>	
<u>s 177(2)</u>	<u>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</u>	<u>CEO, DINF, DCOM, MPB, PTL</u>	
<u>s 178</u>	<u>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</u>	<u>CEO, DINF, DCOM, MPB, PTL</u>	
<u>s 178A(5)</u>	<u>Power to propose to amend or end an agreement</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<a href="#">s.178E(2)(a)</a>	<a href="#">Power to amend or end the agreement in accordance with the proposal</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	<a href="#">If no objections are made under s 178D Must consider matters in s 178B</a>
<a href="#">s 178E(2)(b)</a>	<a href="#">Power to amend or end the agreement in a manner that is not substantively different from the proposal</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	<a href="#">If no objections are made under s 178D Must consider matters in s 178B</a>
<a href="#">s 178E(2)(c)</a>	<a href="#">Power to refuse to amend or end the agreement</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	<a href="#">If no objections are made under s 178D Must consider matters in s 178B</a>
<a href="#">s 178E(3)(a)</a>	<a href="#">Power to amend or end the agreement in accordance with the proposal</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	<a href="#">After considering objections, submissions and matters in s 178B</a>
<a href="#">s 178E(3)(b)</a>	<a href="#">Power to amend or end the agreement in a manner that is not substantively different from the proposal</a>	<a href="#">CEO, DINF, DCOM, MPB, SP, PTL</a>	<a href="#">After considering objections, submissions and matters in s 178B</a>
<a href="#">s.178E(3)(c)</a>	<a href="#">power to amend or end the agreement in a manner that is substantively different from the proposal</a>	<a href="#">CEO, DINF, DCOM, MPB</a>	<a href="#">After considering objections, submissions and matters in s.178B</a>

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 178E(3)(d)</u>	<u>Power to refuse to amend or end the agreement</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	<u>After considering objections, submissions and matters in s 178B</u>
<u>s 178H</u>	<u>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</u>	<u>CEO, DINF, DCOM, MPB</u>	
<u>s 181(1A)(a)</u>	<u>Power to apply to the Registrar of Titles to record the agreement</u>	<u>CEO, DCOR, DINF, DCOM, MPB</u>	
<u>s 182</u>	<u>Power to enforce an agreement</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 184F(1)</u>	<u>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</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	
<u>s 185B(1)</u>	<u>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 Minister is required to give notice</u>	<u>CEO, DCOM, MPB</u>	

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
	<u>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</u>	<u>PL, CEO, DINF, DCOM, MPB, SP, PTL</u>	
	<u>Power to give written authorisation in accordance with a provision of a planning scheme</u>	<u>CEO, DINF, DCOM, MPB, SP, PTL</u>	

## PLANNING AND ENVIRONMENT ACT 1987

<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.4B	power to prepare an amendment to the Victoria Planning Provisions	CEO GMDEV MPB	if authorised by the Minister
s.8A(2)	power to prepare amendment to the planning scheme when the Minister has given consent under section 8A	CEO GMDEV MPB	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	COUNCIL	Resolution of Council required
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	CEO GMDEV MPB	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	COUNCIL	Resolution of Council required
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	CEO GMDEV MPB SP PL PTL	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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 section 19 to a planning scheme	CEO GMDEV MPB	Notification to be undertaken in accordance with agreed guidelines.
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	COUNCIL	Resolution of Council required
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	CEO GMDEV MPB SP PL PTL	
s.26(1)	power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	GMDEV MPB	
s.27(2)	power to apply for exemption if panel's report not received	CEO GMDEV MPB	
s 46G1(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	CEO GMDEV MPB	When Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GR(2)	Power to consider a late submission	CEO GMDEV MPB	
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	CEO GMDEV MPB	
s 46GV(3)(b)	power to enter into an agreement with the applicant	CEO GMDEV MPB	When Council is the collecting agency
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	CEO GMDEV MPB	When Council is the collecting agency

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## Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CEO GMDEV MPB	When Council is the collecting agency
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	CEO GMDEV MPB	When Council is the collecting agency under an approved infrastructure contributions plan
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	CEO GMDEV MPB	When Council is a collecting agency or development agency
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO GMDEV MPB SP PTL	
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	CEO GMDEV MPB SP PL PTL	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO GMDEV MPB	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	CEO GMDEV MPB SP PTL	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO GMDEV MPB SP PTL	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO GMDEV GMINF GMCOR MPB MF	only applies when levy is paid to council as a 'development agency'
s.46QC	power to recover any amount of levy payable under Part 3B	CEO GMDEV GMINF GMCOR MPB	
s.47	power to decide that an application for a planning permit does not comply with that Act	GMDEV MPB SP PTL	
s.50(5)	power to refuse to amend application	CEO GMDEV MPB SP PTL	
s.50A(1)	power to make amendment to application	CEO GMDEV MPB SP PL PTL	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	CEO GMDEV MPB SP PL PTL	
s.52(3)	power to give any further notice of an application when appropriate	CEO GMDEV MPB SP PL PTL	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	CEO GMDEV MPB SP PL PTL	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	CEO GMDEV MPB SP PL PTL	
s.54(1)	power to require the applicant to provide more information	CEO GMDEV MPB SP PL PTL	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	CEO GMDEV	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		GMINF MPB SP PL PTL	
s.57(2A)	<del>power to reject objections considered made primarily for commercial advantage for the objector</del>	CEO GMINF GMDEV MPB SP PTL	
s.57A(5)	<del>power to refuse to amend application</del>	CEO GMINF GMDEV MPB SP PTL	
s.58A	<del>power to request advice from the Planning Application Committee</del>	CEO GMINF GMDEV MPB SP PTL	
s.60(1A)	<del>power to consider certain matters before deciding on application</del>	CEO GMINF GMDEV MPB SP PL PTL	
s.61(1)	<del>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</del>	CEO GMINF GMDEV	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		MPB SP PTL	Council has the ability to call in an application proposed to be approved or refused by a delegate, if consistent with the approved 'call-in' process.
s.61(2A)	<del>power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit</del>	CEO GMINF GMDEV MPB	Council has the ability to call in an application proposed to be refused by a delegate, if consistent with the approved 'call-in' process.
s.62(2)	<del>power to include other conditions</del>	CEO GMINF GMDEV MPB SP PTL	
s.62(5)(a)	<del>power to include a permit condition to implement an approved development contributions plan</del>	CEO GMINF GMDEV MPB SP PTL	
s.62(5)(b)	<del>power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement</del>	CEO GMDEV MPB SP PTL	
s.62(5)(c)	<del>power to include a permit condition that specified works be provided or paid for by the applicant</del>	CEO GMDEV MPB SP PTL	
s.69(2)	<del>power to extend time</del>	CEO GMDEV MPB SP	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.71(1)	power to correct certain mistakes	PTL CEO GMINF GMDEV MPB SP PTL	
s.73	power to decide to grant amendment subject to conditions	CEO GMINF GMDEV MPB SP PTL PL	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO GMDEV MPB SP PTL	
s.84AB	power to agree to confining a review by the Tribunal	CEO GMDEV MPB SP PTL	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	CEO GMINF GMDEV MPB SP PTL	

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## Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO GMINF GMDEV MPB SP PTL	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	CEO GMINF GMDEV MPB	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	CEO GMINF GMDEV MPB	
s.96H(3)	power to give notice in compliance with Minister's direction	CEO GMINF GMDEV MPB SP PTL PL	
s.96J	power to issue permit as directed by the Minister	CEO GMINF GMDEV MPB SP PTL	
s.97C	power to request Minister to decide the application	CEO GMINF GMDEV MPB SP PTL	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.103	power to reject a claim for compensation in certain circumstances	CEO GMDEV MPB	
s.107(3)	power to agree to extend time for making claim	CEO GMINF GMDEV MPB	
s.114(1)	power to apply to the VCAT for an enforcement order	CEO GMDEV MPB SP PTL	To be included in weekly reports.
s.120(1)	power to apply for an interim enforcement order when section 114 application has been made	CEO GMDEV MPB SP PTL	
s.123(1)	power to carry out work required by enforcement order and recover costs	CEO GMDEV MPB SP PTL	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	CEO GMDEV MPB	Except Crown Land
s.130(5)	power to allow person served with an infringement notice further time	CEO GMDEV MPB SP PTL	
s.149A(1)	power to refer a matter to the VCAT for determination	CEO GMINF GMDEV MPB	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SP PTL	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a section 173 agreement	CEO GMDEV MPB SP PTL	
s.171(2)(f)	power to carry out studies and commission reports	CEO GMINF GMDEV MPB SP PTL	
s.171(2)(g)	power to grant and reserve easements	CEO GMINF GMDEV MPB SP PTL	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO GMDEV MPB	When 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)	CEO GMDEV MPB	When 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)	CEO GMDEV MPB	When 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 section 174	CEO	
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	CEO GMDEV MPB	when council is the relevant responsible authority

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## Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to decide whether something is to the satisfaction of Council, when an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO GMINF GMDEV MPB SP PTL PL	
---	power to give consent on behalf of Council, when an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CEO GMINF GMDEV MPB SIO SP PTL	
s.177(2)	power to end a section 173 agreement with the agreement all those bound by any covenant in the agreement or otherwise in accordance with Division 2 or Part 9	CEO GMINF GMDEV MPB SP PTL	
s.178	power to amend a section 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	CEO GMINF GMDEV MPB SP PTL	
s.178A(5)	power to propose to amend or end an agreement	CEO GMINF GMDEV MPB SP PTL	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	CEO GMINF GMDEV	If no objections are made under section 178D Must consider matters in section 178B

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		MPB SP PTL	
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO GMINF GMDEV MPB SP PTL	If no objections are made under section 178D Must consider matters in section 178B
s.178E(2)(e)	power to refuse to amend or end the agreement	CEO GMINF GMDEV MPB SP PTL	If no objections are made under section 178D Must consider matters in section 178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CEO GMINF GMDEV MPB SP PTL	After considering objections, submissions and matters in section 178B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO GMINF GMDEV MPB SP PTL	After considering objections, submissions and matters in section 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO GMINF GMDEV MPB SP PTL	After considering objections, submissions and matters in section 178B

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(d)	power to refuse to amend or end the agreement	CEO GMINF GMDEV MPB SP PTL	After considering objections, submissions and matters in section 178B
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	CEO GMINF GMDEV MPB SP PTL	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	CEO GMCOR GMINF GMDEV MPB	
s.182	power to enforce an agreement	CEO GMINF GMDEV MPB SP PTL	
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	CEO GMINF GMDEV MPB SP PTL	
-	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	CEO GMINF GMDEV MPB SP	

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# Instrument of Delegation – Council to Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PTL PL	
-	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Not Delegated	Not applicable
	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	Not Delegated	Not applicable
	power to give written authorisation in accordance with a provision of a planning scheme	CEO GMINE GMDEV MPB SP PTL	

## Residential Tenancies Act 1997

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 518F</u>	<u>Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements</u>	<u>EHO, EHC, MCH</u>	
<u>s 522(1)</u>	<u>Power to give a compliance notice to a person</u>	<u>EHO, EHC, MCH</u>	
<u>s 525(2)</u>	<u>Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)</u>	<u>CEO, DCOM</u>	

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>s 527</u>	<u>Power to authorise a person to institute proceedings (either generally or in a particular case)</u>	<u>CEO, DCOM</u>	

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
<u>s.91ZU(1)</u>	<u>power to give a renter a notice to vacate rented premises</u>	<u>GMINF GMCOM</u>	<u>When Council is a public statutory authority engaged in the provision of housing GMCOM delegation applies to the Echuca Holiday Park only</u>
<u>s.91ZZC(1)</u>	<u>power to give a renter a notice to vacate rented premises</u>	<u>GMINF GMCOM</u>	<u>When Council is a public statutory authority authorised to acquire land compulsorily for its purposes</u>
<u>s.91ZZE(1)</u>	<u>power to give a renter a notice to vacate rented premises</u>	<u>GMINF GMCOM</u>	<u>When Council is a public statutory authority engaged in the provision of housing</u>
<u>s.91ZZE(3)</u>	<u>power to publish Council's criteria for eligibility for the provision of housing</u>	<u>GMINF</u>	<u>When Council is a public statutory authority engaged in the provision of housing</u>
<u>s.142G(2)</u>	<u>power to enter certain information in the Rooming House Register</u>	<u>EHC EHO</u>	
<u>s.142I(2)</u>	<u>power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry</u>	<u>EHC EHO</u>	
<u>s.252</u>	<u>power to give tenant a notice to vacate rented premises if subsection (1) applies</u>	<u>GMINF MW</u>	<u>when council is the landlord</u>

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## Instrument of Delegation – Council to Members of Staff

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
		MP	
s.262(1)	power to give tenant a notice to vacate rented premises	GMINF MW PM	when council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	GMINF MW PM	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHC EHO	
s.522(1)	power to give a compliance notice to a person	EHC EHO	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	CEO GMDEV	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	GMDEV	reason to be ratified by council.

### **Road Management Act 2004**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	ND	Obtain consent in circumstances specified in s 11(2)

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# Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">s 11(8)</a>	<a href="#">Power to name a road or change the name of a road by publishing notice in Government Gazette</a>	<a href="#">ND</a>	
<a href="#">s 12(2)</a>	<a href="#">Power to discontinue road or part of a road</a>	<a href="#">ND</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">s 12(4)</a>	<a href="#">Duty to publish, and provide copy, notice of proposed discontinuance</a>	<a href="#">DINF</a>	<a href="#">Power of coordinating road authority where it is the discontinuing body</a> <a href="#">Unless s 12(11) applies</a>
<a href="#">s 13(1)</a>	<a href="#">Power to fix a boundary of a road by publishing notice in Government Gazette</a>	<a href="#">DINF</a>	<a href="#">Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate</a>
<a href="#">s 14(7)</a>	<a href="#">Power to appeal against decision of the Head, Transport for Victoria</a>	<a href="#">ND</a>	
<a href="#">s 15(1)</a>	<a href="#">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</a>	<a href="#">ND</a>	
<a href="#">s 15(1A)</a>	<a href="#">Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority</a>	<a href="#">ND</a>	



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# Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b><u>Column 1</u></b>	<b><u>Column 2</u></b>	<b><u>Column 3</u></b>	<b><u>Column 4</u></b>
<b><u>Provision</u></b>	<b><u>Power and Functions Delegated</u></b>	<b><u>Delegate</u></b>	<b><u>Conditions and Limitations</u></b>
<a href="#"><u>s 16(7)</u></a>	<a href="#"><u>Power to enter into an arrangement under s 15</u></a>	<a href="#"><u>DINE</u></a>	
<a href="#"><u>s 17(3)</u></a>	<a href="#"><u>Power to decide that a road is reasonably required for general public use</u></a>	<a href="#"><u>ND</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>s 17(4)</u></a>	<a href="#"><u>Power to decide that a road is no longer reasonably required for general public use</u></a>	<a href="#"><u>ND</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>s 18(1)</u></a>	<a href="#"><u>Power to designate ancillary area</u></a>	<a href="#"><u>ND</u></a>	<a href="#"><u>Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)</u></a>
<a href="#"><u>s 40(5)</u></a>	<a href="#"><u>Power to inspect, maintain and repair a road which is not a public road</u></a>	<a href="#"><u>ND</u></a>	
<a href="#"><u>s 41(1)</u></a>	<a href="#"><u>Power to determine the standard of construction, inspection, maintenance and repair</u></a>	<a href="#"><u>DINE</u></a>	
<a href="#"><u>s 42(1)</u></a>	<a href="#"><u>Power to declare a public road as a controlled access road</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Power of coordinating road authority and sch 2 also applies</u></a>

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## Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b><u>Column 1</u></b>	<b><u>Column 2</u></b>	<b><u>Column 3</u></b>	<b><u>Column 4</u></b>
<b><u>Provision</u></b>	<b><u>Power and Functions Delegated</u></b>	<b><u>Delegate</u></b>	<b><u>Conditions and Limitations</u></b>
<a href="#"><u>s 42(2)</u></a>	<a href="#"><u>Power to amend or revoke declaration by notice published in Government Gazette</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Power of coordinating road authority and sch 2 also applies</u></a>
<a href="#"><u>s 42A(4)</u></a>	<a href="#"><u>Power to approve Minister's decision to specify a road as a specified freight road</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road</u></a>
<a href="#"><u>s 49</u></a>	<a href="#"><u>Power to develop and publish a road management plan</u></a>	<a href="#"><u>DINE</u></a>	
<a href="#"><u>s 51</u></a>	<a href="#"><u>Power to determine standards by incorporating the standards in a road management plan</u></a>	<a href="#"><u>DINE</u></a>	
<a href="#"><u>s 53(2)</u></a>	<a href="#"><u>Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan</u></a>	<a href="#"><u>DINE</u></a>	
<a href="#"><u>s 54(6)</u></a>	<a href="#"><u>Power to amend road management plan</u></a>	<a href="#"><u>DINE</u></a>	
<a href="#"><u>s 63(1)</u></a>	<a href="#"><u>Power to consent to conduct of works on road</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>

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## Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b><u>Column 1</u></b>	<b><u>Column 2</u></b>	<b><u>Column 3</u></b>	<b><u>Column 4</u></b>
<b><u>Provision</u></b>	<b><u>Power and Functions Delegated</u></b>	<b><u>Delegate</u></b>	<b><u>Conditions and Limitations</u></b>
<a href="#">s 63(2)(e)</a>	<a href="#">Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency</a>	<a href="#">DINF</a>	<a href="#">Where Council is the infrastructure manager</a>
<a href="#">s 66(1)</a>	<a href="#">Power to consent to structure etc</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">s 67(3)</a>	<a href="#">Power to request information</a>	<a href="#">DINF, MO, MA</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">s 68(2)</a>	<a href="#">Power to request information</a>	<a href="#">DINF, MO, MA</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">s 71(3)</a>	<a href="#">Power to appoint an authorised officer</a>	<a href="#">CEO</a>	
<a href="#">s 96</a>	<a href="#">Power to authorise a person for the purpose of instituting legal proceedings</a>	<a href="#">CEO</a>	
<a href="#">s 112(2)</a>	<a href="#">Power to recover damages in court</a>	<a href="#">DINF</a>	
<a href="#">s 116</a>	<a href="#">Power to cause or carry out inspection</a>	<a href="#">DINF, MO, MA</a>	
<a href="#">s 120(1)</a>	<a href="#">Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)</a>	<a href="#">DINF, MO, MA</a>	

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# Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b><u>Column 1</u></b>	<b><u>Column 2</u></b>	<b><u>Column 3</u></b>	<b><u>Column 4</u></b>
<b><u>Provision</u></b>	<b><u>Power and Functions Delegated</u></b>	<b><u>Delegate</u></b>	<b><u>Conditions and Limitations</u></b>
<a href="#"><u>s 120(2)</u></a>	<a href="#"><u>Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)</u></a>	<a href="#"><u>DINF, MO, MA</u></a>	
<a href="#"><u>s 121(1)</u></a>	<a href="#"><u>Power to enter into an agreement in respect of works</u></a>	<a href="#"><u>DINF, MO, MA</u></a>	
<a href="#"><u>s 122(1)</u></a>	<a href="#"><u>Power to charge and recover fees</u></a>	<a href="#"><u>DINF, MO, MA</u></a>	
<a href="#"><u>s 123(1)</u></a>	<a href="#"><u>Power to charge for any service</u></a>	<a href="#"><u>DINF, MO, MA</u></a>	
<a href="#"><u>sch 2 cl 2(1)</u></a>	<a href="#"><u>Power to make a decision in respect of controlled access roads</u></a>	<a href="#"><u>DINF, MA</u></a>	
<a href="#"><u>sch 2 cl 3(2)</u></a>	<a href="#"><u>Power to amend, revoke or substitute policy about controlled access roads</u></a>	<a href="#"><u>DINF, MA</u></a>	
<a href="#"><u>sch 7 cl 12(2)</u></a>	<a href="#"><u>Power to direct infrastructure manager or works manager to conduct reinstatement works</u></a>	<a href="#"><u>DINF</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>sch 7 cl 12(3)</u></a>	<a href="#"><u>Power to take measures to ensure reinstatement works are completed</u></a>	<a href="#"><u>DINF</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>

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# Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">sch 7 cl 12(5)</a>	<a href="#">Power to recover costs</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">sch 7 cl 13(2)</a>	<a href="#">Power to vary notice period</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">sch 7 cl 16(1)</a>	<a href="#">Power to consent to proposed works</a>	<a href="#">DINF, MA</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">sch 7 cl 16(5)</a>	<a href="#">Power to consent to proposed works</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">sch 7 cl 16(6)</a>	<a href="#">Power to set reasonable conditions on consent</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">sch 7 cl 16(8)</a>	<a href="#">Power to include consents and conditions</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">sch 7 cl 17(2)</a>	<a href="#">Power to refuse to give consent and duty to give reasons for refusal</a>	<a href="#">DINF</a>	<a href="#">Where Council is the coordinating road authority</a>

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## Instrument of Delegation – Council to Members of Staff

<b>Road Management Act 2004</b>			
<b><u>Column 1</u></b>	<b><u>Column 2</u></b>	<b><u>Column 3</u></b>	<b><u>Column 4</u></b>
<b><u>Provision</u></b>	<b><u>Power and Functions Delegated</u></b>	<b><u>Delegate</u></b>	<b><u>Conditions and Limitations</u></b>
<a href="#"><u>sch 7 cl18(1)</u></a>	<a href="#"><u>Power to enter into an agreement</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>sch7 cl 19(1)</u></a>	<a href="#"><u>Power to give notice requiring rectification of works</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>sch 7 cl 19(2) &amp; (3)</u></a>	<a href="#"><u>Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>sch 7 cl 20(1)</u></a>	<a href="#"><u>Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Where Council is the coordinating road authority</u></a>
<a href="#"><u>sch 7A cl 2</u></a>	<a href="#"><u>Power to cause street lights to be installed on roads</u></a>	<a href="#"><u>DINE</u></a>	<a href="#"><u>Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road</u></a>

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# Instrument of Delegation – Council to Members of Staff

ROAD-MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s11(1)	power to declare a road by publishing a notice in the Government Gazette	COUNCIL	<p>obtain consent in circumstances specified in section 11(2)</p> <p><b>11 Power to declare and name a road</b></p> <p><del>(2) If the land managed by the road authority is—</del></p> <p><del>(a) land reserved under the <b>Crown Land (Reserves) Act 1978</b>, the road authority must obtain the written consent of the Minister administering that Act;</del></p> <p><del>(b) land administered under the <b>Forests Act 1958</b>, the road authority must obtain the written consent of the Minister administering that Act;</del></p> <p><del>(c) land administered under the <b>National Parks Act 1975</b>, the road authority must obtain the written consent of the Minister administering that Act;</del></p> <p><del>(d) freehold land owned by a public authority or any other person, the road authority must obtain the written consent of the public authority or other person;</del></p> <p><del>(e) unreserved Crown land, the road authority must obtain the written consent of the Minister administering the <b>Land Act 1958</b>.</del></p>
s11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	COUNCIL	
s12(2)	power to discontinue road or part of a road	COUNCIL	when council is the coordinating road authority
s12(4)	power to publish, and provide copy, notice of proposed discontinuance	GMINE	power of coordinating road authority when it is the discontinuing body unless subsection (11) applies
s13(1)	power to fix a boundary road by publishing notice in Government Gazette	GMINE	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s14(7)	power to appeal against decision of the Head, Transport for Victoria	COUNCIL	

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## Instrument of Delegation – Council to Members of Staff

ROAD-MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s15(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	COUNCIL	
s15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	COUNCIL	
s16(7)	power to enter into an arrangement under section 15	GMINF	
s17(3)	power to decide that a road is reasonably required for general public use	COUNCIL	when council is the coordinating road authority
s17(4)	power to decide that a road is no longer reasonably required for general public use	COUNCIL	when council is the coordinating road authority
s18(1)	power to designate ancillary area	COUNCIL	when council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.40(5)	power to inspect, maintain and repair a road which is not a public road	COUNCIL	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	GMINF	
s.42(1)	power to declare a public road as a controlled access road	GMINF	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	GMINF	power of coordinating road authority and Schedule 2 also applies
s42A(4)	power to approve Minister's decision to specify a road as a specified freight road	GMINF	when council is the coordinating road authority if road is a municipal road or part thereof and when road is to be specified a freight road
s.49	power to develop and publish a road management plan	GMINF	
s.51	power to determine standards by incorporating the standards in a road management plan	GMINF	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMINF	
s.54(6)	power to amend road management plan	GMINF	
s.63(1)	power to consent to conduct of works on road	GMINF	when council is the coordinating road authority



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# Instrument of Delegation – Council to Members of Staff

ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.63(2)(c)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	GMINF	when council is the infrastructure manager
s.66(1)	power to consent to structure etc	GMINF	when council is the coordinating road authority
s.67(3)	power to request information	GMINF MA MW	when council is the coordinating road authority
s.68(2)	power to request information	GMINF MA MW	when council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	CEO	
s.112(2)	power to recover damages in court	GMINF	
s.116	power to cause or carry out inspection	GMINF MA MW	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	GMINF MA MW	
s.120(2)	power to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in section 120(1)	GMINF MA MW	
s.121(1)	power to enter into an agreement in respect of works	GMINF MA MW	
s.122(1)	power to charge and recover fees	GMINF MA MW	
s.123(1)	power to charge for any service	GMINF MA MW	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	GMINF MA	

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# Instrument of Delegation – Council to Members of Staff

ROAD-MANAGEMENT-ACT-2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	GMINF MA	
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	GMINF	when council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	GMINF	when council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	GMINF	when council is the coordinating road authority
Schedule 7 Clause 13(2)	power to vary notice period	GMINF	when council is the coordinating road authority
Schedule 7 Clause 16(1)	power to consent to proposed works	GMINF MA	when council is the coordinating road authority
Schedule 7 Clause 16(5)	power to consent to proposed works	GMINF	when council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	GMINF	when council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	GMINF	when council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	GMINF	when council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	GMINF	when council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	GMINF	when council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	GMINF	when council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMINF	when council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	GMINF	power of responsible road authority when it is the coordinating road authority or responsible road authority in respect of the road

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# Instrument of Delegation – Council to Members of Staff

<b>PLANNING AND ENVIRONMENT REGULATIONS 2015</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>COMMENTS</b>
r.24	power of responsible authority to require a permit application to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	CEO GMDEV MPB SP PTL	

## Planning and Environment Regulations 2015

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r.21</u>	<u>power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act</u>	<u>CEO, DCOM, MPB, SP, PTL</u>	

## Planning and Environment (Fees) Regulations 2016

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r 19</u>	<u>Power to waive or rebate a fee relating to an amendment of a planning scheme</u>	<u>CEO, DINF, MPB</u>	<u>when Council is the responsible authority</u>

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r 20</u>	<u>Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme</u>	<u>CEO, DINF, MPB</u>	<u>when Council is the planning authority</u>

### PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

<u>PROVISION</u>	<u>THING DELEGATED</u>	<u>DELEGATE</u>	<u>CONDITIONS &amp; LIMITATIONS</u>
<u>r.19</u>	<u>power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme</u>	<u>CEO GMINF MPB</u>	<u>when council is the responsible authority</u>
<u>r.20</u>	<u>power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme</u>	<u>CEO GMINF MPB</u>	<u>when council is the planning authority</u>

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

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r 7</u>	<u>Function of entering into a written agreement with a caravan park owner</u>	<u>EHC, DCOM, MCH</u>	<u>Agreements that may incorporate or impact on Essential Services Requirements under the control of the MBS must have the prior approval of the MBS</u>

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## Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r 12(1)</u>	<u>Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations</u>	<u>DCOM, MCH</u>	
<u>r 12(2)</u>	<u>Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations</u>	<u>EHC, DCOM, MCH</u>	
<u>r 14(3)</u>	<u>Power to determine where notice of transfer is displayed</u>	<u>EHC, MCH</u>	
<u>r 16(1)</u>	<u>Power to determine the fee to accompany applications for registration or applications for renewal of registration</u>	<u>ND</u>	
<u>r 18(4)</u>	<u>Power to determine where the emergency contact person's details are displayed</u>	<u>EHC, MCH</u>	
<u>r 18(6)</u>	<u>Power to determine where certain information is displayed</u>	<u>EHC, MCH</u>	
<u>r 23</u>	<u>Power to determine places in which caravan park owner must display a copy of emergency procedures</u>	<u>EHC, MCH</u>	
<u>r 24</u>	<u>Power to determine places in which caravan park owner must display copy of public emergency warnings</u>	<u>EHC, MCH</u>	

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r 28(c)</u>	<u>Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling</u>	<u>EHC, DCOM, MCH</u>	
<u>r 40(b)</u>	<u>Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe</u>	<u>EHC, DCOM, MCH</u>	
<u>r 43</u>	<u>Power to approve use of a non-habitable structure as a dwelling or part of a dwelling</u>	<u>DCOM, MPB, MCH</u>	
<u>sch 3 cl 4(3)</u>	<u>Power to approve the removal of wheels and axles from unregistrable movable dwelling</u>	<u>DCOM, MPB, MCH</u>	

## **RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020**

<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
<u>r.7</u>	<u>power to enter into a written agreement with a caravan park owner</u>	<u>GMDEV</u>	<u>Agreements that may incorporate or impact on Essential Services Requirements under the control of the MBS must have the prior approval of the MBS</u>
<u>r 12(1)</u>	<u>power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations</u>	<u>GMDEV MCH</u>	
<u>r 12(2)</u>	<u>power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations</u>	<u>GMDEV MCH</u>	
<u>r 14(3)</u>	<u>power to determine where notice of transfer is displayed</u>	<u>MCH EHC EHQ</u>	
<u>r 15(3)</u>	<u>power to determine where certificate of transfer of registration is displayed</u>	<u>MCH EHC</u>	

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# Instrument of Delegation – Council to Members of Staff

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
		EHO	
r-16(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	COUNCIL	
r-18(4)	power to determine where the emergency contact person's details are displayed	MCH EHC EHO	
r-18(6)	power to determine where certain information is displayed	MCH EHC EHO	
r-23	power to determine places in which caravan park owner must display a copy of emergency procedures	MCH EHC EHO	
r-24	power to determine places in which caravan park owner must display copy of public emergency warnings	MCH EHC EHO	
r-28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	GMDEV MCH EHC EHO	
r-40(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	GMDEV	
r-43	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	GMDEV MPB MBS	
Sch-3-cl-4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	GMDEV MPB MBS	

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# Instrument of Delegation – Council to Members of Staff

<b>RESIDENTIAL TENANCIES REGULATIONS 2021</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
Sch 4-cl 3(a)(iii)	power to approve any other toilet system	EHC EHO	

<b>Road Management (General) Regulations 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
<a href="#">r 16(3)</a>	<a href="#">Power to issue permit</a>	<a href="#">DINF, MO, MA</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">r 18(1)</a>	<a href="#">Power to give written consent re damage to road</a>	<a href="#">DINF, MO, MA</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">r 23(2)</a>	<a href="#">Power to make submission to Tribunal</a>	<a href="#">CEO, DINF</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">r 23(4)</a>	<a href="#">Power to charge a fee for application under s 66(1) Road Management Act</a>	<a href="#">DINF, MO, MA</a>	<a href="#">Where Council is the coordinating road authority</a>
<a href="#">r 25(1)</a>	<a href="#">Power to remove objects, refuse, rubbish or other material deposited or left on road</a>	<a href="#">DINF, MO, MA</a>	<a href="#">Where Council is the responsible road authority</a>
<a href="#">r 25(2)</a>	<a href="#">Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))</a>	<a href="#">CEO, DINF</a>	<a href="#">Where Council is the responsible road authority</a>
<a href="#">r 25(5)</a>	<a href="#">Power to recover in the Magistrates' Court, expenses from person responsible</a>	<a href="#">CEO, DINF</a>	

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## Instrument of Delegation – Council to Members of Staff

<b>ROAD-MANAGEMENT (GENERAL) REGULATIONS 2016</b>			
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.16(3)	power to issue permit	GMINF MA MW	when council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	GMINF MA MW	when council is the coordinating road authority
r.23(2)	power to make submission to Tribunal	GMINF	when council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	GMINF MA	when council is the coordinating road authority
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	GMINF MA MW	when 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))	GMINF	
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	GMINF	

<b>Road Management (Works and Infrastructure) Regulations 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	CEO, DINF, MPF, MO, MA	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act

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# Instrument of Delegation – Council to Members of Staff

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Power and Functions Delegated</u>	<u>Delegate</u>	<u>Conditions and Limitations</u>
<u>r 22(2)</u>	<u>Power to waive whole or part of fee in certain circumstances</u>	<u>CEO, DINF, MPF, MO, MA</u>	<u>Where Council is the coordinating road authority</u>

## ~~ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015~~

<del>PROVISION</del>	<del>THING DELEGATED</del>	<del>DELEGATE</del>	<del>CONDITIONS &amp; LIMITATIONS</del>
<del>r.15</del>	<del>power to exempt a person from requirement under clause 13(1) of Schedule 7 to the Act to give notice as to the completion of these work</del>	<del>GMINF</del>	<del>when council is the coordinating road authority and when consent given under section 63(1) of the Act</del>
<del>r.22(2)</del>	<del>power to waive whole or part of fee in certain circumstances</del>	<del>GMINF</del>	<del>when council is the coordinating road authority</del>

## 9.14 Instrument of Delegation from Council to Members of Staff under the Environment Protection Act 2017

Division: Office of the CEO

### 1. SUMMARY

This delegation is specific to the Environment Protection Act 2017 and enables Council to delegate to members of its staff those powers that are contained in the Instrument of Delegation of the Environment Protection Authority under the Environment Protection Act 2017 dated 4 June 2021.

The instrument has been reviewed and revised and is attached for adoption by Council.

### 2. RECOMMENDATION

**That Council in the exercise of the power conferred by 437(2) of the Environment Protection Act 2017 resolves that:**

- 1. there be delegated to the members of the Council staff holding, acting in or performing the duties of the officers or positions referred to in the attached (9.14.1) 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 the Chief Executive Officer are revoked; and**
- 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.**

### 3. PURPOSE

To adopt the revised S18 Instrument of Sub-Delegation under the Environment Protection Act 2017 (the Act).

### 4. DISCUSSION

The amended Environment Protection Act 2017 came into force on 1 July 2021 and allows the Environment Protection Authority by Instrument of Delegation to delegate certain powers and functions to the Council.

Under the new EPA Act, the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local governments, including a new delegation of powers from the EPA to councils.

It is proposed that the Instrument of Delegation be granted to the positions of Council staff rather than to the individual staff member. This means that the delegation will still apply to the position should there be a change in personnel or any staff acting in the role.

The S18 sub-delegates Council's powers to the following members of Council staff.

- Environmental Health Coordinator
- Environmental Health Officers
- Local Laws Coordinator
- Local Laws Officers
- Manager Planning & Building
- Planners
- Planning Team Leader
- Senior Planner

## **5. CONSULTATION**

### Internal consultation:

- Manager Governance with the CEO
- Environmental Health
- Local Laws
- Planning & Building

### External consultation:

- Maddocks Legal Subscription Service

### Councillors:

- 14 September 2022 Council Briefing Session.

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

### **Resilient protected and healthy natural environment**

Well managed resources for a sustainable future

Sustainable water and energy use  
Protected natural environment

## **11. ISSUES AND RISK MANAGEMENT**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

The Instrument of Sub-delegation under the Environment Protection Act 2017 has been reviewed and revised and is presented to Council for adoption. This instrument of sub-delegation if from Council to members of its staff of those powers that are contained in the Instrument of Delegation of the Environment Protection Authority under the Environment Protection Act 2017 dated 4 June 2021.

## **16. ATTACHMENTS**

1. Draft - S 18 Instrument of Delegation - Council to Members of Staff - EPA Act 2017- September 2022 [9.14.1 - 5 pages]
2. S 18 Instrument of Delegation - Council to Members of Staff - Track Changes - 2022 [9.14.2 - 7 pages]

# **INSTRUMENT OF DELEGATION**

**Council to Members of Staff**

**Under the Environment Protection Act 2017**



## Instrument of Delegation – Council to Members of Staff

### Instrument of Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act, dated 4 June 2021, 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 in column 3 of the Schedule;
2. record that a reference in the Schedule are as follows:
 

EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
LLC	Local Laws Coordinator
LLO1	Local Laws Officer 1
LLO2	Local Laws Officer 2
MPB	Manager Planning & Building
PL	Planner
PTL	Planning Team Leader
SP	Senior Planner
3. this Instrument of Sub-Delegation is authorised on 21 September 2022 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 5.1 the powers, duties and functions described in column 1 and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
    - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
    - 5.1.2 noise from the construction, demolition or removal of residential premises;
  - 6.1 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;
  - 6.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy
 adopted by Council;

# Instrument of Delegation – Council to Members of Staff

- 6.3 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
- 6.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Common Seal of the )  
 Campaspe Shire Council )  
 was hereunto affixed )  
 on the twenty first day of September 2022 )  
 in the presence of: )

\_\_\_\_\_

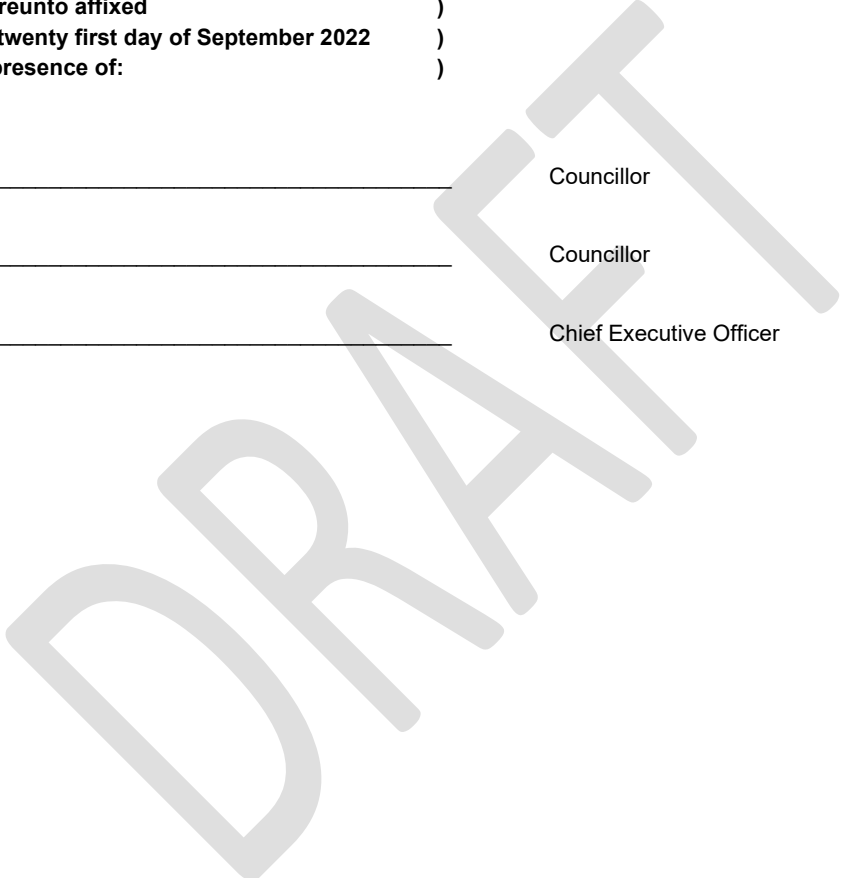
Councillor

\_\_\_\_\_

Councillor

\_\_\_\_\_

Chief Executive Officer





# Instrument of Delegation – Council to Members of Staff

## Schedule

DRAFT

## Instrument of Delegation – Council to Members of Staff

ENVIRONMENTAL PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
Provision	Item Delegated	Delegate	Conditions & Limitations
s 271	Power to issue improvement notice	EHC, EHO, LLC, LLO1, MPB, PL, SP, PTL, LLO2	
s 272	Power to issue prohibition notice	EHC, EHO, LLC, LLO1, MPB, PL, SP, PTL, LLO2	
s 279	Power to amend a notice	EHC, EHO, LLC, LLO1, MPB, PL, SP, PTL, LLO2	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	EHC, EHO, LLC, LLO1, MPB, PL, SP, PTL, LLO2	
s 359(2)	Power to give advice to persons with duties or obligations	EHC, EHO, LLC, LLO1, MPB, PL, SP, PTL, LLO2	

OFFICIAL

# **INSTRUMENT OF DELEGATION**

**Council to Members of Staff**

**Under the Environment Protection Act 2017**



# Instrument of Delegation – Council to Members of Staff

## 1. Instrument of Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, 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 in column 3 of the Schedule;
2. record that a reference in the Schedule are as follows:

<u>EHC</u>	<u>Environmental Health Coordinator</u>
<u>EHO</u>	<u>Environmental Health Officer</u>
<u>LLC</u>	<u>Local Laws Coordinator</u>
<u>LLO1</u>	<u>Local Laws Officer 1</u>
<u>LLO2</u>	<u>Local Laws Officer 2</u>
<u>MPB</u>	<u>Manager Planning &amp; Building</u>
<u>PL</u>	<u>Planner</u>
<u>PTL</u>	<u>Planning Team Leader</u>
<u>SP</u>	<u>Senior Planner</u>

<u>EHC</u>	=	<u>Environmental Health Coordinator</u>
<u>EHO</u>	=	<u>Environmental Health Officer</u>
<u>LLC</u>	=	<u>Local Laws Coordinator</u>
<u>LLO</u>	=	<u>Local Laws Officer</u>
<u>MPB</u>	=	<u>Manager Planning &amp; Building</u>
<u>PTL</u>	=	<u>Planning Team Leader</u>
<u>SP</u>	=	<u>Senior Planner</u>
<u>PL</u>	=	<u>Planner</u>

3. this Instrument of Sub-Delegation is authorised by ~~20 October 2021~~ 21 September 2022 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
  - 5.1 the powers, duties and functions described in column 1 and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:

# Instrument of Delegation – Council to Members of Staff

- 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
- 5.1.2 noise from the construction, demolition or removal of residential premises;

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

- 6.1 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;
- 6.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - (a) policy; or
  - (b) strategy
 adopted by Council;
- 6.3 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
- 6.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

~~The Common Seal of the  
Campaspe Shire Council  
was hereunto affixed  
on the twenty first day of September 2022  
in the presence of:  
The Common Seal of the  
Campaspe Shire Council  
was hereunto affixed  
on the twentieth day of October 2021  
in the presence of:~~

\_\_\_\_\_ Councillor

\_\_\_\_\_ Councillor

\_\_\_\_\_ Chief Executive Officer

# Instrument of Delegation – Council to Members of Staff

## 6. Schedule

### Index

1. Instrument of Delegation	i
2. Schedule	iii
ENVIRONMENT PROTECTION ACT 2017	4

# Instrument of Delegation – Council to <sup>OFFICIAL</sup> Members of Staff

ENVIRONMENT PROTECTION ACT 2017			
<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
<u>Provision</u>	<u>Item Delegated</u>	<u>Delegate</u>	<u>Conditions &amp; Limitations</u>
<b>PROVISION</b>	<b>THING-DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.271	Power to issue improvement notice	<u>EHC, EHO, LLC, LLO1,</u> <u>MPB, PL, SP, PTL,</u> <u>LLO2</u>  EHC EHO LLC LLO MPB PTL SP PL	
s.272	Power to issue prohibition notice	<u>EHC, EHO, LLC, LLO1,</u> <u>MPB, PL, SP, PTL,</u> <u>LLO2</u>  EHC	

Issue on: ~~20 October 2024~~ 21 September 2022

page 4

Instrument of Delegation – Council to <sup>OFFICIAL</sup> Members of Staff

		<p>EHO                  LLC                  LLO                  MPB                  PTL                  SP                  PL</p>	
s.279	Power to amend a notice	<p><u>EHC, EHO, LLC, LLO1,</u>  <u>MPB, PL, SP, PTL,</u>  <u>LLO2</u></p> <p><del>EHC</del>  <del>EHO</del>  <del>LLC</del>  <del>LLO</del>  <del>MPB</del>  <del>PTL</del>  <del>SP</del>  <del>PL</del></p>	
s.359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	<p><u>EHC, EHO, LLC, LLO1,</u>  <u>MPB, PL, SP, PTL,</u>  <u>LLO2</u></p> <p><del>EHC</del>  <del>EHO</del></p>	



Instrument of Delegation – Council to <sup>OFFICIAL</sup> Members of Staff

		<p>LLC LLO MPB PTL SP PL</p>	
s.359(2)	Power to give advice to persons with duties or obligations	<p><u>EHC, EHO, LLC, LLO1,</u> <u>MPB, PL, SP, PTL,</u> <u>LLO2</u></p> <p>EHC EHO LLC LLO MPB PTL SP PL</p>	

## 9.15 Interim CEO Performance Plan Review

**Division: Office of the CEO**

### 1. SUMMARY

In accordance with the CEO Employment and Remuneration Policy, Councillors and the Interim CEO developed a Performance Plan which includes Key Performance Indicators (KPIs) for the period of engagement of the Interim CEO.

This report is to advise Councillors of the outcome of the Interim Chief Executive Officer's (CEO's) performance review for the period 30 May 2022 to 30 June 2022.

### 2. RECOMMENDATION

**That Council endorse the Interim Chief Executive Officer's 30 June 2022 Performance Review.**

### 3. PURPOSE

To provide Council with an opportunity to review and endorse the recommended Interim CEO's Performance Review for the period between 30 May 2022 and 30 June 2022.

### 4. DISCUSSION

In accordance with Policy 175 the role of the CEO Employment and Remuneration Advisory Committee (the Committee) is to assist and advise the Council on monitoring the CEO's performance against the requirements of the position, and the performance plan.

The Committee, consisting of Mayor Weller, Cr Mackrell, Cr Weston, Cr Gates and independent member Phil Shanahan, met and agreed to the process to be used and invited Councillors to provide feedback on the Interim Chief Executive Officer via a survey.

The Committee met with the CEO on 17 August 2022 to review the CEO's self-assessment and the results of completed surveys.

### 5. CONSULTATION

The advisory committee has consulted with the Councillors and the Interim CEO during the process of developing the performance plan.

### 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and the following Council Policy and/or relevant law are impacted by this report:

- Section 18(1)(g) of the *Local Government Act 2020*
- Policy 175 Chief Executive Officer Employment and Remuneration Policy

### 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

Not applicable

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

The provision of clear and measurable KPIs for the Interim Chief Executive Officer sets the framework for focussed attention over the period of engagement and a structure for the review of the Interim CEO's performance during this period. The establishment of KPIs and the review of the CEO performance are outlined within the CEO contract. Council's endorsement of KPIs for the CEO meets the organisations contractual obligations to the CEO.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

The review of KPI's for the Interim CEO has been undertaken by the Committee in consultation with representatives of Council and the Interim CEO. This review is provided to Council for endorsement.

## **16. ATTACHMENTS**

1. CONFIDENTIAL - CSC Interim CEO KPI Report to 30 June 2022 [9.15.1 - 13 pages]

## 10 Council Information

### 10.1 Notes of Appreciation

The following have been received:

1. Nanneella Timmering Landcare Group – thank you for the provision of plants and guards for the tree planting held for National Tree Day.

*“It was a great morning with 60 kids and teachers from Nanneella and Rochester Primary Schools in attendance. Again, thank you for the support.”*

2. G.T. Allsop, Ratepayer – thank you to Cheryl Fordyce at the Tongala Depot Works Department for organising to have the gutters swept along Mundarra Road, Echuca.

*“The road is subject to frequent flooding during heavy rain and the Shire often need to put out caution signs during such an event.”*

*“The gutters in Mundarra Road were seldom swept over the past 18 years that I have been here and this did not help any flooding events over that period.”*

*“One phone call to Cheryl and she organised our road to be swept by the Shire on a very regular basis, for which I am grateful and sincerely thank her.”*

3. Kyabram Urban Landcare Group – thank you to Rick Keen and the Works Team for mowing Ern Miles Reserve recently.

*“It makes things so much neater. Much appreciated!”*

4. Kasai Kikuo, Mayor, Shiroy City Council – thank you for the kind concern following the unforgiveable assassination of past Prime Minister Mr Shinzo Abe.

*“I was deeply moved by your condolences and was reminded that Mr Shinzo Abe’s achievements as Prime Minister over many years were highly appreciated not only in national politics but also in foreign affairs.”*

5. Wayne & Julie McInnes – “thank you again for mowing the reserve in Wisteria Street, Echuca. Your efforts are very much appreciated.”

### RECOMMENDATION

**That Council acknowledge the notes of appreciation as listed.**

## 10.2 Community Equipment Grants Program

Division: Community

### 1. SUMMARY

That Council note the five successful applications which met the criteria for Community Equipment Grants.

### 2. RECOMMENDATION

That Council note the following successful community equipment grants awarded under delegation by the CEO:

1. **Tongala Community Charity Shop Inc. - awarded \$395 (GST incl.) to purchase a Sharp XEA-147 cash register.**
2. **Rushworth & District Concert Band Inc. - awarded \$1,700 (GST incl.) to assist with the purchase of a Westinghouse 496lt bottom mount refrigerator.**
3. **Tongala Primary School - awarded \$1,000 (GST incl.) to assist with the purchase of school football equipment.**
4. **Echuca Twin Rivers Specialist School - awarded \$2,000 (GST incl.) to assist with the purchase of two and three-wheeler bikes for students aged 5 – 18 years.**
5. **Bamawm Lockington United Cricket Club Inc. - awarded \$2,000 (GST incl.) to assist with the purchase of balls and protective equipment for All Abilities and Women's Inclusion Programs.**

### 3. PURPOSE

To note the successful applications from the Community Equipment Grants Program.

### 4. DISCUSSION

Following a review of the grants programs available to community groups, Council at its 18 May 2022 meeting resolved to establish the Community Equipment Grants Program as an ongoing program, applications accepted ongoing and assessed bi-monthly in July, September, November, January, March and May with a budget allocation of \$104,000.

The amount available for each bi-monthly assessment is \$17,000. The unspent allocation from each assessment will be rolled over into the next assessment period.

The purpose of the program is to provide assistance to community groups and sporting clubs to purchase equipment to support programs and activities.

<b>Funds Available</b>	<b>Allocation</b>	<b>Balance</b>
<b>\$17,000</b>	<b>\$7,095</b>	<b>\$9,905</b>

Expected outcomes for the Community Equipment Grants Program include but are not limited to:

- Conduct local events, activities and programs that celebrate and encourage a diverse, inclusive and welcoming community.
- Promotes art in public spaces including community buildings, streetscapes and open spaces.
- Supports a resilient community through community involvement, social connections and life-long learning.
- Provides sporting, and recreational programs and facilities that facilitate active and healthy lifestyles for all ages and abilities.
- Facilitate community health, wellbeing and safety.
- Recognise our unique local cultural identity and heritage.

Applicants must:

- be an incorporated association, or
- not for profit group (e.g. education institution, healthcare, religious or faith-based institution), and
- have their application submitted by an appropriate auspicing body which meets the above.

The applications have been assessed by the Executive Director and the Executive Assistant Community, using the following assessment criteria, as indicated in the funding guidelines.

• The application identifies clear outcome/s resulting from the purchase/s
• The application addresses one or more of the funding priorities.
• The application clearly demonstrates the link between the purchase/s and the intended outcome/s
• A plan for adding to, or growing, target group/s is outlined
• How will it promote inclusivity of all members of our community and accessibility for all?
• The application outlines matched funding, in kind support or partner contribution (financial and in kind)
• The purchase/s are made in and support Campaspe Shire businesses.
• Value for money in regard to the items being purchased

Panel members who declared a conflict of interest with any of the applications did not participate in the assessment of those applications.

Applicants with outstanding acquittals from a previous grant round are not eligible for funding consideration, as outlined in the guidelines.

Successful applicants are required to submit an acquittal report on outcomes achieved with the funding, within eight weeks of the purchase/s being made.

The report must include receipts and a short statement on the effectiveness of the program/ event/ equipment in achieving the stated outcomes in the application.

Applications can be for a maximum of \$2,000.

- Total funds available for applications: \$17,000
- Total of applications received: \$9,424
- Total allocations awarded: \$7,095

Organisation	Project details	Amount requested	Project expenditure	Amount awarded
Tongala Community Charity Shop Inc.	Purchase a Sharp XEA-147 Cash Register	\$395	\$395	<b>\$395</b>
Rushworth & District Concert Band Inc.	Purchase a Westinghouse 496lt bottom mount refrigerator	\$1,700	\$2,039	<b>\$1,700</b>
Tongala Primary School	Purchase school football equipment	\$1,829	\$1,829	<b>\$1,000</b>
Echuca Lawn Tennis Club Inc.	Purchase new club uniforms – following the merger of Echuca Lawn Tennis Club with Echuca South Tennis Club	\$1,500	\$3,500	<b>\$0</b>
Echuca Twin Rivers Specialist School	Purchase new two and three-wheeler bikes for students aged 5 – 18 years	\$2,000	\$3,338	<b>\$2,000</b>
Bamawm Lockington United Cricket Club Inc.	Purchase balls and protective equipment for All Abilities and Women's Inclusion Program	\$2,000	\$2,560	<b>\$2,000</b>
<b>TOTAL</b>		<b>\$9,424</b>	<b>\$13,661</b>	<b>\$7,095</b>

## 5. CONSULTATION

Internal consultation:

- Executive Management Group

## 6. POLICY AND LEGISLATIVE IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no Council Policy and relevant law has been identified within this report.

## 7. FINANCIAL AND ECONOMIC IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no economic sustainability issues for the municipality have been identified within this report.

## 8. ENVIRONMENTAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## 9. SOCIAL IMPLICATIONS

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## 10. RELEVANCE TO COUNCIL PLAN 2021-2025

### Strong and Engaged Communities

- Enable residents to be active and engaged in their community and support participation in artistic, cultural, sporting, and leisure opportunities.

## 11. ISSUES AND RISK MANAGEMENT

### Issues:

The current coronavirus pandemic may impact the commencement and/or completion of some projects. This will be worked through with individual organisations regarding the projects concerned and restrictions imposed at the time.

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## 12. CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## 13. CHARTER OF HUMAN RIGHTS

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## 14. INSTRUMENT OF DELEGATION

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## 15. CONCLUSION

Six applications were received to the Community Equipment Grants Program and five deemed successful to receive funding.

Council's contribution of \$7,095 will lead to the provision of purchases to the value of \$10,161.



## 10.3 Junior Development Grants Program

Division: Community

### 1. SUMMARY

That Council note the three successful applications to the Junior Development Grants Program.

### 2. RECOMMENDATION

**That Council note the following applications were approved in accordance with the Junior Development Grants Program criteria and the applicants advised in writing:**

- 1. Olivia Cartwright, Kyabram - \$100 to assist with costs associated with representing Victoria at the School Sports 18 Years and under Bowls Championships to be held from 12 – 16 September 2022 in Sunbury.**
- 2. Joshua Cartwright, Kyabram - \$100 to assist with costs associated with representing Victoria at the School Sports 18 Years and Under Bowls Championships to be held from 12 – 16 September 2022 in Sunbury.**
- 3. Jacob Cartwright, Kyabram - \$100 to assist with costs associated with representing Victoria at the School Sports 18 Years and Under Bowls Championships to be held from 12 – 16 September 2022 in Sunbury.**

### 3. PURPOSE

To note the outcome of the three Junior Development Grants Program applications considered in accordance with the grant guidelines and criteria.

### 4. DISCUSSION

The Junior Development Grants Program supports young people aged 18 years or younger in their personal development and growth.

More specifically, it supports local young people who have been chosen to represent their institution, club or organisation at a State or National level in a variety of areas including sport and recreation, culture, the arts, science and technology. This funding program has guidelines for applications submitted to council.

One application per person can be submitted per financial year for State representation.

Grants available for State Representation are:

- \$100 if within Victoria or 200kms interstate
- \$200 if more than 200kms interstate

If more than three applications are received for the same event or activity, the value of the grants will be divided equally among the applicants.

Applications can be made throughout the year, subject to the availability of funds.

This month the following applications have been received:

**Olivia Cartwright, Kyabram** – to assist with costs associated with participating in the School Sports 18 Years and Under Bowls Championships from 14 - 16 September 2022 in Sunbury.

The event involves representing Victoria in two days of competition as well as an educational excursion of the MCG.

Olivia has been selected to represent the state at this event and it will give her exposure on the National scene for school bowls.

*Olivia received a Junior Development Grant to assist with representing Victoria at the U18 State Lawn Bowls Test Series in June 2021.*

**Joshua Cartwright, Kyabram** – to assist with costs associated with participating in the School Sports 18 Years and Under Bowls Championships from 14 - 16 September 2022 in Sunbury.

The event involves representing Victoria in two days of competition as well as an educational excursion of the MCG.

Joshua has been selected to represent the state at this event and it will provide him a great experience playing against the best bowlers in school bowls.

**Jacob Cartwright, Kyabram** – to assist with costs associated with participating in the School Sports 18 Years and Under Bowls Championships from 14 - 16 September 2022 in Sunbury.

The event involves representing Victoria in two days of competition as well as an educational excursion of the MCG.

Jacob has been selected to represent the state at this event and being only 12 years of age will provide him a great experience playing with older more experienced bowlers.

Applicant	Amount requested	Amount recommended	Purpose	Comment
Olivia Cartwright, Kyabram	\$100	\$100	To assist with costs associated with representing Victoria at the School Sports 18 Years and under Bowls Championships to be held from 14 – 16 September 2022 in Sunbury.	Approved by CEO ass the application met all assessment criteria.
Joshua Cartwright, Kyabram	\$100	\$100	To assist with costs associated with representing Victoria at the School Sports 18 Years and under Bowls Championships to be held from 14 – 16 September	Approved by CEO ass the application met all assessment criteria.



## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

### **Growing quality of life**

Children, young people and families healthy and well

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

Not applicable

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

Council received three applications to the Junior Development Grants Program. Council to note that each of these applications were successful.

## 10.4 Community Event Sponsorship

Division: Community

### 1. SUMMARY

That Council note the seven successful applications received for Community Event Sponsorship.

### 2. RECOMMENDATION

That Council note the following sponsorships were approved, in accordance with the Community Event Sponsorship criteria, and the applicants advised in writing:

1. Echuca Moama Triathlon Club Inc., in-kind support to the value of \$2,841 (traffic and waste management, temporary white picket fencing and bunting) only as funds raised from this event are used for the Sweat vs Steam Community Grant Foundation providing grants to support members of the local community.
  - a. Campaspe Port Enterprise will also provide in-kind support to the value of \$1,800 for the use of the PS Pevensey for the event.
2. Lockington Bowls Club Inc., \$750 to assist with costs associated with hosting the Lockington Ladies Invitation Fours Tournament to be held on 23 November 2022.
3. Kyabram Croquet Club Inc. - \$500 cash and up to \$320 in-kind support (temporary white picket fencing and bunting) to support 100<sup>th</sup> birthday celebrations to be held on 31 October 2022.
4. Rochester Go Kart Club Inc., \$5,000 to assist with costs associated with hosting the Victorian State Championships to be held from 2 – 4 December 2022.
5. Kyabram Swimming Club Inc., in-kind support to the value of \$1,580 (EWMAC wet are hire fee and lifeguards and two gazebos) for the 2022 Long Distance/Long Course Meet to be held from 15 – 16 October 2022.
6. KY Project Committee Inc., \$500 cash and in-kind support to the value of \$552 (temporary white picket fencing, bunting, two gazebos, PA system and tally counter) for the official opening of the Kyabram Water Tank Mural and picnic area to be held on 20 September.
  - a. A condition of this funding is that no permanent structures are to be purchased or erected with these funds.
7. Strathallan Family Landcare Group (Landcare Victoria Inc.), \$500 to assist with hosting the 10th Campaspe Carp Catch to be held on 9 October 2022.

### 3. PURPOSE

To note the outcomes of seven Community Event Sponsorship applications considered in accordance with the grant guidelines and criteria

#### 4. DISCUSSION

The Community Event Sponsorship program offers financial support to not-for-profit community organisations, groups and associations to conduct events that contribute to the municipality and support Council's vision.

The program has guidelines for applications submitted to Council.

The following applications were received:

**Echuca Moama Triathlon Club Inc. (EMTC)** – requested \$5,000 cash and in-kind support to the value of \$2,841 (traffic and waste management, temporary white picket fencing, bunting and use of PS Pevensey), to assist with hosting the 2022 Sweat vs Steam to be held on 9 October 2022.

With the handover of the operation of the Port of Echuca to Campaspe Port Enterprise (CPE) on 1 October 2022 the provision of the PS Pevensey was provided to the Board to consider at its 15 July 2022 Board Meeting. The Board resolved to provide in-kind support to the value of \$1,800 for the use of the PS Pevensey for the event.

Sweat vs Steam is an iconic walking/running event first conceived in 1998 and attracted 780 entrants in 2014. After a two-year hiatus during the Covid pandemic the expected entrants for the 2022 event is 600.

This year will see the introduction of a new Junior Dash (under 12) along Watson Street as part of the event categories. Other categories include 10km (18+ years and under 18 years) and 5km (18+ years and under 18 years). Early bird registration is offered and closes 1 September 2022.

Entry fees form are large amount of the funds raised with entries ranging from \$10 to \$50 depending on the length of the event you choose to participate in and your age group.

The event will be hosted in-line with COVID guidelines/restrictions in place at the time.

Council will receive recognition of the sponsorship through the use of pull up banners and fence scrim at the event and the Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

The application was submitted within the required three-month notification period.

**Lockington Bowls Club Inc.** – requested \$1,000, to assist with hosting the 2022 Ladies Invitation Fours Tournament to be held on 23 November 2022.

This event provides an opportunity for the older generation to engage in an activity that not only promotes mild physical activity but also social interaction.

Bowls Clubs from surrounding districts will be invited to attend the event.

There is an entry fee of \$20 per player and this will be used for prize money and a contribution towards catering. Prize money awarded is:

- Winners (team of four) - \$320
- Runner up (team of four) - \$200

The event will be hosted in-line with COVID guidelines/restrictions in place at the time.

Council will receive recognition of the sponsorship through the use of teardrop banners at the event and the Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

The application was submitted within the required three-month notification period.

**Kyabram Croquet Club Inc.**, – requested \$1,000 cash and in-kind support to the value of \$320 (temporary event fencing and bunting), to assist with hosting the 100<sup>th</sup> birthday celebrations to be held on 31 October 2022.

In 2019 the club had 10 members and today has 17 members. The club will use this event as an opportunity to promote the sport of Croquet and generate more interest in participation.

The event will be held at the Kyabram Bowls Club as the Croquet Club rooms are not big enough to host the event. The Kyabram Bowling Club Ladies will cater the luncheon.

Council's picket fencing and bunting will be used to create a garden party atmosphere with ladies to wear period costume to serve scones with jam and cream.

Cr Gates has agreed to open the event.

Council will receive recognition of the sponsorship through the use of banners, both teardrop and fence scrim, at the event held across the weekend.

The Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

The application been submitted within the required three-month notification period.

**Rochester Go Kart Club Inc.** – requested \$5,000 to assist with hosting the Victorian State Cup to be held from 2 – 4 December 2022.

This is the first time the Victorian State Championship has been held in the Shire. Rochester Go Kart Club Inc. has been through a competitive application process with Karting Victoria which has certain requirements that have to be met to be eligible to host the Victorian State Cup.

This will be a Karting Victoria sanctioned event under full stewards care.

There is an opportunity for the Rochester Go Kart Club to work with Rochester Business Network to promote the event and what Rochester has to offer as well as projection on the Murray Goulburn building to promote the event.

The event will be live streamed over the weekend and will receive a high social media presence from both Rochester Go Kart Club and Karting Victoria.

There is no entry fee for spectators to attend the event. The entry fee, for competitors will be stipulated in the Supplementary Regulations for the meet. In 2021 the entry fees for competitors were \$90 for each Class or Division entered by the same Competitor.

The event will be hosted in-line with COVID guidelines/restrictions in place at the time.

Council will receive recognition of the sponsorship through the use of teardrop banners at the event and the Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

There is also an opportunity to negotiate with the Rochester Go Kart Club to have naming rights for one of the track corners, 'Campaspe Corner', or the straight as acknowledgement of the support provided.

The application has been submitted within the required three-month notification period.

**Kyabram Swimming Club Inc.** – requested \$1,850 to assist with hosting the 2022 Long Distance/Long Course Meet to be held at Echuca War Memorial Aquatic Centre from 15 – 16 October 2022. Access to the dry facilities of the centre will still be available to the general public over the weekend.

With limited opportunity for long distance meets across the state this event brings swimmers and their families to the region.

As an individual competitive sport, the long-distance meet provides an opportunity for swimmers (local, regional and metropolitan), to improve their individual times.

In 2021 this event was cancelled due to Covid restrictions in place at the time.

There is an \$8 entry fee (including the Swimming Victoria Meet Levy) for each event entered for the weekend. These funds will be kept by the club to assist with running costs and seed funding for the carnival to be held in Kyabram in February 2023.

The event will be hosted in-line with Swimming Victoria and State Government COVID guidelines/restrictions in place at the time.

Council will receive recognition of the sponsorship through the use of teardrop banners at the event and the Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

The application has been assessed outside of normal process as it has not been submitted within the required three-month notification period.

**KY Project Committee Inc.** – requested \$1,000 cash and in-kind support to the value of \$552 (temporary event fencing, bunting, gazebo's, PA system and tally counters), to assist with hosting the official opening of the Kyabram Water Tank Mural and picnic area to be held on 20 September 2022.

The Kyabram Water Tank Mural and picnic area has created a community asset for both residents and visitors to the town providing another location to enjoy as a rest break. The artwork also adds to the Australian Silo Art trail.

Council has contributed \$8,225, through Community Plan Implementation Funds in October 2019 and \$599 through Community Equipment Grants to purchase a blower, towards this project. No recognition of the receipt of the Community Plan Implementation Funds was provided in this application.

The event will be hosted in-line with COVID guidelines/restrictions in place at the time.

Council will receive recognition of the sponsorship through the use of teardrop banners at the event and the Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

The application has been assessed outside of normal process as it has not been submitted within the required three-month notification period.

A condition of this funding is that no permanent structures are to be purchased or erected with these funds.

**Strathallan Family Landcare Group (Landcare Victoria Inc.)** – requested \$500 to assist with hosting the 10<sup>th</sup> Campaspe Carp Catch to be held on 9 October 2022.

This event has been a successful annual event for the past 9 years with the removal of Carp from the the Campaspe River improving conditions and habitat for native fish species and aquatic vegetation.

Participation in the event is free and each year the numbers of carp caught is decreasing.

Carp caught are composted on local farmland as there are not enough quantities for Charlie Carp to come and collect for commercial purposes.

It is also an opportunity to educate the community on the negative environmental impact that Carp has on waterways i.e. reduction in water quality, riverbank damage and contribution to algae blooms.



A free barbecue is provided for all in attendance at the conclusion of the catch, with prizes for the biggest carp and the most caught. A suggestion has been made to the group to approach BCF and Blue Sky Outdoor Experts for the donation of prizes.

The event will be hosted in-line with COVID guidelines/restrictions in place at the time.

Council will receive recognition of the sponsorship through the use of teardrop banners at the event and the Campaspe Shire logo will also be used on all promotional material relating to the event, including website and social media.

The application has been assessed outside of normal process as it has not been submitted within the required three-month notification period.

<b>Events Sponsorship Program fund balance prior to these applications:</b>	<b>\$65,000</b>
<b>Requested Funding:</b>	<b>\$15,350</b>
<b>Funding amount recommended:</b>	<b>\$7,250</b>
<b>2022/2023 Fund Balance: (as at 21 September 2022)</b>	<b>\$57,750</b>

Council's contribution of \$7,250 cash and in-kind support to the value of \$5,293 will assist in the provision of events with an estimated value of \$42,901.

CPE's in-kind contribution to the value of \$1,800 will also assist with the provision of the Sweat vs Steam event.

## **5. CONSULTATION**

Internal consultation:

- Grants assessment panel
- EMG

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no Council Policy and relevant law has been identified within this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no economic sustainability issues for the municipality have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

### **Flourishing local economy**

Stimulated economic activity that provides local jobs

## **Resilient protected and healthy natural environment**

Well managed resources for a sustainable future  
Protected natural environment

## **Growing quality of life**

Communities have a say on local infrastructure and attractions that stimulate engagement and activity

Children, young people and families healthy and well

Inclusive, connected, culturally diverse and safe

## **11. ISSUES AND RISK MANAGEMENT**

### **Issues:**

The current coronavirus pandemic may impact the commencement/holding of some events. This will be worked through with individual organisations regarding the event concerned and restrictions imposed at the time.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

Council received seven applications to the Community Event Sponsorship Program. It should be noted that all applications were successful in receiving \$7,250 cash and in-kind support up to \$5,293 towards event costs.

It should also be noted that CPE will contribute in-kind support to the value of \$1,800 for the use of PS Pevensey for the Sweat vs Steam event.

## 10.5 Staff and Volunteer Recognition Program

**Division: Community**

### 1. SUMMARY

That Council note and acknowledge significant number of years of service to the Campaspe Shire Council by 44 permanent and casual employees to 31 December 2022.

### 2. RECOMMENDATION

**That Council note the significant milestones achieved by members of staff in line with Administrative Policy A-062, Staff and Volunteer Recognition Program.**

### 3. PURPOSE

To acknowledge the completion of the number of years of service to the Campaspe Shire Council by all permanent employees and casual employees from 1 January 2022 - 31 December 2022.

### 4. DISCUSSION

Recognition of the following milestones employees have achieved.

Jarrod Williams	10 years	3 January 2022	Information Technology
Andrea King	10 years	4 February 2022	Community Health
Dominic Gorman	10 years	13 February 2022	Works
Madeline Frawley	10 years	18 February 2022	Finance
Sally Ruckwood	10 years	10 March 2022	Property
Leaha Wheeler	10 years	17 March 2022	Library Services
Rick Keen	10 years	25 June 2022	Works
Cindy Nunn	10 years	17 July 2022	Community Health
Ray Slade	10 years	1 August 2022	Port of Echuca
Jennifer Furness	10 years	1 November 2022	Recreation
Melissa Whelan	10 years	1 November 2022	Recreation
Emma Dux	10 years	1 November 2022	Recreation
Margerata Smith	10 years	1 November 2022	Recreation
Heidi Danziger	10 years	1 November 2022	Recreation
Sarah Gough	10 years	1 November 2022	Recreation
Janyce Rosin	10 years	1 November 2022	Recreation

Kim Bryans	10 years	1 November 2022	Recreation
Joanne Webb	10 years	1 November 2022	Recreation
Scott Webb	10 years	1 November 2022	Recreation
Lisa Ridgewell	10 years	1 November 2022	Recreation
Kristy Roulston	10 years	1 November 2022	Recreation
Dearne Tabone	10 years	1 November 2022	Recreation
Glenn McFadden	10 years	1 November 2022	Recreation
Thomas Pyke	10 years	26 November 2022	Recreation
Matthew Connally	10 years	10 December 2022	Works
Brian Hubbard	15 years	27 March 2022	Projects & Facilities
Philip Golden	15 years	23 April 2022	Works
David Fitton	15 years	12 July 2022	Port of Echuca
Jacqueline Bruns	15 years	30 July 2022	Planning
Katrina Watson	15 years	5 August 2022	Customer Service
Russell Baldwin	15 years	13 August 2022	Works
Tim Goulding	15 years	27 August 2022	Works
Anna Bonomini	15 years	1 October 2022	Library Services
Sandra Smith	15 years	3 October 2022	Community Health
Jacqueline Bell	15 years	7 November 2022	School Crossing
Darren Valentine	20 years	11 February 2022	Works
Louise Heward	20 years	25 February 2022	Community Health
Judy Reither	25 years	28 April 2022	Local Laws
Bernadette Paterson	25 years	27 October 2022	Community Health
Nyree Harrison	25 years	29 December 2022	Finance
Paul Pappin	30 years	3 August 2022	Works
Georgina Riddington	30 years	7 September 2022	Finance
Diane Arendshorst	30 years	22 October 2022	Finance
Heather Bradley	45 years	1 July 2022	School Crossing

A reception has been arranged for Wednesday, 2 November 2022 for staff and families to attend for presentation of recognition certificate and gift cards.

## **5. CONSULTATION**

### Internal consultation:

- EMG

### External consultation:

- Not required

### Councillors:

- Not required

## **6. POLICY AND LEGISLATIVE IMPLICATIONS**

The requirements of Section 9(2)(c) of Local Government Act 2020 have been considered and there are no legislative implications arising from this report.

## **7. FINANCIAL AND ECONOMIC IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no issues of ongoing financial viability of the Council have been identified within this report.

## **8. ENVIRONMENTAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no environmental sustainability issues including mitigation and planning for climate change risks have been identified within this report.

## **9. SOCIAL IMPLICATIONS**

The requirements of Section 9(2)(c) of *Local Government Act 2020* have been considered and no social implications for the municipality have been identified with this report.

## **10. RELEVANCE TO COUNCIL PLAN 2021-2025**

Not applicable

## **11. ISSUES AND RISK MANAGEMENT**

### Issues:

Not applicable

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **12. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## **13. CHARTER OF HUMAN RIGHTS**

This Report has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

## **14. INSTRUMENT OF DELEGATION**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer is so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

## **15. CONCLUSION**

This report recognised the contribution of 44 members of Council staff, through their completion of a significant number of years of service to the Campaspe Shire Council. This contribution of service is recognised in line with Policy A062 Staff and Volunteer Recognition Program.

## **11 Petitions and Letters**

Nil received

## **12 Notices of Motion**

Nil received

## **13 Urgent Business**

## **14 Confidential Business**

### **Designation of Confidentiality of Information - Attachments**

The following report attachments have been designated confidential by the Chief Executive Officer in accordance with the definition of Confidential Information in the Local Government Act 2020 (the Act).

- Item 9.3: Riverfront Kiosk
  - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.
- Item 9.15: Interim CEO Performance Plan Review
  - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

## **15 Close Meeting**

Tim Tamlin

Interim Chief Executive Officer