



# MINUTES

## SCHEDULED MEETING OF COUNCIL

Tuesday, 20 September 2022

Held at the Swan Hill Town Hall  
McCallum Street, Swan Hill  
Commenced at 2pm

### **COUNCIL:**

Cr J Benham – Mayor

Cr B Moar  
Cr A Young  
Cr LT McPhee  
Cr C Jeffery  
Cr S King  
Cr N McKay

Confirmed 18 October 2022

Chairperson.....

SECTION A – PROCEDURAL MATTERS .....	4
SECTION B – REPORTS.....	7
B.22.66 VICTORIA TO NEW SOUTH WALES INTERCONNECTOR WEST (VNI WEST) PROGRAM .....	7
B.22.67 SWAN HILL & ROBINVALE LUNA LIGHTS JOURNEY EVENT 2023.....	13
B.22.68 AUSTRALIA DAY 2023 .....	27
B.22.69 PIONEER SETTLEMENT AND ART GALLERY DEVELOPMENT - REGIONAL GROWTH FUND.....	32
B.22.70 COMMUNITY ADVISORY COMMITTEE.....	39
B.22.71 SUBDIVISION OF LAND AT 280 KARINIE STREET SWAN HILL.....	50
B.22.72 S5 INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER.....	71
B.22.73 S6 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF .....	83
B.22.74 IN-PRINCIPLE ADOPTION OF PERFORMANCE AND FINANCIAL STATEMENTS .....	195
B.22.75 AUDIT & RISK COMMITTEE 8 SEPTEMBER 2022.....	281
B.22.76 ASSET NAMING.....	284
SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION .....	326
C.22.15 SIGN & SEAL REPORT .....	326
C.22.16 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS .....	328
SECTION D – NOTICES OF MOTION.....	334
D.22.4 BUFFET SERVICE .....	334
SECTION E – FORESHADOWED ITEMS .....	335
SECTION F – URGENT ITEMS NOT INCLUDED IN AGENDA .....	335
SECTION G – TO CONSIDER & ORDER ON COUNCILLOR REPORTS.....	335
SECTION H – IN CAMERA ITEMS .....	338
B.22.77 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....	338
B.22.78 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....	338
B.22.79 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....	338
B.22.80 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....	338
B.22.81 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT .....	339

SECTION I – DECISIONS MADE IN CAMERA.....340

B.22.77 PROPOSED SALE OF 56-76 HERBERT STREET ROBINVALE.....340

B.22.78 LAKE BOGA CARAVAN PARK LEASE – REQUEST FOR NEW  
LEASE 341

B.22.79 BUTTERWORTH ST – ROAD & DRAINAGE UPGRADE .....341

B.22.80 AUDIT AND RISK COMMITTEE ANNUAL ASSESSMENT.....341

B.22.81 APPOINTMENT OF AUDIT COMMITTEE MEMBERS AND  
THE CHAIR .....342

## **SECTION A – PROCEDURAL MATTERS**

- **Welcome**

Acting Mayor, Councillor Bill Moar assumed the chair and declared the meeting open at 2.00pm.

- **Acknowledgement of Country**

Acting Mayor, Councillor Bill Moar read the Acknowledgement of Country.

*“Swan Hill Rural City Council acknowledges the traditional custodians of the land on which we meet, and pays its respects to their elders, past and present.”*

- **Prayer**

Cr Ann Young read the prayer.

**We beseech you Lord, that we may be granted wisdom, understanding and sincerity of purpose, in the decisions we are called on to make for the welfare of the people of the Rural City of Swan Hill.**

- **Apologies/Leaves of Absence**

Cr Jade Benham – On leave of absence  
Cr Les McPhee – Apology

### **98/22 Motion**

**MOVED Cr Jeffery**

**That the apologies be accepted.**

**SECONDED Cr King**

**The Motion was put and CARRIED**

- **Directors/Officers Present**

Scott Barber, Chief Executive Officer  
Heather Green, Director Development and Planning  
Bruce Myers, Director of Community and Cultural Services  
Bhan Pratap, Director of Corporate Services  
Svetla Petkova, Director of Infrastructure  
Helen Morris, Organisational Development Manager  
Terri McCormick, Executive Support Officer

- **Confirmation of Minutes**

- 1) Scheduled Meeting Of Council held on 16 August 2022

**99/22 Motion**

**MOVED Cr McKay**

**That the minutes of the Scheduled Meeting of Council held on 16 August 2022 be confirmed.**

**SECONDED Cr King**

**The Motion was put and CARRIED**

- **Disclosures of Conflict of Interest**

Nil

- **Joint Letters and Reading of Petitions**

Nil

- **Public Question Time**

**100/22 Motion**

**MOVED Cr King**

**That standing orders be suspended at 2.02pm and that we observe a minute silence for the passing of Queen Elizabeth II.**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

**Question 1. Cheryl Rogers**

**Please can Council advise on the Nyah & Nyah West Masterplan now that Mark Bowd has left?**

Thank you for your inquiry in reference to your new community representative.

Each town with an active progress group/association is assigned a member of staff as a representative and the Council representative for the Nyah Action Group is Jan

McEwan. The Development Officer Community, Mark's former role, is currently in the recruitment phase.

Items of an operational nature can be issued directly to Council through;  
<https://forms.swanhill.vic.gov.au/report-an-issue/?swpmtx=bbd9440fdd2d6f80767343b7fde073ae&swpmtxnonce=3fe8f71d1e>

**101/22 Motion**

**MOVED Cr King**

**That Standing Orders be resumed at 2.05pm.**

**SECONDED Cr Young**

**The Motion was put and CARRIED**

- **Open Forum**

Nil

## **SECTION B – REPORTS**

### **B.22.66 VICTORIA TO NEW SOUTH WALES INTERCONNECTOR WEST (VNI WEST) PROGRAM**

**Responsible Officer:** Director Development and Planning  
**File Number:** S14-04-12  
**Attachments:** 1 Letter of Support – VNI West

#### **Declarations of Interest:**

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

This report seeks to provide Council with a progress update on the Victoria to New South Wales Interconnector West (VNI West) program, where a preferred option has been identified, and for Council to note the attached letter that was submitted on Friday, 9 September 2022 to highlight Council's support for the preferred option as part of the feedback process.

#### **Discussion**

The energy network across eastern Australia is undergoing fundamental, rapid and complex change. As such, targeted investment in transmission infrastructure is critical to adapt to these changes and cost-effectively harness Australia's renewable energy resources to deliver benefits to consumers across the National Energy Market.

The Australian Energy Market Operator (AEMO) and TransGrid are jointly undertaking a Regulatory Investment Test for Transmission (RIT-T) to assess the technical and economic viability of expanding interconnector capability between Victoria and New South Wales (NSW).

As part of the RIT-T, AEMO and TransGrid published (29 July 2022) the Project Assessment Draft Report (PADR) for the VNI West project. The PADR assessed two different options to provide additional transfer capacity between Victoria and NSW, namely:

1. **VNI West** – a new high capacity 500 kV double-circuit overhead transmission line to connect the Western Renewables Link (north of Ballarat) with Project EnergyConnect (at Dinawan) via new stations near Bendigo and near Kerang
2. **A Virtual Transmission Line commissioned ahead of VNI West** (which would continue to form part of this option), involving battery technology at South Morang in Victoria and Sydney West in NSW

The PADR confirms that VNI West would provide a positive net market benefit of \$687 million, in net present value terms. It also finds that combining VNI West with a non-network Virtual Transmission Line (VTL) would not increase the overall expected net market benefit. VNI West is therefore considered the proposed preferred option identified under the PADR.

As an important step in the RIT-T process, the PADR identifies and seeks consultation and feedback on the proposed preferred option i.e. VNI West.

As such, a draft letter was presented at Council Assembly on 30 August 2022 for comment, where Councillors provided support for the letter with additional comments, which were then incorporated into the attached letter.

Please note, as submissions for feedback were due by 9 September 2022, which fell before the next Council Meeting, the letter has already been sent.

### **Consultation**

This topic was presented at the Executive Leadership Team meeting on 22 August 2022 and then to Councillors at Council Assembly on 30 August 2022, where Councillors provided comments that were incorporated into the attached letter.

### **Financial Implications**

No financial implications have been indicated at this point in time.

### **Social Implications**

The development of the Loddon Mallee Renewable Energy Roadmap by the Central Victorian Greenhouse Alliance makes clear that there is strong social license for renewable energy development in the North West of the state. It is assumed the benefits of renewable energy consumption in residential, business, transport and recreation will increase the liveability of our region and reduce costs.

### **Economic Implications**

The PADR modelling finds that VNI West unlocks significant transmission transfer capacity for the Murray River Renewable Energy Zone (REZ), specifically, with VNI West in place:

- The Murray River REZ is projected to build substantially higher solar capacity - between 2.3 GW and 2.6 GW

It is anticipated that with appropriate planning and strategic implementation Council can position the region to take advantage of the renewable energy transition that VNI West will make possible.



### **Environmental Implications**

Future development of renewable energy resources made possible by VNI West may incur environmental loss through native vegetation clearance and associated habitat destruction, particularly on green field sites. Most solar facilities however take advantage of already cleared land or use existing infrastructure.

### **Risk Management Implications**

There is a risk in not preparing the region to take advantage of the renewable energy transition that VNI West will make possible.

### **Council Plan Strategy Addressed**

*Liveability* - Careful and responsible management of our Environment for a sustainable future.

### **Options**

1. That Council notes both this report as well as the attached letter that was submitted on Friday, 9 September 2022 highlighting Council's support for the preferred option – VNI West.
2. Council can choose to amend the recommendation.

### **Recommendation**

**That Council notes both this report as well as the attached letter that was submitted on Friday, 9 September 2022 highlighting Council's support for the preferred option – VNI West.**

### **102/22 Motion**

#### **MOVED Cr King**

**That Council notes both this report as well as the attached letter that was submitted on Friday, 9 September 2022 highlighting Council's support for the preferred option – VNI West.**

#### **SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

REF: 2338/22/S14-04-12  
SB



8 September 2022

Australian Energy Market Operator  
[VNIWestRITT@aemo.com.au](mailto:VNIWestRITT@aemo.com.au)

Dear Sir or Madam,

VNI WEST REGULATORY INVESTMENT TEST FOR TRANSMISSION (RIT-T)  
PROJECT ASSESSMENT DRAFT REPORT (PADR) - SUBMISSION

Thank you for the opportunity to comment on the Australian Energy Market Operator (AEMO) – TransGrid Victoria to New South Wales Interconnector West (VNI West) Regulatory Investment Test for Transmission (RIT-T) Project Assessment Draft Report (PADR).

The Swan Hill municipality is located in north-western Victoria about 340km from Melbourne and has a population of approximately 21,000 people. The region covers over 6,000km<sup>2</sup> and is renowned for its world class produce, spectacular landscapes and close proximity to the Murray River.

The municipality also sits within the Murray River Renewable Energy Zone (REZ) and as part of the Murray River Group of Councils has been working collectively to unlock renewable energy in the region and make North West Victoria the solar capital of Australia.

**Transmission Network Requires Upgrading**

Swan Hill Rural City Council (Council) recognises that the energy landscape across the National Electricity Market is changing rapidly and understands that well-targeted and timely invested in the transmission network is required to keep pace with these changes and provide consumers with the most cost-effective energy outcomes.

Within our own municipality and across the wider Murray River REZ, development of large scale solar farms has been restricted due to the existing transmission infrastructure, which is outdated and does not have the capacity to accommodate current let alone additional solar generation.

As such, Council strongly supports upgrading the interconnector capacity between Victoria and New South Wales as part of the overall upgrading of the transmission network.

45 Splatt Street SWAN HILL VIC 3585  
PO Box 488 SWAN HILL VIC 3585  
DX30166 Swan Hill  
Telephone: (03) 5036 2333 Fax: (03) 5036 2340  
Email: [council@swanhill.vic.gov.au](mailto:council@swanhill.vic.gov.au)  
ABN 97435620016

### **Community Engagement and Social License**

The Loddon Mallee Renewable Energy Roadmap developed by the Central Victorian Greenhouse Alliance makes clear that there is strong social license for renewable energy development in the North West of the state, with strong levels of community support for large scale solar farms.

This has been demonstrated over a number of years by the planning permit processes Council has undertaken in approving applications, where four large scale solar farms are currently in operation.

### **Comment of the Preferred Option: VNI West**

After reviewing the VNI West RIT-T PADR and the two different options assessed, Council agrees with the identified proposed preferred option - VNI West (via Kerang).

As the largest and most capable REZ in Victoria, this new high capacity 500 kV double-circuit overhead transmission line will connect the Western Renewables Link (north of Ballarat) with Project EnergyConnect (at Dinawan) via new stations near Bendigo and near Kerang, and will help to unlock significant transmission transfer capacity for the Murray River REZ.

That said Council recommends stronger recognition of existing and planned large scale solar and other renewable energy projects in the Murray River REZ, where additional options to open-up capacity in a shorter timeframe would be well utilised with VNI West being the minimum augmentation option.

### **Other Comments**

Other key issues that Council feels AEMO should be aware of include:

1. The need for adequate timeframes and resourcing to enable meaningful local government and community engagement in the next phase of the VNI-West process (post-RIT-T) where route options will be identified and assessed in further detail.
2. Guiding principles and expectations for how Councils would like to be supported and engaged by AEMO and Transgrid in future consultation processes for VNI-West to ensure these are meaningful and effective.
3. The importance of benefit sharing for regional communities, ensuring that investment in new transmission infrastructure supports distributed energy in the regions to firm up local power supplies and improve reliability, particularly in and around communities that will be hosting infrastructure; and
4. Encouraging AEMO to work closely with local government authorities to consider how new transmission infrastructure may be placed to encourage renewable energy generation in areas away from irrigated productive farmland and built-up areas (recognising that large scale renewable energy facilities need to be close to transmission lines, notwithstanding capacity constraints).

**Closing Statement**

Council strongly supports upgrading the interconnector capacity between Victoria and NSW as part of the overall upgrading of the transmission network and agrees with the proposed preferred option VNI West (via Kerang) as identified in the VNI West RIT-T PADR.

That said Council considers VNI West to be a minimum augmentation option, where additional capacity is required to accommodate and maximise the potential of the Swan Hill region and the wider Murray River REZ.

Thank you for your consideration, please feel free to contact me if you have any further question.

Yours sincerely,



Scott Barber  
Chief Executive Officer



**B.22.67 SWAN HILL & ROBINVALE LUNA LIGHTS JOURNEY EVENT 2023**

**Responsible Officer:** Director Development and Planning  
**File Number:** S17-02-02  
**Attachments:** 1 Regional Event Support Funding Guidelines

**Declarations of Interest:**

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

This report seeks to inform and obtain direction from Council on the Regional Event Support Fund 2022 and the Swan Hill and Robinvale Luna Lights Journey event.

**Discussion**

It is proposed to apply for a significant grant under the Regional Event Fund to support the creation of a world class, temporary attraction highlighting our unique culture and rich history - Luna Lights Journey. It is proposed this event will attract visitors from outside the region, with a collection of curated lighting, light art sculptures and multimedia installations within the riverfront precincts of both Swan Hill and Robinvale. These proposed events will focus on the following overarching themes:

1. Culture
2. Flora
3. Fauna
4. Land
5. Cosmos



The event will provide a spectacular night event experience, complementing the Lasershow at the Pioneer Settlement. It will also drive significant economic, visitation and tourism benefits for Swan Hill and the region. The installation will follow a proven light and sound journey format, with bespoke creative and technical consideration to suit the Riverfront precincts layout and its natural botanical assets.

### Regional Events Fund 2022

There are 3 funding streams available:

- 1) Regional Event Acquisition – up to \$1million; support the deliver national/international events
- 2) Event Growth & Development – Up to \$500,000; support the deliver medium/large scale events
- 3) Event Industry Support – Up to \$50,000 support the deliver local/regional events

It is proposed to apply for a grant under Stream 2 – Event Growth & Development.

Stream 2 supports the attraction, development, marketing and growth of events in regional Victoria with the aim of:

- Increasing economic benefits by driving visitation from outside the region, and the State, and extending length of stay and yield;
- Showcasing Victoria's key regional tourism attributes and build Victoria's reputation as an events destination; and
- Developing a sustainable calendar of regional events.

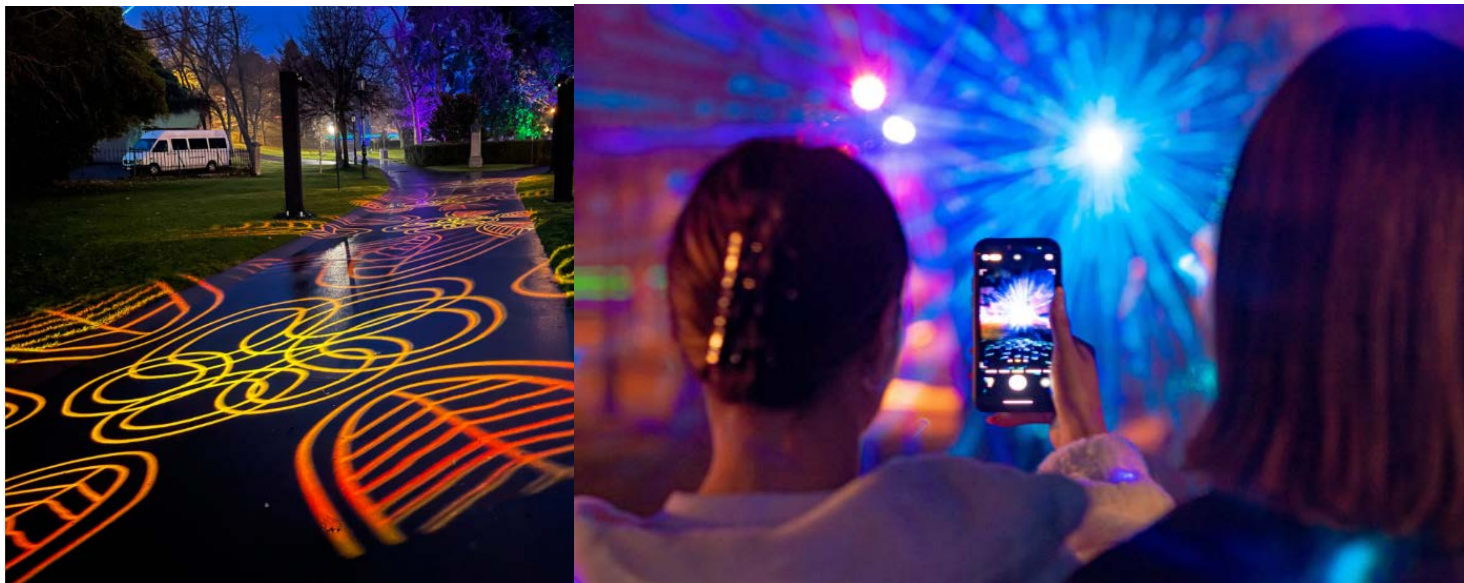
Support will be considered for events that:

- Can provide an estimation of economic impact and yield
- Focus marketing activities on driving visitation from outside the local area
- Demonstrate growth and event innovation;
- Align with State and regional tourism brands and attributes;
- Demonstrate financial sustainability and management capacity;
- Are positioned and staged to derive greatest benefit (outside of holiday periods or long weekends);
- Appropriately showcase and celebrate Victorian Aboriginal culture;

### Swan Hill & Robinvale Luna Lights Journey Proposal

It is proposed to create an annual, high-impact local Luna Light Journey for both Swan Hill and Robinvale.

In addition to the great enjoyment that residents, visitors and the broader community will experience in visiting Luna Lights Journey, it is the broader economic impacts – hospitality revenue, accommodation bookings and general visitor spend – that will have a compelling impact on Swan Hill and Robinvale communities. Similar shows elsewhere have provided an outstanding return on investment to those towns that have hosted these dynamic events.



Options and Indicative costs to hold these events include:

- Option 1 - \$125,000 9 days
- Option 2 - \$175,000 16 days

Recommendation

Preferred option 2 - Conduct a 16 day (inclusive of bump in and out) event for both Swan Hill and Robinvale

Swan Hill – 10 nights

- Friday 21<sup>st</sup> April 2023 to & including the night of Sunday 30<sup>th</sup> April 2023 (bump out 1<sup>st</sup> May)

Robinvale – 4 nights

- Wednesday 3<sup>rd</sup> May 2023 to & including the night of Saturday 6<sup>th</sup> May 2023

These proposed dates will enable the region to fully maximise potential economic benefits this event will create, including stimulating the economy during traditional 'quiet periods'. re: accommodation and hospitality sectors.

A key component of this event will be to showcase the region's rich Aboriginal culture and history, through interactive displays and performances, as well as incorporating the latest technology sound and light installations. This includes

**SECTION B - REPORTS**

20 September 2022

incorporating traditional storytelling and Welcome to Country ceremonies before transforming into a modern light and interactive story show.

In Robinvale, its hoped to use public space along the riverfront precinct. The ability to incorporate Robinvale into this event provides the opportunity to expand target market into the Mildura region, as well as showcase Aboriginal and cultural diverse features the region is renowned for.

Similar events conducted in Bendigo, Moama and Albury have seen significant visitation numbers. "...with tens-of-thousands of people flocking to Bendigo over the Winter holiday period, there has been a significant flow-on effect for accommodation and hospitality businesses." – ABC Central Victoria. The Bendigo light show had 65,000 total visitors, contributing to \$7.39m overnight spend into the local economy. The sold out show in Bendigo also resulted in a 90% occupancy rate across 4,100 rooms; an increase of more than 250%.

Based on these outcomes, projected visitation numbers for this event are 9,000-10,000, with income generated used to support establishing an annual event, including the option to explore alternative locations in the municipality.

**Next Step**

Regional Event Fund Stream 2 - Applications open August, and close on the 30<sup>th</sup> September. Funding decisions are announced in November 2022.

Events must commence not less six months after the grant rounds announcement date (subject to the discretion of Visit Victoria).

It is anticipated that an additional budget of \$25,000 would be required for event management, security, marketing and promotion of the event.

Council's Events Support Fund 2021/22 can help support this with potential to engage further sponsors if required.

**Consultation**

- Council has commenced discussions with Murray Regional Tourism and Swan Hill Inc regarding the Regional Event Fund 2022 and the Swan Hill & Robinvale Luna Lights proposal
- A Steering Committee consisting of Council staff, Swan Hill Incorporated, Robinvale Euston Business Association and key stakeholders will be established if this event funding application is successful
- Councillor Assembly held on 30 August 2022

**Financial Implications**

- About \$15,000 of Council's Event Support Fund 2021/22 will be required depending on other sponsorship



### **Social Implications**

- Increase social inclusion
- Increase community pride

### **Economic Implications**

- Stimulate economic activities
- Support local businesses
- Support liveability factors

### **Environmental Implications**

Not applicable for this item.

### **Risk Management Implications**

- Risk level low - Availability Council's resources and staff to support the planning and implementation of the event
- Risk level Moderate - Attendance numbers not achieved resulting in budget deficit
- Risk level Moderate - Outdoor events are weather dependent

### **Council Plan Strategy Addressed**

***Prosperity*** - A thriving diverse economy.

### **Options**

1. Endorse funding application, through the Regional Event Fund 2022, for the Swan Hill & Robinvale Luna Lights Journey
2. Do not endorse funding application, through the Regional Event Fund 2022, for the Swan Hill & Robinvale Luna Lights Journey

### **Recommendation**

**That Council endorse the submission of a funding application, through the Regional Event Fund 2022, for the Swan Hill & Robinvale Luna Lights Journey.**

### **103/22 Motion**

#### **MOVED Cr Jeffery**

**That Council endorse the submission of a funding application, through the Regional Event Fund 2022, for the Swan Hill & Robinvale Luna Lights Journey.**

#### **SECONDED Cr King**

**The Motion was put and CARRIED**



# Regional Events Fund Guidelines

---





**Minister  
for Tourism,  
Sport and  
Major Events,  
Martin Pakula**

---

Regional Victoria’s visitor economy is now ready to rebound and recover after being significantly impacted by the COVID-19 pandemic.

Our regions have something for everyone from amazing natural wonders, world-class food and wine and unique tourism attractions you cannot find anywhere else.

Being in a unique position to capitalise on increase national travel, the Regional Events Fund will help showcase everything regional Victoria has to offer for visitors coming from across Australia and in time, around the world.

Since the fund was first launched, it has helped support over 250 events, bringing thousands of visitors to our regions, filling hotels and accommodation spots which in turn boosts local businesses, creating jobs and helping local economies thrive.

The fund will continue to be instrumental in bringing major events to our regional centres, helping reaffirm our state’s position as the major events capital and the ideal spot to host any event.

The Victorian Government is committed to assisting the continued recovery of regional tourism to keep businesses thriving and boost local communities, strengthening them for the long term.

I am excited by the prospect of working with our regional centres and the state’s tourism stakeholders to welcome more events to regional Victoria with the support of our Regional Events Fund.

**Hon Martin Pakula MP**  
Minister for Tourism, Sport and Major Events



## Regional Events Fund Guidelines

The Regional Events Fund (REF) was established in 2016 to support events held in regional Victoria, that attract visitors from outside the region, create job opportunities and contribute to the local visitor economy.

Since the fund's inception it has supported more than 250 events across regional Victoria, attracting thousands of visitors to the regions and boosting Victoria's credentials as an events destination.

Funding has been extended for four years, with \$20 million available over the period from 2020/21 to 2023/24.

### Objectives

The REF supports the attraction, development, marketing and growth of events in regional Victoria with the aim of:

- increasing economic benefits by driving visitation from outside the region, and the State, and extending length of stay and yield;
- showcasing Victoria's key regional tourism attributes and build Victoria's reputation as an events destination; and
- developing a sustainable calendar of regional events.

### Support will be considered for events that:

- can provide an estimation of economic impact and yield particularly events held over more than one day;
- focus marketing activities on driving visitation from outside the local area (intrastate/interstate);
- demonstrate growth and event innovation;

- align with State and regional tourism brands and attributes;
- align with broader government priorities;
- show financial support beyond the State Government including, but not limited to, local government;
- demonstrate financial sustainability and management capacity;
- are positioned and staged to derive greatest benefit (outside of holiday periods or long weekends);
- appropriately showcase and celebrate Victorian Aboriginal culture;
- demonstrate consideration of local supply chains and showcase Victorian produce;
- Through event operations, action environmental considerations and waste reduction plans.

## Funding Streams

The REF is available through three funding streams.

Funding Stream	Investment Rationale	Purpose of Funding	Timing
<b>1. Regional Event Acquisition (REA)</b> Up to \$1 million	One off or ongoing major events for the State, held in regional locations that: <ul style="list-style-type: none"> <li>• are exclusive to Victoria</li> <li>• have the capacity to attract large scale visitation from core markets</li> <li>• are of international or national significance</li> <li>• deliver national and/or international profile to a region due to the scale of the event</li> <li>• Elite sport, not amateur or junior events.</li> </ul>	<ul style="list-style-type: none"> <li>• Acquisition</li> <li>• Costs associated with securing, hosting, marketing and delivering the event</li> </ul>	Applications received and reviewed on an on-going basis
<b>2. Event Growth and Development (EGD)</b> Up to \$500,000	<ul style="list-style-type: none"> <li>• Events that can demonstrate plans to achieve economic impact</li> <li>• Existing events that have demonstrated economic impact growth</li> <li>• Existing events that have demonstrated innovation in delivery and/or content</li> <li>• Medium to large scale events</li> <li>• Capacity to attract intrastate and interstate visitation</li> <li>• Events of national, state or regional significance.</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation of innovative strategies to increase visitation for existing events</li> <li>• Event development</li> <li>• Feasibility planning</li> <li>• Multi-year support for events that have a proven track record of success</li> <li>• Operational support, capped at 50 per cent of total funding request</li> <li>• Event resource support, capped at 25 per cent of total funding request</li> </ul>	3 funding rounds per year
<b>3. Event Industry Support (EIS)</b> Up to \$50,000	Events that: <ul style="list-style-type: none"> <li>• have the capacity to attract intrastate and interstate visitation</li> <li>• are of state or regional significance</li> <li>• rebuild tourism in regions impacted by natural disasters or designated areas of priority</li> <li>• Investment will generate an audience commensurate with funding request</li> </ul>	<ul style="list-style-type: none"> <li>• Offset costs of marketing to an intrastate audience</li> <li>• Strategies to increase event capability</li> <li>• Operational support, capped at 50 per cent of total funding request</li> <li>• Event resource support, capped at 25 per cent of total funding request</li> </ul>	Applications assessed on a monthly basis

## Eligibility Criteria

### Eligible Applicants

Applications will be considered from:

- private sector organisations (where projects will deliver a clear public benefit);
- Victorian Local Government Authorities;
- Regional Tourism Boards (RTB); or
- Not for profit organisations, including sporting, cultural and community groups that are an incorporated body, cooperative or association.

Funded organisations must:

- have an Australian Business Number (ABN); and
- have a minimum of \$20 million public liability insurance and other relevant insurance cover.

### Ineligible events

The REF will not allocate funding to support:

- Community events;
- Agricultural/country shows;
- Charity fundraising events;
- Regional racing carnivals;
- Business events and conferences;
- Events with religious ceremony or celebration as the principal focus such as Easter or Christmas celebrations; and
- Award ceremonies and community public holiday celebrations such as Australia Day or ANZAC Day.

### What will not be funded:

The REF is a contestable funding program and applicants should not assume they will receive funding, nor the level of funding requested. Funding allocations will be determined by the strength of the application, alignment with the REF objectives and benchmarking against other events of similar size and scale.

The REF will not fund:

- Events that do not align with the REF objectives;
- Events that have failed to acquit previous funding;
- Applications that are incomplete or fail to meet the fund requirements;
- Events where the funding being requested has been provided by other state and Commonwealth sources for similar outcomes;
- Events that do not demonstrate visitation commensurate with the funding requested;
- Events staged outside Victoria;
- Purchase of assets;
- Purchase of land;
- Rental or lease of office space;
- Prize money and charitable donations;
- Events with commencement dates that do not align with the specified timeframe for each stream, as detailed [here](#);
- Events that commence after 31 December 2024;

## Applying for a REF Grant

Applicants seeking funding from the REF must contact the RTB, for the area in which the event is to be staged. Consultation with the RTB will help to determine the tourism strength of the proposed activity and alignment to the regional tourism brand attributes. This consultation must take place prior to submitting a REF proposal for consideration.

Applicants must provide a formal written endorsement from the RTB for the event to proceed within the region.

The application process varies slightly for each funding stream:

- Stream 1 - Regional Event Acquisition – Applicants will be invited to submit a proposal following consultation with Visit Victoria or the RTB.
- Stream 2 - Event Growth and Development – application process via [link](#)
- Stream 3 – Event Industry support – application process via [link](#)

Application process and detailed information can be found [here](#).

### Application Requirements

Applicants must include the following details:

- Overview of the event;
- Projected and past attendance, including local, intrastate, interstate and international (if applicable);
- Economic impact/ feasibility studies from independent organisations (where available)
- Marketing plans that include:
  - Specific details relating to tourism marketing targeting intrastate audiences;
  - Description of target markets to understand where the event audience will be drawn from;
  - Proposed marketing activity and timelines;
- Demonstrated event feasibility and delivery including:
  - Event plans;
  - Resource management plans;
- How the event aligns with and supports:
  - State and regional tourism brands and attributes;
  - Broader Victorian Government priorities;
  - Calendar fit and timing;
- Detailed revenue and expenditure budget, including financial support beyond the State Government; and
- Demonstrated management capacity and plans to achieve future commercial sustainability.

### Application Process

**Step 1** - For stream 2 and 3, applicants are required to submit an on line application.

**Step 2** - Visit Victoria will assess the application against the application requirements and will consult with Government departments relevant to the application, such as Creative Victoria, Sport and Recreation Victoria, Regional Development Victoria and the Tourism, Events and Visitor Economy unit within the Department of Jobs, Precincts and Regions.

**Step 3** - Applicants will receive notification within five business days of submission with one of the following outcomes:

1 - Notification that the application does not meet eligibility requirements and will not proceed to assessment stage

2 - Request for further information

3 - Application will proceed for assessment against REF criteria (see below).

4 - Application has been referred to another funding program for assessment.

**Step 4** - Visit Victoria will assess the application and if successful will make a funding recommendation to the Minister for Tourism and Major Events.

**Step 5** - Applicants will receive notification by email regarding the outcome of the assessment process, in line with published timelines.

**Step 6** - Successful applicants will receive an official letter of offer from the Minister for Tourism, Sport and Major Events.

**Step 7** - Successful applicants will enter into a funding agreement with Visit Victoria.

**Please note:** Funding announcements are at the discretion of the Minister for Tourism, Sport and Major Events and funding amounts are commercial-in-confidence.

### Funding Rounds

Information on when funding rounds open and close for streams 2 and 3, and expected announcement dates can be found on the Visit Victoria website ([link](#)).

Special consideration will not be applied if submission dates are missed for any reason. It is the applicant's responsibility to understand the timelines and process required to be successful in receiving a REF grant.

Events must be scheduled to commence not less than three months for stream 3 applications and six months for stream 2 after the grant rounds announcement date (subject to the discretion of Visit Victoria).

Applicants are encouraged to submit their applications at the earliest opportunity taking into consideration the length of time the round is open and the time it takes for assessment.

Timings are subject to change at the discretion of Visit Victoria and published on the website [here](#).



### Criteria for Assessment

- Eligible applications will be assessed using the information provided in the application, as well as required supporting documentation.
- Applicants must respond to each question. Applications that do not address each question adequately may not be considered.
- REF applications will be assessed against the following criteria:

#### Economic benefits

Economic benefits relate to the ability of an event to drive benefits into regional Victoria in the form of new expenditure and/or future investment in regions. Key factors that demonstrate economic impact include:

- Anticipated number of participants including attendees, spectators, organisers and other visitors that will travel to the region specifically for the event.
- Average length of stay: the number of days and (if applicable) nights that participants will stay in the region.

- Expenditure: estimated daily expenditure by participants.
- If the proposed event is a new event, assessments will be made through comparison of events of a similar nature. If the application is from a previously held event, data from past events should be provided to assist VV in its assessment.

#### Increasing brand equity

- Visit Victoria will assess the event's effectiveness in driving strategic brand and marketing outcomes for Victoria, including:
  - Strategic alignment: the event aligns with the relevant RTB's Annual Event Plan, Strategic Plan and Destination Management Plan;
  - Brand alignment: the event delivers against the attributes of the State and regional tourism brands;
  - Audience: the nature and size of the event audience;
  - Marketing alignment: how promotional strategies for the event support the marketing objectives of Victoria and the region;

- Expertise: how the event may raise or create awareness of the region's expertise e.g. innovation, event delivery, cultural, sporting venues; and
- Media Impact: the potential for intrastate, interstate and/or international media coverage.

#### Broader event impacts

- Government priorities: the event is held in a Government funded venue or priority area or aligns with other strategic priorities of Government such as, the celebration of Victorian Aboriginal culture and or environmental considerations;
- Satisfaction: ensuring that the community and visitors have a positive event experience that enhances their perception of the region;
- Community engagement: the opportunity for visitors and locals alike to participate in the event; and
- Local involvement: how the local community.



### Calendar fit

- Location and timing: the event location and time of year for which it is proposed maximises benefits to the region; and
- Positive consideration will be given to events that promote visitation in low or shoulder seasons, periods of off-peak demand and that avoid holiday or long weekend periods.

### Financial viability

- Demonstrated financial sustainability and management capacity; and
- Generate financial support beyond State Government funding including, but not limited to, local government.

### Conditions of funding

#### Conflict of interest

All applicants will be required to declare any interests of which they are aware, which could reasonably raise an expectation of a conflict of interest or material interference with an application, including financial or other interests that:

- have been held;
- are currently held; and
- will accrue.

Examples of a substantial financial or other interest include being a principal or key employee of a material professional adviser supplying services; and/or interests in contracts, trusts or other business arrangements.

Conflicts of interest can be actual, potential or perceived, and should be declared to ensure that any risks are managed.

Detailed guidance can be found on the Victorian Public Sector Commission website in its Conflict of Interest Policy Framework [www.vpsc.vic.gov.au](http://www.vpsc.vic.gov.au) and in its eLearning guide on Conflicts of Interest.

#### Funding agreements

Successful applicants will be required to enter into a funding agreement with Visit Victoria detailing all funding obligations and conditions.

The funding agreement will, at a minimum, detail the purpose for which the funding must be used and set out any requirements or conditions, including reporting requirements, that must be met by the funding recipient.

Multi-year funding agreements may be available; however, these will be determined on a case-by-case basis and significant consideration will be given to the presentation of long-term plans for financial sustainability.

#### Evaluation and reporting

Visit Victoria will provide pre-event and post-event reporting templates to successful applicants.

Events may also be required to undertake an independent economic impact assessment. If requested, access to the Visit Victoria survey tool will be provided and the data collected will be managed by Visit Victoria and provided back to the recipient. A database of attendees is a mandatory requirement to facilitate this process.

### Payments

Payments will be facilitated in a timely manner, according to the terms of the contract, as long as:

- the funding agreement has been signed by both parties;
- reports are provided that demonstrate that the event is progressing as expected;
- other terms and conditions of funding continue to be met; and
- a tax invoice is received by Visit Victoria with a valid PO attached.

### Acknowledgement

Successful applicants are required to acknowledge the Victorian Government's support. The funding agreement will include the minimum requirements to appropriately recognise the Victorian Government's contribution to this event. These include, but are not limited to:

- the inclusion of an approved logo on appropriate materials such as event collateral, media releases and signage;
- Offer of a Potential Ministerial Opportunity (PMO) as soon as practically possible. This is an opportunity for a Minister or Government representative to be involved in the event; and
- Successful applicants must liaise with Visit Victoria to coordinate any events or announcements related to the event.



**Privacy**

Any personal information about applicants or a third party in an application will be collected by Visit Victoria. This information may be provided to Victorian Government bodies for the purpose of assessing your application. If you intend to include personal information about third parties in your application, please ensure they are aware of the contents of the privacy statement.

- Any personal information about you or a third party in your correspondence will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the Privacy and Data Protection Act 2014 and other applicable laws.

- Visit Victoria is committed to protecting the privacy of personal information. You can find Visit Victoria's Privacy Statement online at [www.visitvictoria.com.au](http://www.visitvictoria.com.au).
- Enquiries about access to information about you held by Visit Victoria should be directed to the Corporate Affairs department of Visit Victoria.

**Important Information**

Please note the Regional Event Fund is highly contested and both new and previous applicants must not assume they will be successful, or enter into commitments based on that assumption before receiving formal notification of the outcome of their funding application.

Applicants also should not assume that if they are successful once, they will be successful again in the future.

## **B.22.68 AUSTRALIA DAY 2023**

**Responsible Officer:** Director Development and Planning  
**File Number:** S01-16-04-10  
**Attachments:** Nil

### **Declarations of Interest:**

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

The purpose of this report is to update Council on the discussions with the Swan Hill Australia Day Committee and its decision to advise the Council that it will no longer be involved in the planning of the Swan Hill Australia Day Event commencing with the 2023 Australia Day Celebrations.

Consideration also needs to be given to the format for the Australia Day Event in 2023 and beyond including seeking assistance with the organisation of the 2023 Event.

### **Discussion**

Council Officers have been involved in ongoing discussions with the members of the Swan Hill Australia Day Committee with respect to the future of the event.

The Committee had advised the Council, prior to the COVID Pandemic, that members of the committee had been involved for well over twenty five years, that the volunteer coordinator might be looking to step down and so the Committee may wrap its participation in the event.

The Committee reached a significant milestone in celebrating the fortieth anniversary of the event in 2020. Ensuing events were impacted by the Pandemic and the format was significantly different to the traditional breakfast in Riverside Park with activities focused around the Swan Hill Town Hall.

Although the Committee was still involved, Council Officers played a bigger role in the events and the discussions centered on the future of the Committee, parties that might coordinate the Australia Day Event post COVID and the budget associated with the staging of the celebrations.

The Committee Members resolved at their last meeting to advise that they could not continue to plan for the event as they:

- Were unable to find a Community Group willing to accept the grant being made available by Council for the event.
- Had not found a volunteer coordinator.
- Believed that the budget was insufficient to conduct the event to the standard set by the Committee in previous years.

Reluctantly, the Committee agreed to advise Council they would not be involved in the organisation of the 2023 Australia Day Event in Swan Hill or any future event.

The members of the Swan Hill Australia Day Committee have over many years provided a wonderful service to the community. They brought together many volunteer groups to provide a very special occasion each year and have left a lasting legacy.

Whilst the Committee Members may not actively be involved in the planning of Australia Day events in Swan Hill, it is hoped that they will continue to support future activities.

Council may consider an appropriate acknowledgement of individual Committee members. It is suggested that a Council offer a Mayoral Reception and a formal letter of appreciation on behalf of the Council and the Community may be suitable.

Council has indicated that it wishes to continue to plan for future Australia Day Events. There is now an opportunity through an Expression of Interest process to identify any organisations that may like to assist the Council in preparing for the 2023 Australia Day Event.

### **Consultation**

Meetings with the members of the Swan Hill Australia Day Committee.

Councillors and the Executive Leadership Team have also been briefed on the discussions on a number of occasions.

Council will need to engage with the Community to determine how future celebrations are conducted and who might be involved in future events.

An Expression of Interest process would also gauge interest from organisations in working with Council on the format for the 2023 event.

### **Financial Implications**

Council allocates an annual budget for Australia Day activities throughout the Municipality for all townships. As a result of the preparation of the 2022/23 Budget a

decision was made to reduce the total funding to \$20,000.00, of which the Swan Hill Australia Day Committee would have received \$15,000.00.

Council has endorsed the decision to provide the Swan Hill Australia Day Event with a budget amount of \$15,000.00 following the adoption of its 2022/23 Budget.

### **Social Implications**

There is a community expectation that there will be events to celebrate Australia Day and also recognition that a discussion needs to be held regarding the future format of such events to ensure that they are appropriate and inclusive.

### **Economic Implications**

Not applicable for this item.

### **Environmental Implications**

All Council Events should look to minimise the impact on the environment having regard to materials being used and a high level of recycling of products.

### **Risk Management Implications**

Not applicable for this item.

### **Council Plan Strategy Addressed**

*Harmony* - Communities that are safe, welcoming and inclusive.

### **Options**

Based on the advice the Swan Hill Australia Day Planning Committee will no longer will be involved in the Australia Day events, Council must now consider its options for the staging of the 2023 event and beyond.

Council should also consider how they formally acknowledge the contribution of the members of the Swan Hill Australia Day Committee, who have made a significant contribution to the Community over a long period of time. Council may choose to;

1. Not undertake an Australia Day Event in Swan Hill. This would likely be received negatively by the general community.
2. Run an Australia Day Event in the Swan Hill Town Hall on a similar scale to the COVID impacted events of the past couple of years. Council Staff would be involved in the planning and coordination of the event.
3. Run an event in Riverside Park on Australia Day but introduce some changes to the format of the day, continue to provide a level of breakfast for the

community and encourage local entertainment. A number of the service clubs have indicated a willingness to assist the Council if this was the option chosen, however Council Staff would be required to undertake the organisation of the event.

4. Run an event at an alternative location to Riverside Park but again this would require Council Staff to be heavily involved in the organisation of the event and its format.

Once Council has run the 2023 Australia Day event, officers may propose a format for future events for Councils consideration.

Council may also consider the hosting of a Mayoral Reception to acknowledge the members of the former Swan Hill Australia Day Committee and to thank them for their years of dedicated service to the Community through the organisation and running of Australia Day Events.

### **Recommendations**

#### **That Council:**

- 1. Note the decision from the Swan Hill Australia Day Committee that they are unable to continue to be involved in the planning for the 2023 Australia Day Event and future Australia Day Events for the reasons outlined in the report.**
- 2. Write to the members of the Swan Hill Australia Day Committee to acknowledge their years of dedicated service to the Community.**
- 3. Host a Mayoral Reception for the members of the former Swan Hill Australia Day Committee by the Council on behalf of the Community.**
- 4. Conduct an Expression of Interest process to identify organisations willing to partner with Council in the staging of the 2023 Swan Hill Australia Day Event based on a format to be determined by Council.**
- 5. Conduct a review of the 2023 Swan Hill Australia Day Event within two months of the staging of the 2023 event to determine the format of the event and consider any issues related to the staging of future Australia Day events.**

**104/22 Motion**

**MOVED Cr McKay**

**That Council:**

- 1. Note the decision from the Swan Hill Australia Day Committee that they are unable to continue to be involved in the planning for the 2023 Australia Day Event and future Australia Day Events for the reasons outlined in the report.**
- 2. Write to the members of the Swan Hill Australia Day Committee to acknowledge their years of dedicated service to the Community.**
- 3. Host a Mayoral Reception for the members of the former Swan Hill Australia Day Committee by the Council on behalf of the Community.**
- 4. Conduct an Expression of Interest process to identify organisations willing to partner with Council in the staging of the 2023 Swan Hill Australia Day Event based on a format to be determined by Council.**
- 5. Conduct a review of the 2023 Swan Hill Australia Day Event within two months of the staging of the 2023 event to determine the format of the event and consider any issues related to the staging of future Australia Day events.**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

## **B.22.69 PIONEER SETTLEMENT AND ART GALLERY DEVELOPMENT - REGIONAL GROWTH FUND**

**Responsible Officer:** Director Development and Planning  
**File Number:** S09-07-04-01  
**Attachments:** Nil

### **Declarations of Interest:**

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

This report provides an update on the implications of the heritage registration on development at Pioneer Settlement and recommends a future approach to progress planned development of the Pioneer Settlement and Art Gallery.

### **Discussion**

On the 9 March 2022, Council received the decision of the Heritage Council to register the whole of the Pioneer Settlement on the State Heritage Register. This decision follows Council's appeal of the decision to register and subsequent hearing by the Heritage Council in December 2021.

The implications of the registration are still being assessed in relation to day to day operations and maintenance but to date no adverse implications have been experienced. Council has received a permit exemption for the placement of sound, light and imagery equipment at various locations within the Settlement for the new laser light show and the activation of the main street. This will be operational and launched early in 2023. It should be noted that the preparation of the application for a permit exemption cost \$5,000 for technical advice plus officer time, and caused time delays.

The impact of the registration is however being experienced in relation to new development and is explained below. It should be noted that the registration of the Pioneer Settlement does not preclude the development of new attractions or other changes to buildings or other aspects of the site.

### **New Development**

Council first proposed the building of a multi-use building in 2018 when applying for a significant grant of \$16.8 million from the Federal Government under the Regional Growth Fund (RGF). Council joined with six other Councils in both NSW and Victoria to carry out tourism-based projects to the value of over \$33million. The development of "Our Place" – a new entry and front of house to the Pioneer Settlement, Regional Art Gallery, Visitor Information Services and an Aboriginal cultural space was the largest project.



The original proposal was a two story iconic building located at the southern end of the settlement north of the Paddle Steamer Gem. Following the decision to register the Pioneer Settlement on the state heritage register Council sought the advice of a heritage architect about the likelihood of approval for the two-story design. The advice was that the general location is appropriate but that Council should consider a modified and more vernacular design to be consistent with the existing buildings.

This approach has been put to officers of Heritage Victoria at two pre-application meetings to gauge support and input for this approach. The most recent advice received from senior officers from Heritage Victoria states; *“Heritage Victoria is not opposed to some form of built structure in this location (the site of the Country Women’s rose garden introduced c. 2000), subject to further understanding of the proposal”*.

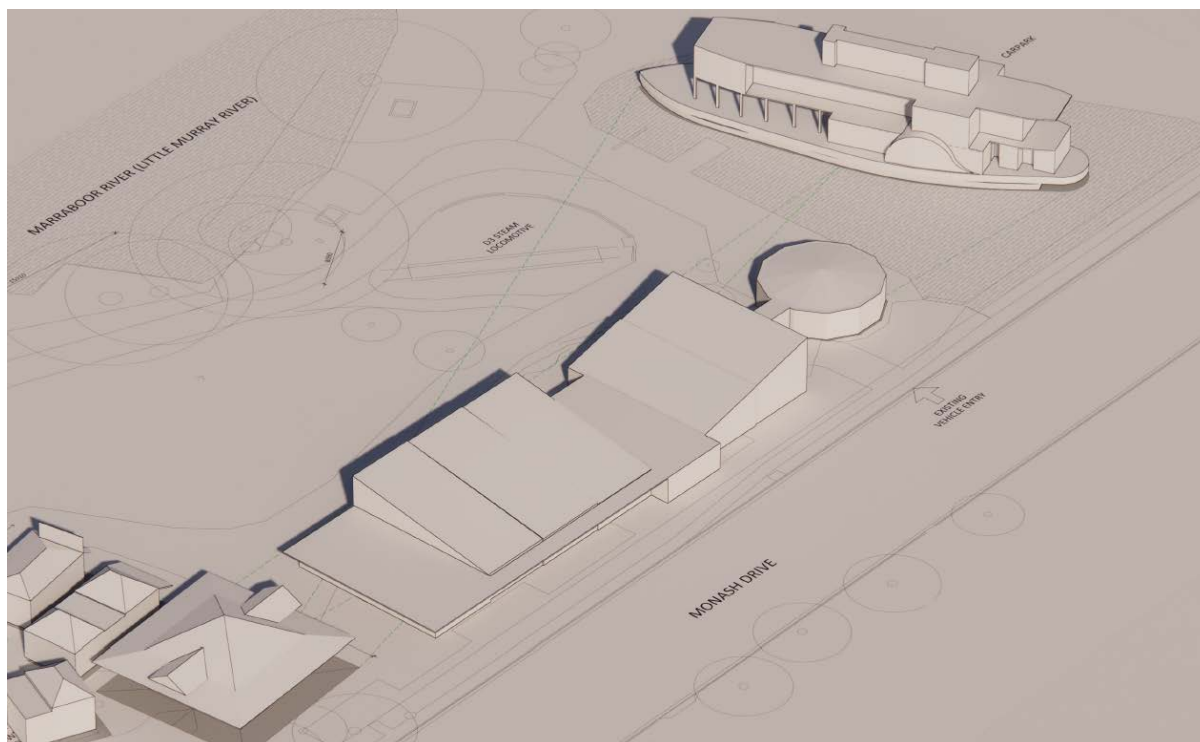
The proposal being developed is a single story building housing three functions – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space. As part of this proposal, the existing Art Gallery would be extended at its current location some 50 metres south of the Gem. The additional floor space would result in a gallery of the same floor area as proposed in the “Our Place” building.

A very preliminary concept for the building proposed to be located at the Pioneer Settlement is below. It shows a vernacular and less bulky building that is likely to “fit in” with the balance of the settlement. It also allows the view between the Gem and the settlement to be maintained. In addition it provides direct access to Pentland Island for Aboriginal cultural activities.

Heritage Victoria has advised the following;

*“HV cannot provide in principal support of proposals prior to a complete assessment through the permit process. We did advise that this proposal is an improvement on the previous proposal, the scale and location of which overwhelmed the small scale of the settlement buildings and severed the connection between the village and the Gem. The reduced scale of the building and the visual breaking up of the massing so as to appear as a series of smaller buildings is seen as positive. Locating the building so that sightlines between the village and the Gem are retained is also positive. It’s unclear from the massing diagrams whether there is any physical separation between the ‘individual’ buildings. HV would encourage this or at least give the illusion of separation.”*

The concept diagram is below



The above feedback (plus more specific advice) from Heritage Victoria officers is relatively positive about the building of a single story building along Monash Drive. This is subject to the submission of an application and assessment of detailed design and materials.

No further work has been carried out on the design of a new building at Pioneer Settlement or extension to the Art Gallery whilst confirmation of the extension of the grant deadline is being pursued.

### **Grant - Extension of time**

In April 2022 Council sought an extension of time, from June 2023 to December 2024 to allow for the Our Place project to be redesigned and constructed and the grant acquitted.

On 15 June 2022 the Department Infrastructure, Transport, Regional Development and Local Government advised Council that the grant would not be extended and all projects need to be acquitted by June 2023.

In June 2022 Council wrote to the Hon. Catherine King, Minister for Infrastructure, Transport, Regional Development and Local Government seeking her approval to extend the deadline to December 2024 to use and acquit the grant under the Regional Growth Fund. In the letter the Mayor contended that the \$10 million project/s are of some complexity and cannot be redesigned, tendered and constructed by June 2023. In addition to being a remote area, builders and other

construction professionals are in short supply, materials are still in short supply and the heritage implications are still being worked through.

To date no formal response has been received from the Minister.

A senior officer of the Department Infrastructure, Transport, Regional Development and Local Government has advised that a change of scope is possible, and planning work for the two buildings could commence.

### **Where to From Here?**

Based on advice of Officers from Department Infrastructure, Transport, Regional Development and Local Government, Council can proceed with the following actions as part of the major Regional Growth Fund grant;

- Complete stage 2 of the Monash Drive car parking upgrade. This stage was planned to proceed at the completion of the Our Place building. It is likely that improvements will also be able to be made to the Spoons/Art Gallery car park
- Complete bush tucker gardens – seek a variance for this to occur on Pental Island **or other locations** rather than in the Pioneer Settlement.
- Make “shovel ready” the concept planning and detailed design for a new larger Art Gallery by extending and modifying the existing gallery
- Make “shovel ready” the concept planning, detailed design and heritage permit for a new building that houses – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space.

It is important to have shovel ready projects at all times for when grants become available. These projects assume the grant timeline will not be extended but ensure Council is ready to seek other funding when it becomes available.

### **Community Engagement**

Key stakeholders will be asked to provide both technical and general input into the new proposal for two buildings instead of one. Further engagement with our Aboriginal community regarding how the two buildings might work together to achieve both cultural and tourism development goals, will be carried out.

Council also acknowledges the broad interest in development at the Pioneer Settlement and the riverfront precinct in general and should Council proceed to commence planning it is proposed to seek the views of community members about the two proposals – extension to the Art Gallery and a single story (Heritage Victoria approved) building at Pioneer settlement. Apart from the plan above there are no other designs to view. In the first instance, it is proposed to seek any broad comments about the concepts of

- Dividing the Our Place building into two single story buildings

- The proposed locations for both buildings – existing Art Gallery site and along and parallel to Monash Drive north of the Gem

Further community consultation would occur during the more detailed planning and design stage.

### **Consultation**

Since the heritage registration of the Pioneer Settlement. Council and key stakeholders have been kept up to date with progress on discussions with Heritage Victoria and the funding agency. Should Council approve the recommendation to progress planning for two buildings then broader community engagement should occur.

### **Financial Implications**

Should the grant timelines not be extended it is likely that about \$5million in grant funds will not be claimed. In addition, about \$5 million in rates funds will not be spent.

### **Social Implications**

The delay in upgrading the Art Gallery and providing a new building to house Pioneer Settlement entry, visitor services and Aboriginal cultural and tourism space will influence the livability of Swan Hill.

### **Economic Implications**

The development of Our Place would have contributed to the development of a mature city, assisted revitalizing Pioneer Settlement, created jobs, and enabled our Aboriginal community to grow and develop art and other tourism product as part of a larger facility

### **Environmental Implications**

Ensure that all approvals are sought to comply with environmental legislation

### **Risk Management Implications**

The risks associated with proceeding to plan for two new buildings will be mitigated through seeking relevant approvals and engaging with the community.

### **Council Plan Strategy Addressed**

***Liveability*** - Building Healthy Communities.

## Options

1. Use RGF funds with matching Councils funds to;
  - Commence and complete the concept planning and detailed design for a new larger Art Gallery by extending and modifying the existing gallery – make “shovel ready”
  - Commence and complete the concept planning, detailed design and heritage permit for a new building that houses – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space – Make “Shovel Ready”

This option could be completed by June 2023 and be ready for future funding opportunities or ready to tender should the current grant be extended or new funding opportunity emerge.

2. Use RGF funds with matching Council funds to;
  - Commence and complete the concept planning and detailed design for a new larger Art Gallery by extending and modifying the existing gallery – make “shovel ready”
  - Abandon the multi-use building that houses – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space.

This option could be completed by June 2023 and be ready for future funding opportunities or ready to tender should the current grant be extended or new funding opportunity emerge.

3. Abandon any planning for a new larger Art Gallery and a multiuse building that houses – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space.

## Recommendations

### That Council:

1. **Commence and complete the concept planning and detailed design for a new larger Art Gallery by extending and modifying the existing gallery.**
2. **Commence and complete the concept planning, detailed design and heritage permit for a new building that houses – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space located at Monash Drive within the Pioneer Settlement.**
3. **Carry out community engagement at various stages in the development of these plans.**

**105/22 Motion**

**MOVED Cr King**

**That Council:**

- 1. Commence and complete the concept planning and detailed design for a new larger Art Gallery by extending and modifying the existing gallery.**
- 2. Commence and complete the concept planning, detailed design and heritage permit for a new building that houses – entry to the Pioneer Settlement and Heartbeat of the Murray, Visitor Services and Aboriginal cultural and tourism space located at Monash Drive within the Pioneer Settlement.**
- 3. Carry out Councillor and community engagement at various stages in the development of these plans.**

**SECONDED Cr McKay**

**The Motion was put and CARRIED**

## **B.22.70 COMMUNITY ADVISORY COMMITTEE**

**Responsible Officer:** Director Development and Planning  
**File Number:** S09-20-05  
**Attachments:** 1 Residents & Ratepayer Association

### **Declarations of Interest:**

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

This report reviews a request from the Residents and Rate Payers Association that Council consider the establishment of a community advisory committee for the Pioneer Settlement (CACPS).

### **Discussion**

Council was approached in April 2022 to consider introducing a community advisory committee for Pioneer Settlement. The Residents and Ratepayers Association submitted an outline of the proposal in June 2022 (**Appendix One**).

### *Current Structure*

The current organisational structure for operational matters at Pioneer Settlement is led onsite by the General Manager with the assistance of the senior team (Marketing Coordinator and Operations Coordinator), staff and volunteers. At an executive level by the Director of Development and Planning and more broadly the Executive Leadership Team (Directors and Chief Executive Officer). Major developments or business changes, which are most commonly part of major project planning or grant funding, involve Councillors as the community elected representatives for the municipality and a formal approval process.

Murray Regional Tourism, the Victorian Tourism Industry Council and Swan Hill Incorporated provide outside expertise and advice. Specialist Tourism consultants are engaged on a project or grant basis and Friends of Pioneer Settlement are engaged in relation to both day-to-day operations as well as long term planning and development. Specialist heritage advice is provided by independent consultants as required including officers from Heritage Victoria.

It should be noted that Pioneer Settlement is primarily operated as a tourism attraction and not as a museum. During its decades of operation, it has never been able to obtain official status as a registered museum. Whilst all endeavours are made to carefully, manage and look after buildings and exhibits, this is limited by budget. The aim is to increase visitation and minimise costs to enable a reduction in ratepayer subsidy.

### *Proposed Community Advisory Committee*

The Residents and Ratepayers Association (RRA) proposed via correspondence in June 2022:

*A group of enthusiastic people representing various groups are seeking Council's approval for the formation of a Community Advisory Committee to the Pioneer Settlement (CACPS)*

*The Advisory Committee to be comprised of one member from each interested community group including Residents and Ratepayers Association, Swan Hill Genealogical and Historical Society, the Mallee Steam, Oil & Machinery Club, Speewa Heritage and Restoration Group, the Swan Hill Vintage Car Club and one from the Friends of the Pioneer Settlement.*

The RRA requested that a Councillor be present for all meetings. At the outset the proposed group will total 6 community members representing the various Community groups as listed above. Those on the Committee would elect a Chair, each Community group will nominate their representatives, and this can be one or as many as they like, except that only one can participate at the CACPS meetings at any one time.

### *Proposed Purpose*

*The CACPS purpose would be to advise Council of the Community's vision for the development of the Pioneer Settlement.*

*The CACPS may request information from Council regarding updates on the finances, visitation numbers and proposed works, which are envisaged at the Pioneer Settlement to assist with the advice given by the Committee. The advice given by the CACPS will be sympathetic to Heritage Victoria's requirements, the interests of the various Community groups it represents, and a desire to see the Pioneer Settlement flourish.*

The current proposal does not provide information on, if and how the group would engage with the broader community, the tourism sector, education sector, and onsite staff and volunteers. No terms of reference have been developed and at present the details focus on the day component of the business model only.

### *Existing model options under the Local Government Act for Council Committees*

Under the Local Government Act there is provision for a Community Asset Committee (Section 65) which operates in an advisory capacity. Currently Swan Hill Rural City Council has only one for the Leisure Centre. This model of operation would fit the request submitted to Council by the Residents and Rate Payers Association.



Other models exist such as the Beneficial Enterprise model- section 110 of the Local Government Act (which is separate legal entity) where a skills-based Board of Directors have the delegated Council authority to undertake management of Council activities or act on behalf of Council and make decisions. This model has been recently introduced at the Port of Echuca.

The key difference between the two models is the power to make decisions, including financial decisions on behalf of Council.

The Local Government Act provides substantial provision for community feedback and community consultation for all Swan Hill Rural City Council run facilities and services. Council has an existing platform via 'Lets Talk' outside of current Pioneer Settlement avenues.

#### *Existing Community Involvement with Pioneer Settlement*

The Residents and Rate Payers Association advise that it wants the committee 'to bring the community closer to the operation of the Pioneer Settlement'. There is already a number of paths for this to occur and perhaps more promotion of these needs to take place.

Currently, the Friends of Pioneer Settlement (FOPS) operates in a very similar manner to that proposed by the Residents and Ratepayers Association. Pioneer Settlement in addition has over 3,000 Hometown Hero's (local loyalty program) which shows a high proportion of engaged locals with the attraction. The number of Home Town Heroes' is more than triple the original target proposed prior to its launch in 2018.

The Executive of FOPS association consists of an elected President, Vice President, Treasurer and Secretary; the FOPS also has elected committee members. FOPS is a registered incorporated body that was established in 1965 (the longest associated body with the Pioneer Settlement). Its purpose *is protecting, preserving, displaying and activating the heritage and culture of the Mallee Pioneers*. Volunteers range from history enthusiasts, to tractor and machinery lovers, riverboat and steam admirers, storytellers and passionate Swan Hill locals who want to see Pioneer Settlement flourish. Currently more than 50 active volunteers donate time on a weekly or fortnightly basis.

The General Manager provides a comprehensive report of all components of the attraction at the quarterly FOPS meetings. The association provides ongoing ideas and feedback to management and its members are included in any workshops or consultant based projects. All volunteers not just the executive of the FOPS are included in workshops and major site developments; members are not required to be on the committee to have their voice heard as a volunteer. Volunteers engage and hear from customers on a daily basis providing feedback.

**SECTION B - REPORTS**

20 September 2022

Volunteers play a key role in activating Pioneer Settlement on a daily basis and are long valued contributors in both hours and monetary donations to Pioneer Settlement. On average volunteers contribute over 200 hours a week:

- 42 hours car driving
- 120 hours in the drapery and music shop
- 6 hours print shop
- 10 hours gardening
- 4 hours rope making
- 18 hours tractors, engine and blacksmith activation
- 16 hours music/band

Since 2018 the FOPS have donated over \$250,000 to Pioneer Settlement via the Paragon Cafe. In 2015/16 they contributed \$150,000 to the Heartbeat of the Murray project and a further \$100,000 to the upgrades of Dumosa Hall. A total of \$250,000 was contributed to help secure the grant.

The drapery and music shop is one hundred percent volunteer run with all revenue returning to Pioneer Settlement. Profits from the drapery and music shop for the last 4 years are:

2020-21	\$28,038
2019-20	\$23,522
2018-19	\$27,314
2017-18	\$19,705
<b>Total</b>	<b>\$98,579</b>

This section of Pioneer Settlement would not be profitable if paid staff ran this area, it is only successful due to the commitment of the volunteers who run it.

Whilst financially Pioneer Settlement does not generate a profit its economic benefits to the region are well-documented using best practice REMPLAN modelling. On an annual basis visitors to the Pioneer Settlement provide approximately \$6.7M in new expenditure activity for the region, simulating the local economy by \$10.9M and supporting 46 direct and indirect jobs.

Pioneer Settlement is a tourism icon for the Swan Hill Region, the Murray River and regional Victoria.

*Possible risks with introducing a new committee to Pioneer Settlement*

Council should consider the impact on the FOPS members when considering the introduction of a new committee to the Pioneer Settlement business model. Questions to be considered include:

- Where would this new committee sit structurally?
- Would this committee sit above or beside the FOPS?
- What impact will the introduction of a new committee have on existing volunteers and how valued and engaged they feel? Respecting the long-standing contribution of the Friends of Pioneer Settlement will be essential in maintaining the existing relationship.
- What roles would the FOPS play in Pioneer Settlements ongoing growth and development? Which committee would take the lead in providing advice?
- Which committee would receive the manager's reports. Would the expectation be Council Officers double up on everything therefore adding to workloads?
- Is a more cohesive approach encouraging those who are interested in establishing the proposed CACPS consider joining the Friends of Pioneer Settlement as the existing onsite stakeholder group.

*Comparative business model analysis*

*Flagstaff Hill Warrnambool* – Similar model to existing Pioneer Settlement. Site manager reporting up to director, then into Councillors. Volunteer association onsite.

*Sovereign Hill Museum Association* (including the Gold Museum) – Skills based board of directors. Directors are all volunteers and both sites are accredited museums. The business is a registered not for profit organisation with a strong history of philanthropic donations and state and federal funding. Operationally Sovereign Hill has a curatorial team and is an accredited museum. Currently the two business models are significantly different.

*Port Of Echuca* – recently moved to a skill based board of director's model making it 'Arm's length from Council'. This new operating model is set up under the Beneficial Enterprise model where the skills-based Board of Directors (all paid) has delegated Council authority to undertake management of Council activities within the Port of Echuca Precinct. The new board is responsible to Council for the successful operation of the Port and reports to Council on outcomes.

Should Council wish to investigate an 'Arm's length' model further detailed investigations by an external consultant would need to be undertaken similar to what occurred in Echuca.

**Consultation**

Discussed at a Councillor Assembly on 23 August 2022.

**Financial Implications**

Greater cost coordinating two committees (FOPS and CACCPS)

**Social Implications**

Broader input from multiple committees  
Potential conflict and disempowerment of existing FOPS members

**Economic Implications**

Not assessed

**Environmental Implications**

No change introduced by options

**Risk Management Implications**

See Options section

**Council Plan Strategy Addressed**

*Harmony* - Communities that are safe, welcoming and inclusive.

## **Options**

The following options are provided for consideration:

1. Continue with existing model of management with Councillors as community representatives signifying the highest level of approval, moving to Chief Executive Officer, Director of Development and Planning and the General Manager, Pioneer Settlement. Outside input sought from Murray Regional Tourism Board, Victorian Tourism Industry Council and Friends of Pioneer Settlement executive and all onsite volunteers. Specialist tourism, heritage, architectural and educational consultants engaged on a project or issue basis. Broader community engagement will occur on a project basis.
2. Continue with existing model of management however introduce biannual or annual workshops and engagement opportunities to the broader non-volunteering members of the municipality. This would include workshops conducted by an independent third party to hear community ideas for growth and success at Pioneer Settlement. Prioritising the top 3 ideas with participants. Research and reporting back to those that attend.

This option allows for all community ideas to be heard. Any member of the community with a desire to see Pioneer Settlement grow and succeed is welcome to participate and provide input.

3. Encourage those interested in being part of the proposed Community Advisory Committee to join the existing onsite Friends of Pioneer Settlement association. The current involvement and passion from all volunteers, is of immeasurable value to the operation and future development of the settlement. Additional interest and help from other passionate supporters is always welcome. Report processes are already in place for the Friends of Pioneer Settlement association, council officers would need no further time commitments to ensure those community members interested were part of operational updates.
4. Introduce a community advisory committee as proposed (CACPS) of which the General Manager and Director of Development and Planning meet with on a quarterly basis with a Councillor as requested. An additional level of reporting for council officers would be introduced. Further scope would need to be developed; including a terms of reference, ability for committee to service more than just the day product component of current business model and details of onsite stakeholder structure against existing association. It is likely that expertise in tourism product, education and marketing might be needed as well.
5. Consider investigating a new business model such as the Port Of Echuca. Allocate funds from major projects plan in future years to engage a consultant to undertake detailed analysis.

**Summary**

	<b>Benefits</b>	<b>Risks</b>
<b>Option 1</b>	<ul style="list-style-type: none"> <li>- Current model leans on expertise of outside consultants and Tourism Groups at minimal cost to the ratepayer.</li> <li>- Councillors represent the residents as the elected members.</li> </ul>	<ul style="list-style-type: none"> <li>- Broader community not regularly engaged with outside of major projects unless they join the FOPS.</li> </ul>
<b>Option 2</b>	<ul style="list-style-type: none"> <li>- Broader regular structured community engagement for the non-volunteering members of the community.</li> </ul>	<ul style="list-style-type: none"> <li>- Some ideas may not be feasible or achievable leading to a disappointed community.</li> </ul>
<b>Option 3</b>	<ul style="list-style-type: none"> <li>- Additional members to the existing volunteer community gained.</li> <li>- More voices and ideas around the table.</li> </ul>	<ul style="list-style-type: none"> <li>- Current onsite harmony amongst volunteers disrupted.</li> </ul>
<b>Option 4</b>	<ul style="list-style-type: none"> <li>- Those interested parties are involved in the manner requested. Bringing their ideas to the table.</li> </ul>	<ul style="list-style-type: none"> <li>- Additional workload for council officers in reporting lines.</li> <li>- Friction created between existing group of FOPS and new CACPS.</li> <li>- The growth areas of tourism, education and events would not be represented.</li> </ul>
<b>Option 5</b>	<ul style="list-style-type: none"> <li>- Independent review of Business models that could work to enhance Pioneer Settlement.</li> </ul>	<ul style="list-style-type: none"> <li>- Cost to ratepayers to have this investigated.</li> </ul>

Officers consider that option two would provide the most inclusive option to all ratepayers without the need to introduce a secondary association or committee to the business model. The provision of engagement opportunities allows all members of the community to present their ideas, have their say and participate in growing and developing the attraction.

**Recommendations**

**That Council:**

- 1. Implement Option 2 to initiate broader community engagement for the future growth and development of the Pioneer Settlement.**
- 2. Thank the Residents and Ratepayers Association for its suggestion to establish a Community Advisory Committee for the Pioneer Settlement.**
- 3. Encourage members of the Residents and Ratepayers Association and any other interested group or individual to join the Friends of the Pioneer Settlement Association.**

**106/22 Motion**

**MOVED Cr McKay**

**That Council:**

- 1. Implement Option 1, 2 & 3 that is, essentially the operation and consultation for the Pioneer Settlement remain " as is" and introduce biannual or annual workshops and engagement opportunities with the broader non-volunteering members of the municipality.**
- 2. Thank the Residents and Ratepayers Association for its suggestion to establish a Community Advisory Committee for the Pioneer Settlement.**
- 3. Encourage members of the Residents and Ratepayers Association and any other interested group or individual to join the Friends of the Pioneer Settlement Association.**

**SECONDED Cr Jeffery**

**The Motion was put and LOST**

**107/22 Motion**

**MOVED Cr King**

**That Council:**

- 1. Implement Option 1 & 3 that is, essentially the operation and consultation for the Pioneer Settlement remain " as is".**
- 2. Thank the Residents and Ratepayers Association for its suggestion to establish a Community Advisory Committee for the Pioneer Settlement.**
- 3. Encourage members of the Residents and Ratepayers Association and any other interested group or individual to join the Friends of the Pioneer Settlement Association.**

**SECONDED Cr Young**

**The Motion was put and CARRIED**

Good afternoon Council and Councillors,

Firstly thank you for the letter dated 10 June, it was certainly timely for our meeting that same afternoon as representatives of the various groups listed in the attached document met to finalise the structure and look of the Community Advisory Committee to the Pioneer Settlement (CACPS). We haven't as yet connected with any one from the Friends of the Pioneer Settlement but will do so in the near future.

We will of course reply to your 10 June letter in due course but for the purposes of this email I will refer to the 26 April Council Assembly where the four of us mentioned in the 10 June letter, were charged with the task of raising interest in the formation of an Advisory Committee.

Can I say, the support from most of the groups listed has been overwhelming to say the least. I believe that this Advisory Committee (if it goes ahead) will have no lack of participants, which certainly reflects the esteem the community has for the Pioneer Settlement and the concern for its future.

The document is short and is the starting point for the inclusion of the Community in the direction of our beloved Pioneer Settlement.

Regards

Roger Day

Secretary

Residents and Ratepayers Association Inc - A0057050E

T: 03 5032 9166 B/H

M: 0407 370 348

E: [secretary@rra.org.au](mailto:secretary@rra.org.au)

W: [www.rra.org.au](http://www.rra.org.au)



## Community Advisory Committee to the Pioneer Settlement

---

### **Preamble**

Since its inception, the Pioneer Settlement has played a large role in attracting visitors and students to the region.

Additionally, the recent heritage listing decision acknowledges the Pioneer Settlement's significance to Victoria and in particular, Swan Hill. The process the community went through showing such support and passion should not be lost. With this in mind, and to bring the community closer to the operation of the Pioneer Settlement, a group of enthusiastic people representing various groups are seeking Council's approval for the formation of a Community Advisory Committee to the Pioneer Settlement (CACPS).

### **Structure**

The Advisory Committee to be comprised of one member from each interested community group including Residents and Ratepayers Association, Swan Hill Genealogical and Historical Society, the Mallee Steam, Oil & Machinery Club, Speewa Heritage and Restoration Group, the Swan Hill Vintage Car Club and one from the Friends of the Pioneer Settlement.

The CACPS would request that a Swan Hill Rural City Councillor be present for all meetings. At the outset the group will total 6 community members representing the various Community groups as listed above.

Chair of the Committee will be elected by those on the Committee as and when appropriate.

Each Community group will nominate their representatives, this can be one or as many as they like, except that only one can participate at the CACPS meetings any one time. But it gives scope for substitutions as the need may arise.

As there may be other interested Community groups, scope for expansion needs to be built in.

### **Purpose**

The CACPS's purpose is to advise Council of the Community's vision for the development of the Pioneer Settlement.

It is felt that the overall policy of the Settlement should be influenced to some degree by the Community groups that share ideals and knowledge of the Settlement that are of benefit to an open-air museum like the Pioneer Settlement.

Feedback from the Community will be sought through the various interested groups to help guide the future of the Settlement, the CACPS will encourage more Community Volunteers from within the CACPS member groups.

The CACPS may request information from Council regarding updates on the finances, visitation numbers and proposed works which are envisaged at the Pioneer Settlement to assist with the Advice given by the Committee. The advice given by the CACPS will be sympathetic to Heritage Victoria's requirements, the interests of the various Community groups it represents, and a desire to see the Pioneer Settlement flourish.

## **B.22.71 SUBDIVISION OF LAND AT 280 KARINIE STREET SWAN HILL**

<b>Responsible Officer:</b>	Director Development and Planning
<b>File Number:</b>	2022-002
<b>Attachments:</b>	1 SH Planning Scheme Uses with Adverse Amenity Impacts 2 Permit conditions

### **Declarations of Interest:**

Heather Green - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

<b>Applicant</b>	FCH Consulting Pty Ltd
<b>Proposal</b>	Two (2) lot subdivision
<b>Zoning</b>	Rural Living
<b>Overlay</b>	Specific Control
<b>Reason for reporting to Council</b>	Refusal recommended
<b>Advertised</b>	Yes
<b>Number of objections</b>	Nil

The purpose of this report is to consider a planning permit application for a two lot subdivision of the land at 280 Karinie Street, Swan Hill.

The proposal involves the creation of a two hectare (ha) allotment on the eastern boundary of the subject land.

The officer recommendation is to issue a Refusal to Grant a Permit in this instance due to the proximity of the new allotment to land in the Industrial zone.

### **Discussion**

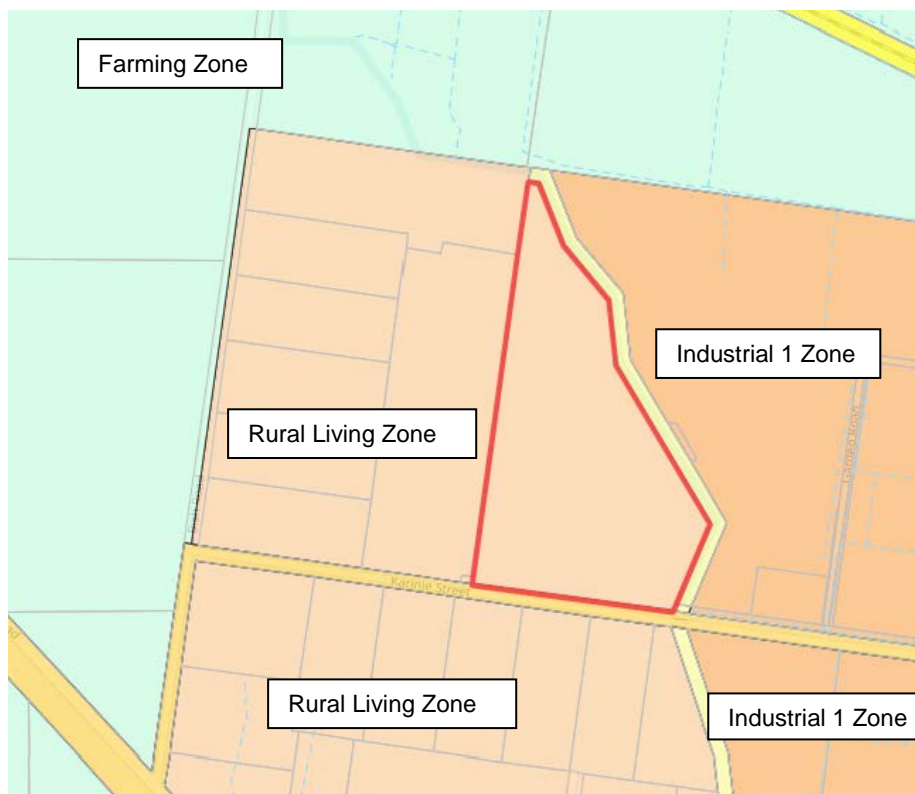
#### **Subject Site**

The subject site is an irregularly shaped 10.6ha land parcel. The land is occupied by a dwelling, established gardens, shedding and horticultural activities.

The land is located on the northern side of Karinie Street, with a former channel forming the eastern boundary of the subject land. Land to the south and west of the subject land is used for rural residential "hobby farm" pursuits.

However, land to the east and south east, whilst being currently used for residential purposes, forms the western extremity of the Karinie Street Industrial precinct, which is the largest industrial area within the municipality. It is relevant to point out that manufacturing is the largest output generator in the municipality, currently providing over \$640m in gross revenue, with agriculture second at approximately \$544m in

revenue. This data has been derived from Remplan, Council's Economic modelling software which is based on ABS data.



Subject site shown in red outline

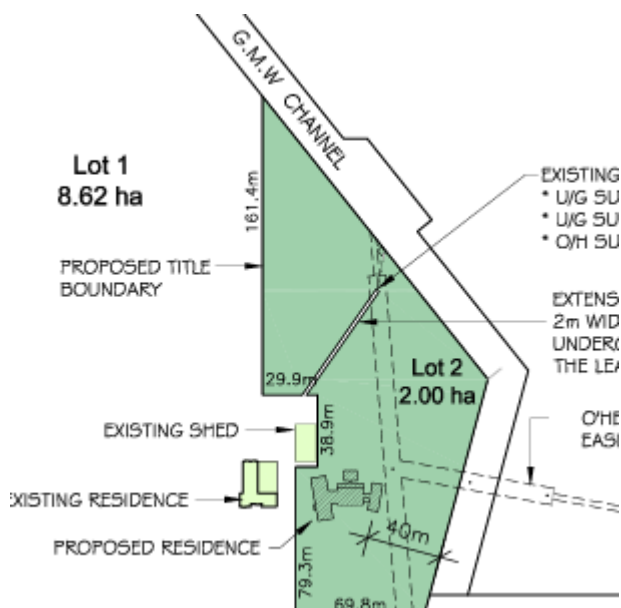
The Industrial 1 Zone has seen development activity during the last 2 years.

### **Proposal**

The planning application seeks approval to subdivide the land into two allotments by creating a 2 ha parcel to the east of the land.

The applicant advises that a house is proposed to be built on this site for family members.

A planning permit is not required for the use and development of land for a dwelling on two hectares or more in the Rural Living zone.



The proposed subdivision

### **Planning to achieve optimal land use outcomes**

One of the purposes of land use planning is to ensure the best possible land use and development outcomes for the community.

The role of strategic planning is to assist in considered and responsible zoning of land to minimise to the greatest possible extent, incompatible land uses with nearby land uses.

It is an unfortunate planning outcome when a zone which provides for sensitive uses is in close proximity to one which encourage uses that are, by their very nature, capable of producing significant off site amenity impacts by way of noise, odour, airborne emissions, heavy vehicle usage, light spill and the like.

It is for this reason that the applicants of this proposal were advised early in the process, that unless the proposed smaller lot was relocated to the western side of the existing parcel, it would be unlikely that the application could be supported.

It would be a preferable planning outcome for an intermediary zone, for example the Industrial 3 zone, which allows low impact industrial uses, to cover the land in Karinie Street to the west of the Industrial 1 zone. This action would signal the inherent land use incompatibility between residential and 'heavy' industrial land uses, and provide much needed additional industrial land in Swan Hill.

Another option would be to use a mechanism like an Outline Development Plan for the residential land that lies on the western portion of Karinie Street that could include buffer distances, future subdivision layouts and road connections to plan responsibly for the development of this land.

The image below shows the different intensities of land use that occur in the Karinie Street area. It is also relevant to highlight that Council is currently examining proposals for the land immediately east of the channel reserve, and for the land on the south side of Karinie Street.



### **Assessment**

As outlined above, after a preliminary assessment of the proposal, the applicant was advised that due to significant conflicts between the purpose of the Industrial 1 Zone and the ability for the two hectare lot to be relocated to the west of the block, that the application would be unlikely to be supported.

In this instance, as a matter of planning practice, employment generating land has primacy over residential land. This is particularly so given the limited available industrially zoned land in Swan Hill.

It is understood that the applicants wish to create a parcel for a family member to construct a dwelling on, which is a legitimate aim. However, strategic planning decisions can lead to permanent and precedent setting land use changes that must be at the core of decision making.

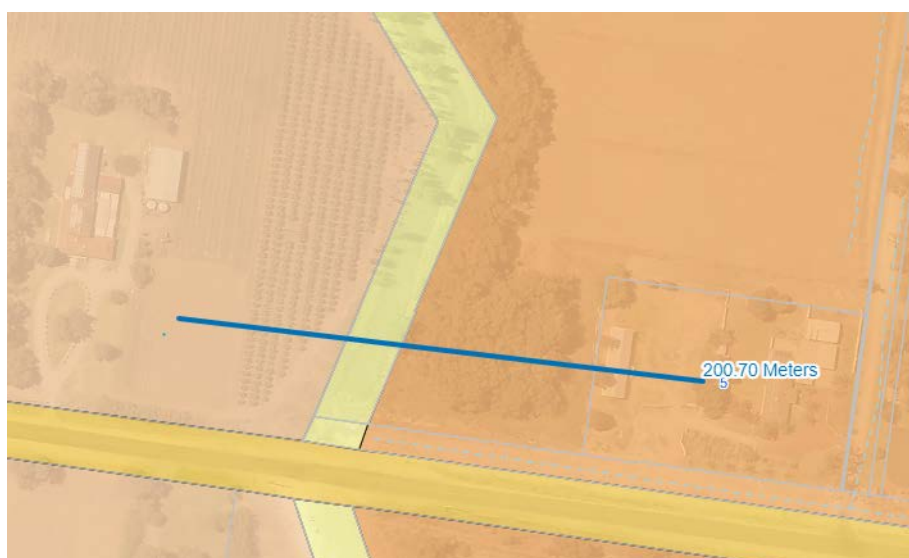
In other words, 'point in time' decisions may consider that the applicants are aware of their decision to locate a dwelling within close proximity to impactful land uses. This decision must also consider the future and apply to subsequent owners.

This application represents a poor future planning outcome that could be improved if the proposed second lot was relocated away from the Industrial zone.

A further consideration is the impact upon the vacant industrial land in proximity to the proposed residential allotment. Within the Industrial zone, the use of land for 'industry' is a use for which no permit is required, unless it is an industry that has potential adverse amenity impacts.

Those adverse amenity impacts are included in Clause 53.10 of the Planning Scheme, and include required buffer distances from the proposed use and sensitive land uses. This clause is appended to this report. Perusal of this list includes obviously impactful activities such as chemical production and animal processing, but also more benign activities such as a milk depot, bakeries, laundries and bus depots.

To cite an example, a bus depot must have a buffer of 200 metres from a sensitive use. In the matter in question, the image below indicates how far away from the proposed dwelling site this would be.



Accordingly, the land in between the two uses is quarantined from what would be described as a non-deleterious industrial activity.

It is acknowledged that there is limited industrial land available in Swan Hill currently. To effectively 'lose' land by allowing a sensitive use within such close proximity to the current Industrial zone is a situation which should be avoided.

However, if the applicants had considered officer's advice and moved the house lot to the west of the site, the situation would be very different, as shown in the image below.



## **Policy Direction**

### **Clause 01 Purposes of the Planning Scheme**

The first statement of purpose of the planning scheme appears as follows:

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.

### **Clause 02 Municipal Planning Strategy**

#### **Clause 02.02 Vision**

The vision statements are aligned to the Council Plan and include the need to encourage new business development and provide support for business expansion.

### **Planning Policy Framework – Swan Hill Planning Scheme**

The Planning Policy Framework provides State-wide direction to achieve sound land use and development decision making.

#### **Clause 13.06-1S – Air quality management.**

The strategy of this clause is to ensure that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants and sensitive land uses, which includes residential land use.

**Clause 13.07-1S – Land use compatibility**

This clause seeks to protect amenity and human health and safety while allowing for uses that are likely to have a negative impact on these matters. The strategies further seek to ensure that incompatible uses are located away from each other and that appropriate mitigation measures are implemented if this cannot be achieved.

**Clause 17.03-1S – Industrial land supply**

The objective of this clause is to ensure availability of land for industry.

The strategies to achieve this objective includes to avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

The proposed subdivision is in contradiction with this important policy direction.

**Clause 17.03-1L Industrial land supply (local content)**

The objective of this clause is to facilitate a supply of industrial land with a range of lot sizes, with a strategy to achieve the objective being to strengthen the rural service role of Swan Hill and Robinvale by providing adequate land for industry.

**Clause 33.01 Industrial 1 Zone purpose**

The purpose of the zone is to ensure compliance with the Municipal Planning Strategy and the Planning Policy Framework while providing for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

**Clause 35.03 Rural Living Zone purpose**

The statements of purpose for the Rural Living zone are as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.



### **Clause 35.03-5 Decision guidelines**

These include:

- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

### **Consultation**

#### **Public notification**

The application was notified by sending letters to adjoining land owners and by placing a sign on the site. No objections were received.

#### **External referrals**

The application was referred externally to the following authorities for comment

1. Lower Murray Water – no objection
2. North Central Catchment Management Authority – no objection
3. Goulburn-Murray Water – no objection subject to conditions
4. Powercor – no objection subject to conditions
5. EPA – awaiting response

#### **Financial Implications**

The proposal will limit industrial development to the east and therefore impact on future rate income.

#### **Social Implications**

Real potential for detrimental off site impacts due to proximity to industrial land.

#### **Economic Implications**

The loss of valuable industrial land due to the need to provide buffers from a new sensitive use will have tangible negative impacts on Swan Hill's economic output.

#### **Environmental Implications**

Nil

#### **Risk Management Implications**

Potential for amenity based claims in the future.

## **Council Plan Strategy Addressed**

***Prosperity*** - A thriving diverse economy.

### **Options**

1. That Council resolve to issue a Refusal to Grant a Planning Permit for a two lot subdivision in the Farming Zone at 280 Karinie Street, Swan Hill for the following reasons:
  - a. Proposal is inconsistent with the State and Local Planning policies, in particular it does not meet the requirements of the following provisions of the Swan Hill Planning Scheme:
    - Clause 01 – Purpose of the planning scheme
    - Clause 02.02 – Vision
    - Clause 13.06-1S – Air quality management
    - Clause 13.07-1S – Land use compatibility
    - Clause 17.03-1S – Industrial land supply
    - Clause 17.03-1L – Industrial land supply
  - b. The proposal is inconsistent with the orderly and proper planning of the area
  - c. The proposal will lead to adverse amenity outcomes for sensitive uses.
2. That Council grants a permit for the Use and Development of a Dwelling in the Farming Zone at 280 Karinie Street, Swan Hill, subject to conditions and in accordance with the endorsed plans.

### **Recommendations**

**That Council issue a Notice of Refusal to Grant a Permit for a two lot subdivision (dwelling excision) in the Farming Zone at 280 Karinie Street, Swan Hill, on the following grounds;**

- a. Proposal is inconsistent with the State and Local Planning policies, in particular it does not meet the requirements of the following provisions of the Swan Hill Planning Scheme:
  - Clause 01 – Purpose of the planning scheme
  - Clause 02.02 – Vision
  - Clause 13.06-1S – Air quality management
  - Clause 13.07-1S – Land use compatibility
  - Clause 17.03-1S – Industrial land supply
  - Clause 17.03-1L – Industrial land supply
- b. The proposal is inconsistent with the orderly and proper planning of the area
- c. The proposal will lead to adverse amenity outcomes for sensitive uses.

**108/22 Motion**

**MOVED Cr McKay**

**That Council grants a permit for the Use and Development of a Dwelling in the Farming Zone at 280 Karinie Street, Swan Hill, subject to conditions and in accordance with the endorsed plans with the condition that the applicant work with Council Officers to realign the North South boundary to remove the current "dogleg".**

**SECONDED Cr King**

**The Motion was put and CARRIED**

SWAN HILL PLANNING SCHEME

**53.10**  
26/05/2020  
VC175

**USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS**

**Purpose**

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

**53.10-1**  
03/02/2022  
VC199

**Threshold distance**

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

**Table to Clause 53.10-1**

Type of use or activity (purpose)	Threshold distance (metres)
<b>Basic metal products</b>	
Iron or steel production:	
• up to 1,000,000 tonnes per year	500
• exceeding 1,000,000 tonnes per year	1,000
Non-ferrous metal production:	
• up to 100 tonnes per year	100
• between 100 and 2,000 tonnes per year	300
• exceeding 2,000 tonnes per year	500

## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
• aluminium by electrolysis	2,000
<b>Chemical, petroleum and coal products</b>	
Ammunition, explosives and fireworks production	1,000
Biocides production and storage	1,000
Briquette production	300
Chemical product manufacture other than listed within this group	300
Coke processing	500
Cosmetics and toiletries production	100
Fertiliser production	1,000
Gasworks	1,000
Industrial gases production	1,000
Organic and inorganic industrial chemicals production other than those listed within this group	2,000
Other petroleum or coal production	500
Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year	500
Petroleum refinery	2,000
Pharmaceutical and veterinary chemical production	1,000
Polyester and synthetic resins production, exceeding 2,000 tonnes per year	1,000
Rubber production:	

## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
• synthetic rubber, exceeding 2,000 tonnes per year	1,000
• using either organic solvents or carbon black	300
• using sulphur	1,000
Soap and detergent production	500
<b>Fabricated metal products</b>	
Abrasive blast cleaning	500
Boiler maker	100
Metal coating and finishing	500
Structural or sheet metal production	500
<b>Food and beverages</b>	
Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day	500
Animal processing	1,000
Bakery (other than one ancillary to a shop):	
• exceeding 200 tonnes per year	100
• night-time operations, exceeding 200 tonnes per year	500
Flour mill, exceeding 200 tonnes per year	250
Food production other than those listed within this group:	

## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
• exceeding 200 tonnes per year	250
• including frying, drying or roasting, exceeding 200 tonnes per year	500
Grain and stockfeed mill and handling facility	
• with meat meals or tallow	500
• no meat meals or tallow	250
Maltworks, exceeding 200 tonnes per year	500
Manufacture of milk products, exceeding 200 tonnes per year	300
Milk depot	100
Pet food production	500
Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year	500
Seafood processor, exceeding 200 tonnes per year	500
Smallgoods production:	
• exceeding 200 tonnes per year	100
• including smoking and drying, exceeding 200 tonnes per year	500
<b>Miscellaneous manufacturing</b>	
Printing and coating works with heated curing ovens	500
Rendering and casings works	1,000

## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
<b>Non-metallic mineral products</b>	
Bitumen batching plant	1,000
Cement production in amounts:	
• up to 5,000 tonnes per year	300
• between 5,000 and 150,000 tonnes per year	500
• exceeding 150,000 tonnes per year	1,000
Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:	500
Concrete batching plant, with a production rate exceeding 5,000 tonnes per year	300
Glass and glass production including glass wool and fibreglass	500
Plaster or plaster articles production, exceeding 5,000 tonnes per year	200
Rock wool manufacture	500
Solar salt manufacture	1,000
<b>Other premises</b>	
Automotive body, paint and interior repair	100
Rural industry handling, processing or packing agricultural produce	300
<b>Paper and paper products</b>	
Paper or paper pulp production:	



## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
• involving combustion of sulphur or sulphur containing materials	5,000
• from semi-processed materials	100
• from prepared cellulose and rags	200
• by other methods than above	None specified
<b>Recreational, personal and other services</b>	
Dry cleaning for commercial and institutional customers, or in bulk quantities	100
Laundry for commercial and institutional customers, or in bulk quantities	100
<b>Textiles</b>	
Carpet backing with latex	500
Dyeing or finishing of cotton, linen and woollen yarns and textiles	300
Leather and artificial leather goods production	300
Leather tanning and dressing:	
• up to 250 tonnes per year	300
• exceeding 250 tonnes per year	2,000
Rope, cordage and twine production	100
Treatment or production of natural and synthetic fibres and textiles	1,000
Treatment or production of textiles using carbon disulphide	500

## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Wool scouring	200
<b>Transport and storage</b>	
Bus depot	200
Depot for refuse collection vehicles	100
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes	1,000
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:	
• with fixed roofs	300
• with floating roofs	100
Storage of wet-salted or unprocessed hides	250
<b>Waste, recycling and resource recovery</b>	
Chemical or oil recycling	1,000
Combustion, treatment or bio-reaction of waste to produce energy	None specified
Composting and other organic materials recycling	None specified
Hazardous waste storage or treatment	1,000
Landfill	None specified
Other recourse recovery or recycling operations	None specified
Soil conditioning or blending	None specified
Transfer station:	

## SWAN HILL PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
<ul style="list-style-type: none"> <li>accepting organic wastes</li> </ul>	500
<ul style="list-style-type: none"> <li>other</li> </ul>	200
Used plastics treatment or processing	500
Waste tyre recycling and re-treading	1,000
Vehicle recycling or disposal	500
<b>Water and wastewater</b>	
Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day	None specified
Water treatment plant	None specified
<b>Wood, wood products and furniture</b>	
Charcoal production:	
<ul style="list-style-type: none"> <li>by the retort process</li> </ul>	500
<ul style="list-style-type: none"> <li>other than by the retort process</li> </ul>	1,000
Joinery	100
Sawmill, wood products and furniture	500
Wood preservation plant:	
up to 10,000 cubic metres of timber per year	100
exceeding 10,000 cubic metres of timber per year	300

## Attachment 2

**Suggested permit conditions – 2022-002 280 Karinie Street**

1. The subdivision allowed by this permit and as shown on the endorsed plans to accompany the permit shall not be amended for any reason without the prior written consent of the Responsible Authority.
2. Prior to the issue of State of Compliance approved by this permit, the owner(s) of the subject land must enter into an agreement with the Responsible Authority and in accordance with Section 173 of the Planning and Environment Act, 1987. The agreement must provide for:
  - a. The owner of the lot recognises that the area has commercial/industrial uses operating in close proximity.
  - b. The land and its occupants may experience off site commercial/industrial activity effects, including noise, spraying and dust that may cause a loss of residential amenity.
  - c. Existing and future agricultural and commercial/industrial uses in the area have a 'right to operate' or right to legally continue the use.

Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act prior to the commencement of the use and development.

The owner(s) must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.

3. Prior to the commencement of the use and/or occupation of the building(s) vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Responsible Authority, and must:
  - a. Be constructed at right angles to the road, and any redundant crossing shall be removed and replaced with concrete (kerb and Channel)
  - b. Be setback a minimum of 5 metres from any side-entry pit, power or telecommunications pole, manhole cover or marker, and a minimum of 2.5m from the trunk of any street tree;
  - c. Be at least 9 metres apart.

**Goulburn Murray Water conditions**

4. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
5. The existing on-site wastewater treatment and disposal systems for proposed new lot 2 must be wholly contained within the boundaries of the new lot created by subdivision.

## Attachment 2

6. The Plan of Subdivision must show either a building envelopes or a building exclusion zone on Lot 1 to prevent future buildings from being located within 30 metres of Goulburn-Murray Water's No. 9 Channel.
7. The Plan of Subdivision must show either a wastewater disposal envelope or exclusion zone on newly created Lot 1 to prevent wastewater disposal fields from being located:
  - Within 60 metres from Goulburn-Murray Water's No. 9 Channel for primary treated effluent, or
  - Within 30 metres from Goulburn-Murray Water's No. 9 Channel for secondary treated effluent
8. For subdivision of property holding delivery shares the applicant must either:
  - a) make application to Goulburn Murray Water pursuant to sections 224 and 229 of the Water Act 1989 to: terminate or transfer the delivery shares in relation to the property; make a declaration that the property cease to be a serviced property (to effect excision from the district); or alternatively
  - b) demonstrate to Goulburn Murray Water reasonable satisfaction the means by which a Goulburn Murray Water water supply will be metered and delivered to the lots created by the subdivision, bearing in mind requirements for water use licences and annual use limits.

## Lower Murray Water conditions

9. The requirements of Lower Murray Water must be met, in regard to the provision of water supply to the land, including payment of all associated costs prior to the issue of a statement of compliance.
10. The Plan of Subdivision submitted for certification under the Subdivision Act 1988 must be referred to Lower Murray Water pursuant to Section 8 of that Act.

## Powercor conditions

11. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
12. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
13. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve

## Attachment 2

VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

14. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements. Note: Existing easements may need to be amended to meet the Distributor's requirements

**Health Conditions**

15. No polluted drainage shall be discharged beyond the boundaries of the land from which it emanates, or into watercourse or easement drain, but shall be so treated and/or absorbed on that lot to the satisfaction of Council's Environmental Health Officer.

**Permit Expiry**

16. This permit will expire if one of the following circumstances applies:
  - a. The development is not commenced within two (2) years of the date of this permit.
  - b. The development is not completed within four (4) years of the date of this permit.
  - c. The use is not commenced within two (2) years of the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

If a request is made outside of the above time, the responsible authority cannot consider the request and the holder of this permit cannot apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of this matter.

**Notes**

1. Any dwelling built on the newly formed allotment will be required to be fitted with a wastewater treatment and disposal system to a design approved by Council's Environmental Health Officer and such that all effluent is disposed of within the boundaries of the allotment. The wastewater disposal system must be protected from inundation from flood waters up to the 1 in 100 flood level.
2. Any enquiries or applications regarding access to water for the proposal should be made to Goulburn-Murray Water by calling 1800 013 357. The procurement of water for the proposal is the responsibility of the applicant and not addressed through the planning permit referrals process.

**B.22.72 S5 INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER**

**Responsible Officer:** Director Corporate Services  
**File Number:** 74-00-23  
**Attachments:**  
1 Maddocks Letter 27-07-2022  
2 S5 Delegation to CEO

**Declarations of Interest:**

Bhan Pratap - as the responsible officer, I declare that I have no disclosable interests in this matter.

**Summary**

Section 11 of the Local Government Act (2020) enables Council to delegate to the Chief Executive Officer, with specified exemptions, 'any power, duty or function of a council under this Act or any other Act' and delegate the Chief Executive Officer the power to delegate a power of the Council, other than power of delegation, to another member of council staff.

Maddocks, in their attached letter, has recommended that Council should refresh the Chief Executive Officer's delegations on a regular basis.

**Discussion**

In order to comply with the various legislative requirements, Council delegates a range of powers and responsibilities to the Chief Executive Officer. These delegations are made in accordance with section 11 of the Local Government Act 2020.

The delegation of Council powers and obligations are managed by the Maddocks 'delegations and authorisations service'. Maddocks monitors changes to State legislation, and every six months provides a listing of the sections of legislation that a municipality could delegate to enable efficient and effective delivery of services.

As per letter attached from Maddocks dated 27 July 2022 it has been advised that all Instruments of Delegation should be updated, or refreshed, on a regular basis to ensure that they incorporate all recent legislative developments. This includes the Instrument of Delegation to Council's Chief Executive Officer, even though it is expressed in general terms.

The delegation to the Chief Executive Officer is a 'delegation by exception'.

### **Consultation**

This is a statutory requirement of Council and as such consultation is not part of the process.

### **Financial Implications**

Not applicable.

### **Social Implications**

Ensures the CEO has the appropriate delegation to implement the Council Plan.

### **Economic Implications**

Ensures the CEO has the appropriate delegation to implement the Council Plan.

### **Environmental Implications**

Ensures the CEO has the appropriate delegation to implement the Council Plan.

### **Risk Management Implications**

Appropriate delegation ensures the organisation can run effectively and efficiently.

### **Council Plan Strategy Addressed**

*Leadership* - Excellent management and administration.

### **Options**

1. That Council adopt the delegations as presented.
2. That Council adopt the delegations with variations, noting that the efficiency of Council operations would be affected.

### **Recommendation**

**That Council adopt the delegations as presented.**

### **109/22 Motion**

**MOVED Cr McKay**


**That Council adopt the delegations as presented.**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**



## Email Letter

Law Rec'd	27 JUL 2022	File #	S16-OSP-01
Workflow	Emma R.	Doc #	
Copies		Security:	
BW / Col			
Comments			

## Maddocks

Lawyers  
Collins Square, Tower Two  
Level 25, 727 Collins Street  
Melbourne VIC 3008  
Australia

Telephone 61 3 9258 3555  
Facsimile 61 3 9258 3666

info@maddocks.com.au  
www.maddocks.com.au

DX 259 Melbourne

<b>From</b> Maryam Popal	<b>Date</b> 27 July 2022
<b>Direct</b> 03 9258 3305	<b>Email</b> Maryam.Popal@maddocks.com.au
<b>Partner</b> Melanie Olynyk	

Our Ref MSB:MARP:628721

Dear subscriber

### Delegations and Authorisations Service Update Second update for 2022

We are pleased to provide you with our second update to the Delegations and Authorisations Service for 2022. This takes into account legislative changes which were assented to, or made, on or after 23 June 2022, and some other miscellaneous changes, which affect council's powers, duties and functions.

This update is contained on the new Maddocks Digital platform, which can be accessed by clicking the following link: <https://indepth.maddocks.com.au/>.

As always, please carefully review this explanatory letter and refer to the updated instruments to ensure that you are aware of the recent legislative changes that affect your council's delegations and authorisations.

#### Changes made in this update

This update amends our S6, S7, S13, S11 and S12 Instruments. We outline some of the changes to each Instrument below. We have also introduced two new Instruments, which are described below.

#### 1. Changes to the S6 Instrument of Delegation, Council to other Members of Council staff (S6)

The following changes have been made to the S6:

1.1. There have been a number of minor changes to the *Cemeteries and Crematoria Act 2003*. These include:

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

Interstate offices  
Canberra Sydney

[628721: 33396229\_1]



## Maddocks

- 1.2. As an example, the following changes have been made to the *Planning and Environment Act 1987*:
- 1.2.1. Section 4I of the Act has been amended to refer to the duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with the public available requirements.
  - 1.2.2. Amendment of a typographical error at s 14 of the Act.
  - 1.2.3. Sections 18, 21(2), 26(2) and 46V(3) of the Act have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements.
  - 1.2.4. Section 22(1) of the Act has been amended to clarify which submissions must be considered.
  - 1.2.5. Section 22(2) of the Act has been inserted in two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions.
  - 1.2.6. Sections 46V(4), (5) and (6) of the Act have been included with respect to the Melbourne Airport Environs Strategy Plans. This will only be relevant to those councils whose municipal district is wholly or partly within the Melbourne Airport Environs Area.
  - 1.2.7. Section 96J of the Act has been amended to refer to the duty rather than as a power.
  - 1.2.8. Section 185B of the Act has been inserted, which relates to the duty to comply with a request from the Minister for information.

## 2. Changes to the S7 Instrument of Delegation, CEO to Members of Council staff (S7)

The following changes have been made to the S7:

- 2.1. There have been a number of changes to the *Domestic Animals Act 1994* by virtue of the *Domestic Animals Amendment (Reuniting Pets and Other Matters) Act 2022*. These include:
- 2.1.1. Section 55 of the Act has been amended to remove reference to s 54E.
  - 2.1.2. Section 58AL of the Act has been amended to insert the function of receiving notice of the Minister's grant to refuse to grant or renew a commercial dog breeder approval.
  - 2.1.3. Section 84DD(2) of the Act has been inserted, which relates to the function of receiving report. This provision is not yet in operation and will commence on 1 October 2022.
  - 2.1.4. Section 84Y of the Act has been amended to refer to the power to enter into a written agreement to also 'receive' dogs or cats. This provision is not yet in operation and will commence on 1 October 2022.
- 2.2. Regulation 161 of the *Environment Protection Regulations 2017*, which relates to the function of receiving notification relating to an on-site waste water management system, is now in force.
- 2.3. There have been a number of changes made to the *Fines Reforms Act 2014* by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022*. These include:
- 2.3.1. Section 10D(3) of the Act has been removed.



Maddocks

- 2.3.2. Section 10F(4) of the Act has been amended to remove reference to the Secretary and replaced with the Director.
- 2.3.3. Section 10W(4) of the Act has been amended.
- 2.3.4. Section 54(5) of the Act has been amended.
- 2.4. Section 22 of the *Infringements Act 2006* has also been amended by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022* to insert a note an internal review conducted under division 3 of Part 2 of the *Infringements Act 2006* must be conducted by a person employed by Council and who did not issue the infringement notice.
- 2.5. Sections 58 of the *Food Act 1984* has been amended to replace the reference to the Victorian Commission for Gambling and Liquor Regulation with the Victorian Liquor Commission in light of the *Casino and Liquor Legislation Amendment Act 2022*.
- 2.6. Schedule 2 clause 18(3) of the *Liquor Control Reform Act 1998* has been repealed and removed by virtue of the *Liquor Control Reform Amendment Act 2021*.
- 2.7. Section 67A of the *Public Health and Wellbeing Act 2008* has been inserted, which relates to the function of receiving an application for registration of lower risk prescribed accommodation. This amendment has been made by virtue of the *Public Health and Wellbeing Amendment Act 2022* and will commence on 15 February 2023. A note to this effect has been inserted.
- 2.8. Sections 311A(2) and 311ZDA(2) of the *Residential Tenancies Act 1997* have been repealed and removed by virtue of a number of legislative amendments, namely s 240 of the *Residential Tenancies Amendment Act 2018*.
- 2.9. Sections 9 and 14 of the *Service Victoria Act 2018* have been repealed by *Service Victoria Amendment Act 2022* and so removed from the instrument.
- 2.10. Sections 47E and 54A(2) of the *Service Victoria Act 2018* have been inserted by virtue of the *Service Victoria Amendment Act 2022*.
- 2.11. The *Dangerous Goods (Explosive) Regulations 2021* has been revoked and replaced with the *Dangerous Goods (Explosive) Regulations 2022*.
- 2.12. Regulation 3 of the *Road Safety (Traffic Management) Regulation 2019* has been replaced with r 5. This relates to a person authorised by Council as a school crossing supervisor.
- 2.13. Section B of the *Miscellaneous and Administrative Powers* section has been amended to insert reference to the power to determine fees relating to swimming pool or spa barriers under the *Building Act 1993* and *Building Regulations 2018*.
- 3. Changes to the S13 Instrument of Delegation by CEO of CEO Powers (S13)**
- The S13 contains powers conferred on the CEO that may be delegated to other Council staff. Additional powers have been conferred on the CEO under the *Service Victoria Act 2018* by virtue of the *Service Victoria Amendment Act 2022* (see ss 9A(1), 14A(1), 24A(2)(a), 47A and 47G), and so these could be subdelegated by the CEO.
- 4. Changes to the S11 Instrument of Appointment and Authorisation (S11)**
- The following changes have been made to the S11:
- 4.1. Footnote 13 has been amended to remove reference to s 81Y of the *Local Government Act 1989*. This section has been repealed.



Maddocks

4.2. Footnote 3 has been amended to add that, before appointing a person as an inspector under s 36 of the *Tobacco Act 1987*, the Secretary must be satisfied that the person has the necessary skills, training and expertise to exercise the powers of an inspector (see new section 36AA).

**5. Changes to the S12 Instrument of Delegation and Authorisation by the Municipal Building Surveyor (S12)**

The S12 is the Instrument of Delegation and Authorisation by the Municipal Building Surveyor. The following changes have been made to it:

- 5.1. A typographical error has been fixed in paragraph 5.3 of the preamble (i.e. to insert the missing word 'to').
- 5.2. Section 23 of the *Building Act 1993* has been amended to correct the reference to r 281 of the *Building Regulations 2018*.
- 5.3. Sections 25AB, 25AC and 25AD of the *Building Act 1993* have been inserted. These relate to changes to the engagement of a building practitioner, an endorsed building engineer or an architect.

**6. New Municipal Fire Prevention Officer Package - S19A and S19B Instruments of Delegation from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer (S19A and S19B)**

- 6.1. Under s 96A(2) of the *Country Fire Authority Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new **S19A Instrument of Delegation** from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 96A(2) of the *Country Fire Authority Act 1958*.
- 6.2. Similarly, under s 5A(2) of the *Fire Rescue Victoria Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new **S19B Instrument of Delegation** from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 5A(2) of the *Fire Rescue Victoria Act 1958*.

**Other matters**

There are some additional matters to bring to your attention.

1. The *Sex Work Decriminalisation Act 2022* has been introduced to decriminalise sex work and provide for the reduction of discrimination against, and harm to, sex workers. This involves phased changes to the *Sex Work Act 1994*. Stage 1 involves amendments to the *Sex Work Act 1994*, such as repealing certain offences, and of other Acts. Stage 2 involves the repeal of the *Sex Work Act 1994* on 1 December 2023. These changes have not yet been applied to the S7 Instrument.  
  
Section 3 of the *Sex Work Decriminalisation Act 2022* provides that local laws made under the *Local Government Act 2020* must not be inconsistent with or undermine the purposes of this Act.
2. New sections 9D and 14D of the *Service Victoria Act 2018* now provide that the CEO of a council can delegate to the Service Victoria CEO, or authorise the performance by Service Victoria CEO, of certain functions under the Act. These provisions have been inserted by the *Service Victoria Amendment Act 2022*.



Maddocks

3. You may recall that the S5 Instrument of Delegation to Council's CEO was recently amended to insert reference to an expenditure limit. This was due to s 11(5) of the *Local Government Act 2020*, which states that a delegation that includes the power to enter into a contract or make any expenditure must specify a maximum monetary limit that cannot be exceeded. We inserted wording to enable a different limit to be specified for general expenditure versus expenditure that is required by or under legislation (e.g. fire services property levy).

When preparing the S7 CEO's Instrument of Sub-delegation, you should keep in mind what those expenditure limits are if sub-delegating any powers that relate to expenditure. Taking the fire services property levy as an example, you will need to specify the relevant expenditure limit (that is no greater than that contained in the S5) in the 'Conditions & Limitations' column against the delegations under ss 19, 20 and 41 of the *Fire Services Property Levy Act 2012*. This will ensure consistency between the two instruments of delegation.

#### Local Laws

While this has been mentioned in our previous updates, we again remind councils of the importance of delegating not only the powers, duties and functions existing under legislation, but also any council powers, duties and functions existing in any local laws made by their council.

Our Delegations and Authorisations Service covers only the former and so it is up to each council to ensure that it reviews all of its local laws and, where appropriate, delegates relevant powers, duties and functions.

#### Updating your instruments

As always, we recommend that you re-make all of your council delegations regularly to ensure that they remain up to date and cover all relevant provisions. This includes the S5 Instrument.

If you have any questions about this Update, please direct your queries to Maryam Popal ([maryam.popal@maddocks.com.au](mailto:maryam.popal@maddocks.com.au)) or myself ([melanie.olynyk@maddocks.com.au](mailto:melanie.olynyk@maddocks.com.au)).

Yours sincerely  
Maddocks

Transmission authorised by:  
Melanie Olynyk  
Partner

**INSTRUMENT OF DELEGATION**  
**S5 INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE  
OFFICER**

**20 SEPTEMBER 2022**

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 Swan Hill Rural City 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 September 2022;
2. the delegation
  - 2.1 is subject to any conditions and limitations set out in the Schedule;
  - 2.2 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.3 remains in force until Council resolves to vary or revoke it.

**Delegation Sources**

- Local Government Act 2020

**Titles**

Abbreviation	Position
CEO	Chief Executive Officer



S5 Instrument of Delegation to the Chief Executive Officer

Local Government Act 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
11(1)	<p>SCHEDULE</p> <p>The power to</p> <ol style="list-style-type: none"> <li>1. determine any issue;</li> <li>2. take any action; or</li> <li>3. do any act or thing</li> </ol> <p>arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.</p>	CEO	<p>The delegate must not determine the issue, take the action or do the act or thing</p> <ol style="list-style-type: none"> <li>1. if the issue, action, act or thing is an issue, action, act or thing which involves                             <ol style="list-style-type: none"> <li>1.1 entering into a contract exceeding the value of \$1,000,000;</li> <li>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);</li> <li>1.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;</li> <li>1.4 electing a Mayor or Deputy Mayor;</li> <li>1.5 granting a reasonable request for leave under s 35 of the Act;</li> <li>1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;</li> <li>1.7 approving or amending the Council Plan;</li> <li>1.8 adopting or amending any policy that Council is required to adopt under the Act;</li> <li>1.9 adopting or amending the Governance Rules;</li> <li>1.10 appointing the chair or the members to a delegated committee;</li> <li>1.11 making, amending or revoking a local law;</li> <li>1.12 approving the Budget or Revised Budget;</li> <li>1.13 approving the borrowing of money;</li> </ol> </li> </ol>

Local Government Act 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			<p>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;</p> <p>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;</p> <p>3. 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;</p> <p>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</p> <p>4.1 policy; or</p> <p>4.2 strategy adopted by Council;</p> <p>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</p> <p>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.</p>

### **B.22.73 S6 INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF**

<b>Responsible Officer:</b>	Director Corporate Services
<b>File Number:</b>	74-00-23
<b>Attachments:</b>	1 Maddocks Letter 27-07-2022 2 S6 Delegation to members of Council Staff 3 Additional S6

#### **Declarations of Interest:**

Bhan Pratap - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

In order to deliver services to the community and discharge obligations placed on Council by legislation in an efficient and effective manner, Council has in place a range of delegations to members of Council staff. Periodically these delegations need to be reviewed and, if appropriate, updated. This report recommends changes to some delegations made by Council to members of Council staff.

The changes are the result of legislative changes to the relevant Acts, or changes to position titles or organisational structure.

The vast majority of the delegations have not changed.

Some new Acts or Regulations have come into force. Delegations for these new Acts or Regulations are included in the attached document.

#### **Discussion**

In order to comply with the various legislative requirements, Council delegates a range of powers and accountabilities to appropriately qualified and experienced members of Council staff. These delegations are made in accordance with section 11 of the Local Government Act 2020. A delegation may be made subject to limitations on these powers, such as the need to inform Council of a determination.

The powers and obligations delegated are mostly procedural in nature, allowing the delivery of services in accordance with Council policy, adopted strategies and plans, the approved budget, and discharging Council obligations in accordance with legislative requirements.

The delegation of powers and obligations to Council staff by Council is managed by the Maddocks 'delegations and authorisations service'. Maddocks monitors changes to State legislation, and every six months provides a listing of the sections of legislation that a municipality could delegate to enable efficient and effective delivery of services.

The six monthly reviews of legislative changes have resulted in the recommended amendments in the attached document which are summarised in the attached letter from Maddocks.

Council delegations are made to positions in the organisation rather than to individual members of staff to avoid the need to change the delegation upon the departure of a staff member or the staff member taking up a different position in the Council.

### **Consultation**

Community consultation is not appropriate for the subject of this report.

### **Financial Implications**

Ensures staff have the appropriate delegation to implement the Council Plan.

### **Social Implications**

Ensures staff have the appropriate delegation to implement the Council Plan.

### **Economic Implications**

Ensures staff have the appropriate delegation to implement the Council Plan.

### **Environmental Implications**

Ensures staff have the appropriate delegation to implement the Council Plan.

### **Risk Management Implications**

Appropriate delegation ensures that the organisation can operate efficiently and effectively.

### **Council Plan Strategy Addressed**

***Leadership*** - Bold leadership, strong partnerships and effective advocacy.

### **Options**

1. That Council adopt the delegations as presented.
2. That Council adopt the delegations with variations, noting that the efficiency of Council operations would be affected.

### **Recommendation**

**That Council adopt the delegations as presented.**

**110/22 Motion**


**MOVED Cr King**

**That Council adopt the delegations as presented.**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

## Email Letter

Law Rec'd	27 JUL 2022	File #	S16-OSP-01
Workflow	Emma R.	Doc #	
Copies		Security:	
BW / Col			
Comments			

## Maddocks

Lawyers  
Collins Square, Tower Two  
Level 25, 727 Collins Street  
Melbourne VIC 3008  
Australia

Telephone 61 3 9258 3555  
Facsimile 61 3 9258 3666

info@maddocks.com.au  
www.maddocks.com.au

DX 259 Melbourne

<b>From</b> Maryam Popal	<b>Date</b> 27 July 2022
<b>Direct</b> 03 9258 3305	<b>Email</b> Maryam.Popal@maddocks.com.au
<b>Partner</b> Melanie Olynyk	

Our Ref MSB:MARP:628721

Dear subscriber

### Delegations and Authorisations Service Update Second update for 2022

We are pleased to provide you with our second update to the Delegations and Authorisations Service for 2022. This takes into account legislative changes which were assented to, or made, on or after 23 June 2022, and some other miscellaneous changes, which affect council's powers, duties and functions.

This update is contained on the new Maddocks Digital platform, which can be accessed by clicking the following link: <https://indepth.maddocks.com.au/>.

As always, please carefully review this explanatory letter and refer to the updated instruments to ensure that you are aware of the recent legislative changes that affect your council's delegations and authorisations.

#### Changes made in this update

This update amends our S6, S7, S13, S11 and S12 Instruments. We outline some of the changes to each Instrument below. We have also introduced two new Instruments, which are described below.

#### 1. Changes to the S6 Instrument of Delegation, Council to other Members of Council staff (S6)

The following changes have been made to the S6:

1.1. There have been a number of minor changes to the *Cemeteries and Crematoria Act 2003*. These include:

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

Interstate offices  
Canberra Sydney

[628721: 33396229\_1]



## Maddocks

- 1.2. As an example, the following changes have been made to the *Planning and Environment Act 1987*:
- 1.2.1. Section 4I of the Act has been amended to refer to the duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with the public available requirements.
  - 1.2.2. Amendment of a typographical error at s 14 of the Act.
  - 1.2.3. Sections 18, 21(2), 26(2) and 46V(3) of the Act have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements.
  - 1.2.4. Section 22(1) of the Act has been amended to clarify which submissions must be considered.
  - 1.2.5. Section 22(2) of the Act has been inserted in two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions.
  - 1.2.6. Sections 46V(4), (5) and (6) of the Act have been included with respect to the Melbourne Airport Environs Strategy Plans. This will only be relevant to those councils whose municipal district is wholly or partly within the Melbourne Airport Environs Area.
  - 1.2.7. Section 96J of the Act has been amended to refer to the duty rather than as a power.
  - 1.2.8. Section 185B of the Act has been inserted, which relates to the duty to comply with a request from the Minister for information.

## 2. Changes to the S7 Instrument of Delegation, CEO to Members of Council staff (S7)

The following changes have been made to the S7:

- 2.1. There have been a number of changes to the *Domestic Animals Act 1994* by virtue of the *Domestic Animals Amendment (Reuniting Pets and Other Matters) Act 2022*. These include:
  - 2.1.1. Section 55 of the Act has been amended to remove reference to s 54E.
  - 2.1.2. Section 58AL of the Act has been amended to insert the function of receiving notice of the Minister's grant to refuse to grant or renew a commercial dog breeder approval.
  - 2.1.3. Section 84DD(2) of the Act has been inserted, which relates to the function of receiving report. This provision is not yet in operation and will commence on 1 October 2022.
  - 2.1.4. Section 84Y of the Act has been amended to refer to the power to enter into a written agreement to also 'receive' dogs or cats. This provision is not yet in operation and will commence on 1 October 2022.
- 2.2. Regulation 161 of the *Environment Protection Regulations 2017*, which relates to the function of receiving notification relating to an on-site waste water management system, is now in force.
- 2.3. There have been a number of changes made to the *Fines Reforms Act 2014* by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022*. These include:
  - 2.3.1. Section 10D(3) of the Act has been removed.



Maddocks

- 2.3.2. Section 10F(4) of the Act has been amended to remove reference to the Secretary and replaced with the Director.
- 2.3.3. Section 10W(4) of the Act has been amended.
- 2.3.4. Section 54(5) of the Act has been amended.
- 2.4. Section 22 of the *Infringements Act 2006* has also been amended by virtue of the *Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022* to insert a note an internal review conducted under division 3 of Part 2 of the *Infringements Act 2006* must be conducted by a person employed by Council and who did not issue the infringement notice.
- 2.5. Sections 58 of the *Food Act 1984* has been amended to replace the reference to the Victorian Commission for Gambling and Liquor Regulation with the Victorian Liquor Commission in light of the *Casino and Liquor Legislation Amendment Act 2022*.
- 2.6. Schedule 2 clause 18(3) of the *Liquor Control Reform Act 1998* has been repealed and removed by virtue of the *Liquor Control Reform Amendment Act 2021*.
- 2.7. Section 67A of the *Public Health and Wellbeing Act 2008* has been inserted, which relates to the function of receiving an application for registration of lower risk prescribed accommodation. This amendment has been made by virtue of the *Public Health and Wellbeing Amendment Act 2022* and will commence on 15 February 2023. A note to this effect has been inserted.
- 2.8. Sections 311A(2) and 311ZDA(2) of the *Residential Tenancies Act 1997* have been repealed and removed by virtue of a number of legislative amendments, namely s 240 of the *Residential Tenancies Amendment Act 2018*.
- 2.9. Sections 9 and 14 of the *Service Victoria Act 2018* have been repealed by *Service Victoria Amendment Act 2022* and so removed from the instrument.
- 2.10. Sections 47E and 54A(2) of the *Service Victoria Act 2018* have been inserted by virtue of the *Service Victoria Amendment Act 2022*.
- 2.11. The *Dangerous Goods (Explosive) Regulations 2021* has been revoked and replaced with the *Dangerous Goods (Explosive) Regulations 2022*.
- 2.12. Regulation 3 of the *Road Safety (Traffic Management) Regulation 2019* has been replaced with r 5. This relates to a person authorised by Council as a school crossing supervisor.
- 2.13. Section B of the *Miscellaneous and Administrative Powers* section has been amended to insert reference to the power to determine fees relating to swimming pool or spa barriers under the *Building Act 1993* and *Building Regulations 2018*.
- 3. Changes to the S13 Instrument of Delegation by CEO of CEO Powers (S13)**
- The S13 contains powers conferred on the CEO that may be delegated to other Council staff. Additional powers have been conferred on the CEO under the *Service Victoria Act 2018* by virtue of the *Service Victoria Amendment Act 2022* (see ss 9A(1), 14A(1), 24A(2)(a), 47A and 47G), and so these could be subdelegated by the CEO.
- 4. Changes to the S11 Instrument of Appointment and Authorisation (S11)**
- The following changes have been made to the S11:
- 4.1. Footnote 13 has been amended to remove reference to s 81Y of the *Local Government Act 1989*. This section has been repealed.





Maddocks

4.2. Footnote 3 has been amended to add that, before appointing a person as an inspector under s 36 of the *Tobacco Act 1987*, the Secretary must be satisfied that the person has the necessary skills, training and expertise to exercise the powers of an inspector (see new section 36AA).

**5. Changes to the S12 Instrument of Delegation and Authorisation by the Municipal Building Surveyor (S12)**

The S12 is the Instrument of Delegation and Authorisation by the Municipal Building Surveyor. The following changes have been made to it:

- 5.1. A typographical error has been fixed in paragraph 5.3 of the preamble (i.e. to insert the missing word 'to').
- 5.2. Section 23 of the *Building Act 1993* has been amended to correct the reference to r 281 of the *Building Regulations 2018*.
- 5.3. Sections 25AB, 25AC and 25AD of the *Building Act 1993* have been inserted. These relate to changes to the engagement of a building practitioner, an endorsed building engineer or an architect.

**6. New Municipal Fire Prevention Officer Package - S19A and S19B Instruments of Delegation from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer (S19A and S19B)**

- 6.1. Under s 96A(2) of the *Country Fire Authority Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new **S19A Instrument of Delegation** from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 96A(2) of the *Country Fire Authority Act 1958*.
- 6.2. Similarly, under s 5A(2) of the *Fire Rescue Victoria Act 1958*, the municipal fire prevention officer has power to delegate to an assistant fire prevention officer any power or duty of the fire prevention officer under this Act or the regulations (except the power of delegation). For this purpose, we have introduced the new **S19B Instrument of Delegation** from the Municipal Fire Prevention Officer to the Assistant Fire Prevention Officer under s 5A(2) of the *Fire Rescue Victoria Act 1958*.

**Other matters**

There are some additional matters to bring to your attention.

1. The *Sex Work Decriminalisation Act 2022* has been introduced to decriminalise sex work and provide for the reduction of discrimination against, and harm to, sex workers. This involves phased changes to the *Sex Work Act 1994*. Stage 1 involves amendments to the *Sex Work Act 1994*, such as repealing certain offences, and of other Acts. Stage 2 involves the repeal of the *Sex Work Act 1994* on 1 December 2023. These changes have not yet been applied to the S7 Instrument.  
  
Section 3 of the *Sex Work Decriminalisation Act 2022* provides that local laws made under the *Local Government Act 2020* must not be inconsistent with or undermine the purposes of this Act.
2. New sections 9D and 14D of the *Service Victoria Act 2018* now provide that the CEO of a council can delegate to the Service Victoria CEO, or authorise the performance by Service Victoria CEO, of certain functions under the Act. These provisions have been inserted by the *Service Victoria Amendment Act 2022*.



Maddocks

3. You may recall that the S5 Instrument of Delegation to Council's CEO was recently amended to insert reference to an expenditure limit. This was due to s 11(5) of the *Local Government Act 2020*, which states that a delegation that includes the power to enter into a contract or make any expenditure must specify a maximum monetary limit that cannot be exceeded. We inserted wording to enable a different limit to be specified for general expenditure versus expenditure that is required by or under legislation (e.g. fire services property levy).

When preparing the S7 CEO's Instrument of Sub-delegation, you should keep in mind what those expenditure limits are if sub-delegating any powers that relate to expenditure. Taking the fire services property levy as an example, you will need to specify the relevant expenditure limit (that is no greater than that contained in the S5) in the 'Conditions & Limitations' column against the delegations under ss 19, 20 and 41 of the *Fire Services Property Levy Act 2012*. This will ensure consistency between the two instruments of delegation.

#### Local Laws

While this has been mentioned in our previous updates, we again remind councils of the importance of delegating not only the powers, duties and functions existing under legislation, but also any council powers, duties and functions existing in any local laws made by their council.

Our Delegations and Authorisations Service covers only the former and so it is up to each council to ensure that it reviews all of its local laws and, where appropriate, delegates relevant powers, duties and functions.

#### Updating your instruments

As always, we recommend that you re-make all of your council delegations regularly to ensure that they remain up to date and cover all relevant provisions. This includes the S5 Instrument.

If you have any questions about this Update, please direct your queries to Maryam Popal ([maryam.popal@maddocks.com.au](mailto:maryam.popal@maddocks.com.au)) or myself ([melanie.olynyk@maddocks.com.au](mailto:melanie.olynyk@maddocks.com.au)).

Yours sincerely  
Maddocks

Transmission authorised by:  
Melanie Olynyk  
Partner

**INSTRUMENT OF DELEGATION**

**S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF**

**20 SEPTEMBER 2022**

## 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:

- AO: Authorised Officer
- CEO: Chief Executive Officer
- CSRO: Customer Service & Revenue Officer
- DCS: Director Corporate Services
- DDP: Director Development & Planning
- DI: Director Infrastructure
- DM: Development Manager
- EAM: Enterprise Asset Manager
- EHO: Environmental Health Officer
- ESPM: Engineering and Strategic Projects Manager
- FM: Finance Manager
- MBS: Municipal Building Surveyor
- MERO: Municipal Emergency Resource Officer
- MFPO: Municipal Fire Prevention Officer
- ND: Not Delegated - Not Delegated
- PHRSC: Public Health & Regulatory Services Co-ordinator
- PM: Project Manager
- PO: Planning Officer
- PTL: Planning Team Leader
- SRO: Senior Revenue Officer

3. declares that:

3.1 this Instrument of Delegation is authorised by Council passed on 20 September 2022; and

3.2 the delegation:

3.2.1 remains in force until varied or revoked;

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

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

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

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

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

(a) policy; 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.

**Delegation Sources**

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

## S6 Instrument of Delegation - Members of Staff

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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DDP, EHO, PHRSC	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	DDP, EHO, PHRSC	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	DDP	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	for any other specified purpose, or for the use of any specified equipment or a specified process		Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DDP, EHO, PHRSC	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO, PHRSC	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	EHO, PHRSC	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).	DDP, EHO, PHRSC	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DDP, EHO, PHRSC	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DDP, EHO, PHRSC	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO, PHRSC	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO, PHRSC	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	EHO, PHRSC	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, PHRSC	Where Council is the registration authority



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	EHO, PHRSC	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	EHO, PHRSC	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	DDP, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	EHO, PHRSC	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO, PHRSC	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, PHRSC	

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO, PHRSC	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, PHRSC	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	DDP, EHO, PHRSC	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, PHRSC	Where Council is the registration authority
	Power to register or renew the registration of a food premises	DDP, EHO, PHRSC	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	DDP, EHO, PHRSC	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	DDP, EHO, PHRSC	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, PHRSC	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	ND	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, PHRSC	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, PHRSC	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, PHRSC	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, PHRSC	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO, PHRSC	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, PHRSC	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38D(3)	Power to request copies of any audit reports	EHO, PHRSC	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	DDP, EHO, PHRSC	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO, PHRSC	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, PHRSC	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	DDP, EHO, PHRSC	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, PHRSC	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DDP, EHO, PHRSC	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	EHO, PHRSC	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	DDP, EHO, PHRSC	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, PHRSC	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	EHO, PHRSC	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, PHRSC	

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, PHRSC	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	ND	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	EHO, PHRSC	
s 40F	Power to cancel registration of food premises	DDP, PHRSC	Where Council is the registration authority
s 43	Duty to maintain records of registration	EHO, PHRSC	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, PHRSC	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DDP, PHRSC	Where Council is the registration authority
s 45AC	Power to bring proceedings	EHO, PHRSC	
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, PHRSC	Where Council is the registration authority



Heritage Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, DDP, DM	Must first obtain Executive Director's written consent  Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	ND	If authorised by the Minister

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DDP, DM, PO, PTL	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	DDP, DM	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	DDP, DM, PO, PTL	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DDP, DM, PTL	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	ND	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8A(5)	Function of receiving notice of the Minister's decision	DDP, DM, PTL	
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	DDP, DM	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DDP, DM, PTL	
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	DDP, DM, PO, PTL	
s 12B(1)	Duty to review planning scheme	ND	
s 12B(2)	Duty to review planning scheme at direction of Minister	ND	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	ND	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	ND	
s 17(1)	Duty of giving copy amendment to the planning scheme	DDP, DM, PO, PTL	
s 17(2)	Duty of giving copy s 173 agreement	DDP, DM, PO, PTL	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, DDP, DM, PO, PTL	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DDP, DM, PO, PTL	Until the proposed amendment is approved or lapsed

Planning and Environment Act 1987			
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	DDP, DM, PTL	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DDP, DM, PTL	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CEO, DDP	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DDP, DM, PO, PTL	Until the end of 2 months after the amendment comes into operation or lapses

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21A(4)	Duty to publish notice	DDP, DM, PO, PTL	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, DDP, DM	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	DDP, DM	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DDP, DM	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, DDP, DM, PTL	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DDP, DM, PTL	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DDP, DM, PO, PTL	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DDP, DM, PTL	
s 28(1)	Duty to notify the Minister if abandoning an amendment	DDP, DM, PTL	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DM, PO, PTL	
s 30(4)(a)	Duty to say if amendment has lapsed	DDP, DM, PO, PTL	
s 30(4)(b)	Duty to provide information in writing upon request	DDP, DM, PO, PTL	
s 32(2)	Duty to give more notice if required	DDP, DM, PO, PTL	
s 33(1)	Duty to give more notice of changes to an amendment	DDP, DM, PO, PTL	
s 36(2)	Duty to give notice of approval of amendment	DDP, DM, PO, PTL	
s 38(5)	Duty to give notice of revocation of an amendment	DDP, DM, PTL	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	ND	
s 40(1)	Function of lodging copy of approved amendment	DDP, DM, PO, PTL	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DDP, DM, PO, PTL	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DM, PO, PTL	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DDP, DM, PM, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	ND	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	CEO, DDP	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	DDP, DM	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DDP, DM, PO, PTL	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DDP, DM, PO, PTL	Where Council is a responsible public entity
s 46G(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	DDP, DM	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DDP, DM	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DDP, DM	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DDP, DM	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DDP, DM	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DDP	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DDP, PM	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DDP, PM	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	DDP, PM	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	DDP, PM	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DDP, PM	Where Council is the collecting agency

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

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

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



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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	DDP	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	DDP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	DDP	Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DDP	Where Council is a development agency under an approved infrastructure contributions plan	
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DDP	If the VPA is the collecting agency under an approved infrastructure contributions plan  Where Council is a development agency under an approved infrastructure contributions plan	
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	DDP	Where Council is the development agency under an approved infrastructure contributions plan	
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	DDP	Where Council is the collecting agency under an approved infrastructure contributions plan	
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	DDP	Where Council is the collecting agency under an approved infrastructure contributions plan	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	DDP	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DDP, DM	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	DDP, DM	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land	DDP, DM	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	for a public purpose approved by the Minister or sell the public purpose land		
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	DDP, DM	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	DDP, DM	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	DDP, DCS	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DDP, DCS	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 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	DDP, DCS	Where Council is the collecting agency under an approved infrastructure contributions plan	
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	DDP	Where Council is a collecting agency or development agency	
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DDP	Where Council is a collecting agency or development agency	
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	DDP, DCS		
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DDP, DM, PO, PTL		

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DDP, DM, PO, PTL	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DDP, DM, 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	DDP, DM, PTL	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DDP, DM, PTL	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DDP, DM, PTL	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1)	Duty to keep proper accounts of levies paid	DM, PO, SRO, PTL, DCS	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	DDP, DM, PTL	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	DDP, DM, PTL	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DDP, DM, PTL	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for	DDP, DM, PTL	Must be done within six months of the end of the period required by the development contributions plan



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)		and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DDP, DM, PTL	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	DDP, DM, PTL	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	DDP, DM, PTL	
s 46QD	Duty to prepare report and give a report to the Minister	DDP	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Y	Duty to carry out works in conformity with the approved strategy plan	ND	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CEO, DDP, DM, PTL	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DDP, DM, PO, PTL	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	DDP, DM, PO, PTL	
s 50(4)	Duty to amend application	DDP, DM, PO, PTL	
s 50(5)	Power to refuse to amend application	DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(6)	Duty to make note of amendment to application in register	DM, PO, PTL	
s 50A(1)	Power to make amendment to application	DDP, DM, PO, PTL	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DDP, DM, PO, PTL	
s 50A(4)	Duty to note amendment to application in register	DDP, DM, PO, PTL	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	DDP, DM, PO, PTL	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	DDP, DM, PO, PTL	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DDP, DM, PO, PTL	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DDP, DM, PO, PTL	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DDP, DM, PO, PTL	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DDP, DM, PO, PTL	
s 52(3)	Power to give any further notice of an application where appropriate	DDP, DM, PO, PTL	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DDP, DM, PO, PTL	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DDP, DM, PO, PTL	
s 54(1)	Power to require the applicant to provide more information	DDP, DM, PO, PTL	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1B)	Duty to specify the lapse date for an application	DDP, DM, PO, PTL	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DDP, DM, PO, PTL	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	DDP, DM, PO, PTL	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DDP, DM, PM, PO	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DDP, DM, PO, PTL	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	DDP, DM, PO, PTL	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DDP, DM, PO, PTL	
s 57A(5)	Power to refuse to amend application	DDP, DM, PTL	
s 57A(6)	Duty to note amendments to application in register	DDP, DM, PO, PTL	
s 57B(1)	Duty to determine whether and to whom notice should be given	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DDP, DM, PO, PTL	
s 57C(1)	Duty to give copy of amended application to referral authority	DDP, DM, PO, PTL	
s 58	Duty to consider every application for a permit	DDP, DM, PO, PTL	
s 58A	Power to request advice from the Planning Application Committee	DDP, DM, PO, PTL	
s 60	Duty to consider certain matters	DDP, DM, PO, PTL	
s 60(1A)	Duty to consider certain matters	DDP, DM, PO, PTL	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DDP, DM, PO, 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	DDP, DM, PTL	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006  This Notice of Refusal would follow Councils resolution to refuse the application.
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, DDP, DM, PTL	
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, DDP, DM, PTL	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO, DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, DDP, DM, PO, PTL	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DDP, DM, PTL	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DDP, DM, PO, PTL	
s 62(2)	Power to include other conditions	DDP, DM, PO, PTL	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DDP, DM, PM, PO	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DDP, DM, PO, PTL	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DDP, DM, PO, PTL	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DDP, DM, PO, PTL	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DDP, DM, PO, PTL	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DDP, DM, PO, PTL	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	DDP, DM, PM, PO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	DDP, DM, PM, PO	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DDP, DM, PO, PTL	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DDP, DM, PM, PO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This Notice of Refusal would follow Councils resolution to refuse the application.
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DDP, DM, PTL	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DDP, DM, PO, PTL	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DDP, DM, PM, PO	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DDP, DM, PO, PTL	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(1)	Function of receiving application for extension of time of permit	DDP, DM, PM, PO	
s 69(1A)	Function of receiving application for extension of time to complete development	DDP, DM, PTL	
s 69(2)	Power to extend time	DDP, DM, PO, PTL	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	DDP, DM, PO, PTL	
s 71(1)	Power to correct certain mistakes	DDP, DM, PTL	
s 71(2)	Duty to note corrections in register	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73	Power to decide to grant amendment subject to conditions	DDP, DM, PO, PTL	
s 74	Duty to issue amended permit to applicant if no objectors	DDP, DM, PO, PTL	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DDP, DM, PTL	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DDP, DM, PTL	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DDP, DM, PO, PTL	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DDP, DM, PM, PO	If the recommending referral authority objected to the amendment of the permit or the recommending referral

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DDP, DM, PO, PTL	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DDP, DM, PO, PTL	
s 83	Function of being respondent to an appeal	DDP, DM, PTL	
s 83B	Duty to give or publish notice of application for review	CEO, DDP, DM, 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, DDP, DM, PTL	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DDP, DM, PO, PTL	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DDP, DM, PTL	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	DDP, DM, PTL	
s 84AB	Power to agree to confining a review by the Tribunal	DDP, DM, PO, PTL	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	DDP, DM, PTL	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DDP, DM, PTL	
s 91(2)	Duty to comply with the directions of VCAT	CEO, DDP, DM, PTL	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DDP, DM, PTL	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DDP, DM, PO, PTL	
s 93(2)	Duty to give notice of VCAT order to stop development	DDP, DM, PO, PTL	
s 95(3)	Function of referring certain applications to the Minister	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 95(4)	Duty to comply with an order or direction	DDP, DM, PO, PTL	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, DDP, DM, PO, PTL	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DDP, DM, PO, PTL	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, DDP, DM, PO, 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, DDP, DM, PO, PTL	
s 96F	Duty to consider the panel's report under s 96E	DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	DDP, DM, PTL	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, ND, DDP	
s 96J	Duty to issue permit as directed by the Minister	DDP, DM, PTL	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DDP, DM, PO, PTL	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DDP, DM, PO, PTL	
s 97C	Power to request Minister to decide the application	CEO, ND	

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

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DDP, DM, PTL	
s.107(1)	function of receiving claim for compensation	CEO, DDP, DM, PTL	
s 107(3)	Power to agree to extend time for making claim	CEO, DDP, DM, PTL	
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, DDP, DM, PTL	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, DDP, DM, PO, PTL	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 123(1)	Power to carry out work required by enforcement order and recover costs	DDP, DM, PTL	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DDP, DM, PTL	Except Crown Land
s 129	Function of recovering penalties	DDP, DM, PTL	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, DDP, DM, PTL	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, DDP	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DDP, DM, PTL	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for	CEO, DDP, DM, PTL	Where Council is the relevant planning authority



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)		
s 171(2)(f)	Power to carry out studies and commission reports	CEO, ND, DDP	
s 171(2)(g)	Power to grant and reserve easements	CEO, DDP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DDP	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DDP	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)	DDP	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	ESPM, DI, DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	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	ESPM, DI, DDP, DM, 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, ND, DDP, DM	
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	ND, DDP, DM	
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	ND, DDP, DM	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, DDP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DDP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, DDP	
s 178A(5)	Power to propose to amend or end an agreement	CEO, DDP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DDP, DM, PTL	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DDP, DM, PTL	

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DDP	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, DDP	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, DDP	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CEO, DDP	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, DDP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, DDP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO	
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, DDP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, DDP	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DDP, DM, PTL	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DDP, DM, PTL	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DDP, DM, PTL	
s 182	Power to enforce an agreement	CEO, DDP, DM, PTL	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, DDP	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DDP	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DDP, DM, PTL	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DDP, DM, PTL	
s 184G(2)	Duty to comply with a direction of the Tribunal	DDP, DM, PTL	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184G(3)	Duty to give notice as directed by the Tribunal	DDP, DM, 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	DDP, DM, PTL	
s 198(1)	Function to receive application for planning certificate	DDP, DM, PO, PTL	
s 199(1)	Duty to give planning certificate to applicant	DDP, DM, PO, PTL	
s 201(1)	Function of receiving application for declaration of underlying zoning	DDP, DM, PO, PTL	
s 201(3)	Duty to make declaration	DDP, DM, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	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	DDP, DM, PO, PTL	
	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	DDP, DM, PO, PTL	
	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	DDP, DM, PO, PTL	
	Power to give written authorisation in accordance with a provision of a planning scheme	DDP, DM, PO, PTL	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DDP, DM, PO, PTL	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	ND, DDP, DM	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DDP, MBS, PHRSC	
s 522(1)	Power to give a compliance notice to a person	EHO, MBS, PHRSC	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	CEO	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEO	
s 526A(3)	Function of receiving report of inspection	EHO, MBS, PHRSC	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	EHO, MBS, PHRSC	

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

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(9)(b)	Duty to advise Registrar	ESPM, DI, EAM	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	ESPM, DI, EAM	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	ESPM, DI, EAM	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	ESPM, DI, EAM	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	ND	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(5)	Duty to consider written submissions received within 28 days of notice	ESPM, DI, EAM	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	ESPM, DI, EAM	Function of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	ESPM, DI, EAM	Duty of coordinating road authority where it is the discontinuing body  Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	ESPM, DI, EAM	Duty of coordinating road authority where it is the discontinuing body  Does not apply where an exemption is specified by the regulations or given by the Minister

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	ESPM, DI, EAM	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, DI	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	ESPM, DI, EAM	
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	ESPM, CEO, DI	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	ESPM, CEO, DI	
s 15(2)	Duty to include details of arrangement in public roads register	ESPM, DI, EAM	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	ESPM, CEO, DI	
s 16(8)	Duty to enter details of determination in public roads register	ESPM, DI, EAM	
s 17(2)	Duty to register public road in public roads register	ESPM, DI, EAM	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	ESPM, DI	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	ESPM, DI, EAM	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



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	ESPM, EAM	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	ESPM, DI, EAM	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	ESPM, DI, EAM	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	ESPM, DI, EAM	
s 19(4)	Duty to specify details of discontinuance in public roads register	ESPM, DI, EAM	
s 19(5)	Duty to ensure public roads register is available for public inspection	ESPM, DI, EAM	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21	Function of replying to request for information or advice	ESPM, CEO, DI, EAM	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	ESPM, CEO, DI, EAM	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	ESPM, CEO, DI, EAM	
s 22(5)	Duty to give effect to a direction under s 22	ESPM, DI	
s 40(1)	Duty to inspect, maintain and repair a public road.	ESPM, DI, OM	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	ESPM, DI, OM	

Road Management Act 2004				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	ESPM, EAM		
s 42(1)	Power to declare a public road as a controlled access road	ESPM, DI	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	ESPM, DI	Power of coordinating road authority and sch 2 also applies	
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	ESPM, DI, EAM	Where Council is the coordinating road authority If road is a municipal road or part thereof	
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	ESPM, DI	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	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	ESPM, DI, EAM	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	ESPM, DI, EAM	
s 49	Power to develop and publish a road management plan	ESPM, DI, EAM	
s 51	Power to determine standards by incorporating the standards in a road management plan	ESPM, DI, EAM	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	ND	
s 54(2)	Duty to give notice of proposal to make a road management plan	ESPM, DI, EAM	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	ESPM, DI, EAM	
s 54(6)	Power to amend road management plan	ESPM, DI, EAM	
s 54(7)	Duty to incorporate the amendments into the road management plan	ESPM, DI, EAM	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	ESPM, DI, EAM	
s 63(1)	Power to consent to conduct of works on road	ESPM, DI	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	ESPM, DI	Where Council is the infrastructure manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(1)	Duty to comply with cl 13 of sch 7	ESPM, DI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	ESPM, DI	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	ESPM, DI, EAM	Where Council is the coordinating road authority
s 67(3)	Power to request information	ESPM, DI, EAM	Where Council is the coordinating road authority
s 68(2)	Power to request information	ESPM, DI, EAM	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	ESPM, CEO, DI	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 72	Duty to issue an identity card to each authorised officer	CEO	
s 85	Function of receiving report from authorised officer	ESPM, DI	
s 86	Duty to keep register re s 85 matters	ESPM, DI	
s 87(1)	Function of receiving complaints	ESPM, DI	
s 87(2)	Duty to investigate complaint and provide report	ESPM, CEO, DI, EAM	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, DDP	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 112(2)	Power to recover damages in court	ESPM, CEO, DI, EAM	
s 116	Power to cause or carry out inspection	ESPM, DI, EAM	
s 119(2)	Function of consulting with the Head, Transport for Victoria	ESPM, DI, EAM	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	ESPM, DI	
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)	ESPM, DI, EAM	
s 121(1)	Power to enter into an agreement in respect of works	ESPM, DI	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 122(1)	Power to charge and recover fees	ESPM, DI	
s 123(1)	Power to charge for any service	ESPM, DI	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	ND	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	ND	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	ND	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	ESPM, DI	
sch 2 cl 5	Duty to publish notice of declaration	ESPM, DI, EAM	

Road Management Act 2004				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	ESPM, DI, OM	Where Council is the infrastructure manager or works manager	
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	ESPM, DI, OM	Where Council is the infrastructure manager or works manager	
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	ESPM, DI, EAM, OM	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure	
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	ESPM, DI, EAM	Where Council is the infrastructure manager or works manager	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	ESPM, DI	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	ESPM, DI, OM	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	ESPM, DI, OM	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	ESPM, DI, OM	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	ESPM, DI, OM	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	ESPM, DI, EAM, OM	Where Council is the works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 13(2)	Power to vary notice period	ESPM, DI, EAM	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	ESPM, DI, EAM	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	ESPM, DI, OM	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	ESPM, DI, EAM	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	ESPM, DI, EAM	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	ESPM, DI, EAM	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	ESPM, DI, EAM	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	ESPM, DI, EAM	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	ESPM, DI	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	ESPM, DI, EAM, OM	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	ESPM, DI, OM	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	ESPM, DI, OM	Where Council is the coordinating road authority

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

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

Planning and Environment Regulations 2015		
Provision	Power and Functions Delegated	Delegate
		where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CEO, DDP	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, DDP	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	DM	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	DDP, PHRSC	
r 10	Function of receiving application for registration	EHO, PHRSC	
r 11	Function of receiving application for renewal of registration	DDP, PHRSC	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	DDP, EHO, PHRSC	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DDP, EHO, PHRSC	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, PHRSC	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DDP, PHRSC	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DDP, PHRSC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(4) & (5)	Duty to issue certificate of registration	EHO, PHRSC	
r 14(1)	Function of receiving notice of transfer of ownership	EHO, PHRSC	
r 14(3)	Power to determine where notice of transfer is displayed	EHO, PHRSC	
r 15(1)	Duty to transfer registration to new caravan park owner	EHO, PHRSC	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO, PHRSC	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	EHO, PHRSC	
r 17	Duty to keep register of caravan parks	EHO, PHRSC	
r 18(4)	Power to determine where the emergency contact person's details are displayed	DDP, EHO, PHRSC	
r 18(6)	Power to determine where certain information is displayed	DDP, EHO, PHRSC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	DDP, EHO, PHRSC, CSRO	
r 22(2)	Duty to consult with relevant emergency services agencies	DDP, MERO, MFPO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	DDP, EHO, PHRSC	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	ESPM, DDP, EHO, PHRSC	
r 25(3)	Duty to consult with relevant floodplain management authority	DDP, EHO, PHRSC, PTL	
r 26	Duty to have regard to any report of the relevant fire authority	ESPM, DDP, EHO, MBS, PHRSC	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DDP, EHO, PHRSC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	DDP, EHO, MBS, PHRSC	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DDP, EHO, MBS, PHRSC	
r 41(4)	Function of receiving installation certificate	DDP, EHO, PHRSC	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DDP, EHO, MBS, PHRSC	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DDP, EHO, MBS, PHRSC	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	ESPM, DI, EAM	
r 9(2)	Duty to produce written report of review of road management plan and make report available	ESPM, DI, EAM	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	ESPM, DI, EAM	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	ESPM, DI, EAM	
r 13(1)	Duty to publish notice of amendments to road management plan	ESPM, DI, EAM	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	ESPM, DI, EAM	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 16(3)	Power to issue permit	ESPM, DI, EAM, OM	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	ESPM, DI, EAM	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	ESPM, DI, OM	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	ESPM, DI, EAM, OM	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	ESPM, DI, OM	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))	ESPM, DI, OM	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DI, DDP	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DI	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	DI	Where Council is the coordinating road authority

**INSTRUMENT OF DELEGATION**

**ADDITIONAL S6**

**20 SEPTEMBER 2022**



**Delegation Sources**

- Planning and Environment Act 1987

**Positions**

Abbreviation	Position
CEO	Chief Executive Officer
DDP	Director Development & Planning
DM	Development Manager

## additional S6

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s61(1)A	power to determine permit application, either to decide to grant a permit.	CEO, DDP, DM	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.  Where no objections are received in relation to the permit application.
s61(1)B	power to determine permit application, to decide to grant a permit with conditions.	CEO, DDP, DM	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.  Where no objections are received in relation to the permit application.
s61(1)C	power to determine permit application or to refuse a permit application.	CEO, DDP	the permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.

## **B.22.74 IN-PRINCIPLE ADOPTION OF PERFORMANCE AND FINANCIAL STATEMENTS**

<b>Responsible Officer:</b>	Director Corporate Services
<b>File Number:</b>	S15-28-14
<b>Attachments:</b>	1 Performance Statement 2021/22 2 Annual Financial Report 2021/22

### **Declarations of Interest:**

Bhan Pratap - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

The Local Government Act requires that Council adopt its Annual Statements incorporating the Performance Statement and General Purpose Financial Statements 'in-principle' prior to the Auditor-General issuing an Audit Opinion on the Statements.

Officers have prepared a draft set of Statements, ready for 'in-principle adoption', and request that Council adopt these Statements 'in-principle'.

### **Discussion**

The Performance Statement and General Purpose Financial Statements for 2021/22 have been prepared and presented for audit.

Council's Audit Committee met to review the Draft Statements on 8 September 2022. The Audit Committee recommended that Council adopt the statements 'in-principle'. Accordingly, as required under the Local Government Act these draft statements are attached and are presented to Council for 'in-principle' adoption.

The Auditor-General and Local Government Victoria both accept that adoption is 'in-principle' and is therefore not seen as a certification by Council as to the complete accuracy of the information being adopted.

It is anticipated that the final audit process will be completed shortly after Council adopts the Statements 'in-principle', at which time the Statements will be available for signing by the two appointed Councillors (Cr Moar and Cr McPhee). The Statements can then be included in the Annual Report.

Once signed and an audit opinion is issued by the Victorian Auditor General Office, these statements will form part of Council's Annual Report which will most likely be adopted at the Ordinary Council Meeting on 18 October 2022.

### **Consultation**

Both Financial Statements form part of the Annual Report.

### **Financial Implications**

Not applicable.

### **Social Implications**

Not applicable.

### **Economic Implications**

Not applicable.

### **Environmental Implications**

Not applicable.

### **Risk Management Implications**

Failure to adopt the Statements 'In-Principle' will contravene the Local Government Act.

### **Council Plan Strategy Addressed**

***Governance and leadership*** - Effective and efficient utilisation of resources.

### **Options**

1. Adopt 'in-principle' the Draft Performance Statement and General Purpose Financial Statements for the 2021/22 financial year as presented.
2. Failure to adopt the statements 'in-principle' will delay the audit of the Statements and may put Council outside the deadline for adoption of the Annual Report by the 31 October 2022.

### **Recommendation**

**That Council adopt 'in-principle' the Draft Performance Statement and General Purpose Financial Statements for the 2021/22 financial year as presented.**

**111/22 Motion**

**MOVED Cr Jeffery**

**That Council adopt 'in-principle' the Draft Performance Statement and General Purpose Financial Statements for the 2021/22 financial year as presented.**

**SECONDED Cr Young**

**The Motion was put and CARRIED**



# Part seven

## Performance Statement

## Description of municipality

Swan Hill Rural City Council covers 6,116 square kilometres and is home to 20,159 people.

It includes the townships of Swan Hill, Robinvale, Lake Boga, Nyah, Nyah West, Piangil, Beverford, Woorinen, Ultima, Manangatang and Boundary Bend.

The Swan Hill municipality has experienced significant growth over the past decade, led by the expansion of horticultural/agricultural practices and supported by an innovative manufacturing sector.

This success is depicted by the fact that the region is Australia's largest producer of table grapes, pistachios and olives, responsible for one quarter of all carrots nationwide, a top contributor to the stone fruit industry and accounts for approximately 70 percent of Australia's Almonds and Olive Oil production.

Almost 22 per cent of the total economic output from the region comes from agricultural production.

Irrigated farming (including stone fruit, grapes, nuts, olives and vegetable production) accounts for over 15 per cent of the total economic output for the municipality, while traditional livestock and broadacre farming accounts for almost 5 per cent. More than 17 per cent of all jobs in the city are directly related to agriculture. Additionally food manufacturing (processing) accounts for almost 9 per cent of the municipality's economic output.

Located along the Murray River, tourism plays an important role in our region's\* economy. Our climate and natural beauty attract around 574,000 visitors each year as reported in the Murray Regional Tourism (MRT) Snapshot Report- December 2021.

## Operational summary

A number of different and varying circumstances has influenced the performance results for this year.

The coronavirus pandemic (COVID-19) restrictions have affected our ability to provide business 'as usual' (see commentary under COVID-19).

The Comprehensive Income Statement reports a surplus of \$12.7m. This includes depreciation and other non-monetary contributions, but excludes capital payments of \$16.2m and loan repayments of \$5.2m.

Our operating and capital revenue returned to what would be considered a more normal level of funding this year, following significant increases in the 2021 year as a result of economic stimulus funding received by Council following years of drought and ongoing business disruption caused by the pandemic. A number of these projects were carried forward into the 2022 year Council has endeavored to complete these projects as soon as possible. Many of these projects have been funded by the Local Roads and Community Infrastructure round of funding of which Council received \$1.5m.

Another impact increasing our operational revenue and expenses relates to Council's lead role in administering a Commonwealth Regional Growth Fund on behalf of six partner councils. Our operational income and expenditure includes \$2.6m from this arrangement in 2022.

Council has also been active in residential land development at Tower Hill Estate in Swan Hill; selling all available allotments (\$2.0m). The development continues to be cash-flow positive, and provide a return on investment of \$330k.

## COVID-19

The COVID-19 pandemic has impacted everyone in our community - including front-line workers who deliver our services.

To keep everyone safe, some Council services such as tourism venues, performing arts and library were closed at various times throughout the year. Fortunately, some of the restrictions placed on our services have not been as restrictive as the prior year.

Some of the actions in this report have been impacted by the COVID-19 pandemic in some way, mostly as the result of some operations being closed and scheduled community events being cancelled. However, a significant amount of actions and services were able to continue as Council worked around the restrictions in place and attempted to continue to provide services in a safe and responsible manner.

\*Swan Hill Region includes the Swan Hill Rural City, Gannawarra Shire and Balranald Shire

## PERFORMANCE STATEMENT

## Sustainable Capacity Indicators

Service/indicator/ measure	Results				Material variations
	2019	2020	2021	2022	
<b>Population</b>					
<i>Expenses per head of municipal population</i> [Total expenses/ Municipal population]	\$2,156.36	\$2,362.58	\$2,525.03	\$2,604.00	Declining population and increased operational expenses result in this indicator slowly increasing over the past four years.
<i>Infrastructure per head of municipal population</i> [Value of infrastructure/ Municipal population]	\$18,969.90	\$20,331.95	\$20,751.24	\$24,532.17	As the population of our municipality decreases and the value of our infrastructure assets increase, the value of infrastructure per head of population continues to rise.
<i>Population density per length of road</i> [Municipal population/ Kilometres of local roads]	5.92	5.65	5.62	6.45	The 2022 reduction in population of 375 and the reduced total length of roads of 531Km results in an increase of 0.83Km per head of population.
<b>Own-source revenue</b>					
<i>Own-source revenue per head of municipal population</i> [Own-source revenue/ Municipal population]	\$1,776.90	\$1,763.31	\$1,902.26	\$1,939.98	The past two years Council have sold further stages at the Tower Hill Estate that have been significantly higher than prior years. Sales of \$2.9M (2021) and \$2M (2022), comparing to \$1M in prior years has significantly contributed to the increase in this indicator.



## Sustainable Capacity Indicators cont...

Service/indicator/ measure	Results				Material variations
	2019	2020	2021	2022	
<b>Recurrent grants</b>					
<i>Recurrent grants per head of municipal population</i> [Recurrent grants/Municipal population]	\$526.64	\$569.62	\$586.59	\$677.71	In prior years Council had been in receipt of 50% of the forthcoming years Victorian Grants Commission allocation in June. For the 2022 year Council was prepaid 75% of its 2023 allocation in April, therefore increasing this ratio compared to prior years.
<b>Disadvantage</b>					
<i>Relative socio-economic disadvantage</i> [Index of Relative Socio-economic disadvantage by decile]	2.00	2.00	2.00	2.00	No material variation
<b>Workforce turnover</b>					
<i>Percentage of staff turnover</i> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x 100	New in 2020	10.81%	14.40%	21.16%	Council has an ageing workforce. COVID-19 has had an impact on number of resignations and there has been a higher rate of internal movement during 2021/22 which resulted in a higher turnover.

## Sustainable Capacity Indicator 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 Indicators

## PERFORMANCE STATEMENT

Service/indicator/measure	Results				Material variations
	2019	2020	2021	2022	
<b>Aquatic Facilities</b>					
<b>Utilisation</b>					
<i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	5.57	4.56	3.43	5.58	Increase in utilisation of aquatic facilities in 2021/22 is due to the previous year being affected by several COVID-19 shut down periods.
<b>Animal management</b>					
<b>Health and safety</b>					
<i>Animal management prosecutions</i> [Number of successful animal management prosecutions/ Number of animal management prosecutions] x 100	New in 2020	0.00%	100.00%	0.00%	There were no animal management prosecutions in 2021/22.
<b>Food and safety</b>					
<b>Health and safety</b>					
<i>Critical and major non-compliance outcome notifications</i> [Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises] x 100	81.25%	100.00%	66.67%	40.00%	Staff shortages at critical times led to some non-compliance not being followed up immediately, these are to be reviewed in 2022.
<b>Governance</b>					
<b>Satisfaction</b>					
<i>Satisfaction with Council decisions</i> [Community satisfaction rating out of 100 with how Council has performed in making decisions in the interest of the community]	51	45	48	45	No material variation

## Service Performance Indicators cont...

Service/indicator/measure	Results				Material variations
	2019	2020	2021	2022	
<b>Libraries</b>					
<b>Participation</b>					
<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] x 100	16.90%	16.28%	14.52%	13.35%	Library closures and COVID-19 restrictions have had an impact on the number of active library users. The mobile library was unable to visit a number of stops such as preschools and schools for many months during the 2021/22 period.
<b>Maternal and Child Health</b>					
<b>Participation</b>					
<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] x 100	73.14%	75.04%	80.05%	82.74%	No material variation
<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] x 100	60.08%	66.20%	76.26%	77.50%	No material variation
<b>Roads</b>					
<b>Satisfaction</b>					
<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]	46	44	52	51	No material variation

## PERFORMANCE STATEMENT

Service/indicator/measure	Results				Material variations
	2019	2020	2021	2022	
<b>Statutory Planning</b>					
<b>Decision making</b>					
<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] x 100	0.00%	0.00%	0.00%	0.00%	In 2021/22 one planning application was referred to VCAT and Council's decision was not upheld. Previous years have had no planning applications go to VCAT.
<b>Waste collection</b>					
<b>Waste diversion</b>					
<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] x 100	30.26%	27.67%	29.51%	30.92%	There has been a slight decrease in the tonnages of kerbside collected commingled recycling and general household waste and an increase in the tonnages of kerbside collected garden organics.

## Service Performance Indicator 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 borrower" means a member of a library who has borrowed a book from the library.

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

"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

Dimension/ indicator/measure	Results					Forecasts					Material variations	
	2019	2020	2021	2022	2023	2024	2025	2026				
<b>Efficiency</b>												There is minimal movement in this ratio with yearly movements around 1%. There is however a 4% increase in 2023/24 due to the introduction of the FOGO waste system and the associated increase in costs related to this service.
<b>Expenditure level</b> Expenses per property assessment [Total expenses / Number of property assessments]	\$3,727.22	\$4,051.22	\$4,276.56	\$4,309.14	\$4,237.75	\$4,406.29	\$4,450.89	\$4,496.97				
<b>Revenue level</b> Average rate per property assessment [General rates and Municipal charges / Number of property assessments]	-	\$2,028.86	\$2,060.62	\$2,113.86	\$2,162.25	\$2,227.36	\$2,285.17	\$2,342.57			The average rates and charges per assessment is forecast to increase on average by 2.4% between 2022 and 2026. This is influenced by developments within the municipality, increases in rateable assessments and annual rate increases.	

## PERFORMANCE STATEMENT

Dimension/ indicator/ measure	Results					Forecasts				Material variations
	2019	2020	2021	2022	2023	2024	2025	2026		
<b>Liquidity</b>	380.53%	372.96%	388.38%	417.80%	290.26%	321.61%	312.11%	322.48%		Council is holding unspent cash primarily from government stimulus programs which have improved our liquidity. The ratio will decrease over coming years as stimulus monies is spent in accordance with grant conditions in 2023 and other projects delayed due to these stimulus programs are then undertaken.
<b>Working capital</b> Current assets compared to current liabilities [Current assets / Current liabilities] x100										
<b>Unrestricted cash</b> Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	271.46%	267.21%	266.18%	269.50%	249.60%	275.24%	\$265.03%	275.28%		Unrestricted cash levels continue to remain constant over the forecast years.

## Financial Performance Indicators cont...

Dimension/indicator/ measure	Results					Forecasts				Material variations
	2019	2020	2021	2022	2023	2024	2025	2026		
<b>Obligations</b>	28.99%	28.35%	27.00%	8.81%	7.72%	6.52%	5.34%	2.89%		Council repaid an interest only loan of \$4.795M in 2021/22 and has no further borrowings forecast. This ratio will continue to reduce until all loans are paid out in 2030/31.
<b>Loans and borrowings</b> <i>Loans and borrowings compared to rates</i> [Interest and principle repayments on Interest bearing loans and borrowings / Rate revenue] x100										
<b>Loans and borrowings repayments compared to rates</b> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	3.03%	3.01%	3.08%	17.93%	1.12%	1.06%	1.01%	2.42%		Council repaid an interest only loan of \$4.795M in 2021/22. This is a significant variance to past and future years results as Council has not had an interest only loan of this size previously. Council has another interest only loan of \$500K due for repayment in 2026 which explains the percentage movement in that year.

PERFORMANCE STATEMENT

Dimension/indicator/ measure	Results					Forecasts				Material variations
	2019	2020	2021	2022	2023	2024	2025	2026		
<b>Indebtedness</b> Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	23.82%	25.82%	11.54%	14.70%	9.16%	8.37%	6.14%	5.28%	Council has continued its plan of no future borrowings from the 2021 year, therefore this ratio will continue to reduce until all loans are repaid in full in the 2030/31 year. The increase in 2022 is the result of an adjustment to our landfill remediation provision following a revision of our remediation requirements and costings for the Swan Hill Landfill site.	
<b>Asset renewal and upgrade</b> Asset renewal and upgrade compared to depreciation [Asset renewal and upgrade expense / Asset depreciation] x100	-	93.29%	101.54%	95.15%	122.19%	83.68%	71.61%	91.33%	Delays in a number of capital renewal projects in 2022 had an impact on the reduced ratio. Future years will see this ratio fluctuate dependant upon projects scheduled in our capital works plan and whether they are renewal/upgrade or new assets. Significant new assets within the year reduce available funding for renewal/upgrade projects.	



## Financial Performance Indicators cont...

Dimension/indicator/ measure	Results					Forecasts				Material variations
	2019	2020	2021	2022	2023	2024	2025	2026		
<b>Operating position</b>	8.38%	5.01%	12.71%	6.32%	6.47%	1.84%	2.27%	2.34%	The 2020/21 year included a significant value of grant funding for Economic Stimulus purposes to assist the economy from the effects of the COVID-19 pandemic. As these funds have not continued to be received this result returns to a more normal level.	
<b>Adjusted underlying result</b>										
<i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100										
<b>Stability</b>	55.93%	54.30%	48.54%	53.06%	55.15%	57.83%	59.89%	60.84%	The 2020/21 result included an increase in the level of non-recurrent operating grants to the value of \$5.1M. These were received for a number of economic stimulus programs. The 2021/22 year has returned to a more normal level of grant funding and the movements for the forecast years are between 1%-3%.	
<b>Rates concentration</b>										
<i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100										

PERFORMANCE STATEMENT

Dimension/ indicator/measure	Results					Forecasts				
	2019	2020	2021	2022		2023	2024	2025	2026	Material variations
<b>Rates effort</b> <i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality ] x100	0.69%	0.65%	0.64%	0.62%		0.62%	0.63%	0.65%	0.66%	This indicator maintains a very steady level of rates as a percentage of property values.

## Former Indicators

Service/indicator/measure	Results		
	2018	2019	2020
<b>Animal management</b>			
<b>Health and safety</b>			
<i>Animal management prosecutions</i> [Number of successful animal management prosecutions]	2	0	Retired in 2020.
<b>Efficiency</b>			
<b>Revenue level</b>			
<i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	\$1,636.84	\$1,690.08	Retired in 2020.
<b>Obligations</b>			
<b>Asset renewal</b>			
<i>Asset renewal compared to depreciation</i> [Asset renewal expenses / Asset depreciation] x100	90.90%	116.77%	Retired in 2020.

## Financial Performance Indicator definitions

"adjusted underlying revenue" means total income other than:

- non-recurrent grants used to fund capital expenditure; and
- non-monetary asset contributions; and
- contributions to fund capital expenditure from sources other than those referred to above.

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

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

"current assets" has the same meaning as in the Australian Accounting Standards (AAS).

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

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

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

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

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

"population" means the resident population estimated by 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.

## PERFORMANCE STATEMENT

## Other information

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

The forecast figures included in the performance statement are those adopted by Council in its financial plan on 20 July 2021 and which forms part of the Council Plan. The financial plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The financial plan can be obtained by contacting Council.

Certification of the performance statement

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

.....

Bhan Pratap CPA  
**Principal Accounting Officer**

**Dated:**

In our opinion, the accompanying performance statement of the Swan Hill Rural City 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.

.....

William Moar  
**Councillor (Acting Mayor)**

**Dated:**

.....

Les McPhee  
**Councillor**

**Dated:**

.....

Scott Barber  
**Chief Executive Officer**

**Dated:**

PERFORMANCE STATEMENT

Auditor General's Report - Performance Statement



# Swan Hill Rural City Council

ANNUAL FINANCIAL REPORT  
for the year ended 30 June 2022

---





## Swan Hill Rural City Council

2021/2022 Financial Report

## Annual Financial Report

for the year ended 30 June 2022

Contents	Page
<b>Certification of the Financial Statements</b>	<b>3</b>
<b>Victorian Auditor-General's Office Report</b>	<b>4</b>
<b>Understanding Council's Financial Statements</b>	<b>6</b>
<b>Financial Statements</b>	
Comprehensive Income Statement	7
Balance Sheet	8
Statement of Changes in Equity	9
Statement of Cash Flows	10
Statement of Capital Works	11
<b>Notes to the Financial Statements</b>	
<b>Note 1 Overview</b>	<b>12</b>
<b>Note 2 2.1 Performance against budget</b>	<b>14</b>
2.1.1 Income and expenditure	14
2.1.2 Capital works	16
<b>2.2 Analysis of Council results by program</b>	<b>18</b>
<b>Note 3 Funding for the delivery of our services</b>	<b>19</b>
3.1 Rates and charges	19
3.2 Statutory fees and fines	20
3.3 User fees	20
3.4 Funding from other levels of government	21
3.5 Contributions	24
3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment	24
3.7 Other income	24
<b>Note 4 The cost of delivering services</b>	<b>25</b>
4.1 Employee costs	25
4.2 Materials and services	25
4.3 Depreciation	26
4.4 Amortisation – right of use assets	26
4.5 Bad and doubtful debts	27
4.6 Borrowing costs	27
4.7 Finance costs – leases	27
4.8 Other expenses	28
<b>Note 5 Our financial position</b>	<b>29</b>
5.1 Financial assets	29
5.2 Non-financial assets	32
5.3 Payables, trust funds and deposits and unearned income/revenue	33
5.4 Interest-bearing liabilities	34
5.5 Provisions	35
5.6 Financing arrangements	36
5.7 Commitments	37

continued on next page ...

Page 1

## Swan Hill Rural City Council

2021/2022 Financial Report

## Annual Financial Report

for the year ended 30 June 2022

---

Contents	Page
5.8 Leases	40
<b>Note 6 Assets we manage</b>	<b>43</b>
6.1 Property, infrastructure, plant and equipment	43
<b>Note 7 People and relationships</b>	<b>51</b>
7.1 Council and key management remuneration	51
7.2 Related party disclosure	53
<b>Note 8 Managing uncertainties</b>	<b>54</b>
8.1 Contingent assets and liabilities	54
8.2 Change in accounting standards	55
8.3 Financial instruments	55
8.4 Fair value measurement	57
8.5 Events occurring after balance date	58
<b>Note 9 Other matters</b>	<b>59</b>
9.1 Reserves	59
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	61
9.3 Superannuation	61
<b>Note 10 Errors and changes in accounting estimates</b>	<b>64</b>

---

## Swan Hill Rural City Council

2021/2022 Financial Report

## Annual Financial Report

for the year ended 30 June 2022

---

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.

---

Bhan Pratap CPA  
**Principal Accounting Officer**  
**Date:**  
Swan Hill Rural City Council

In our opinion, the accompanying financial statements present fairly the financial transactions of Swan Hill Rural City 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 which 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.

---

Mr William Moar  
**Councillor (Mayor)**  
**Date:**  
Swan Hill Rural City Council

---

Mr Les McPhee  
**Councillor**  
**Date:**  
Swan Hill Rural City Council

---

Mr Scott Barber  
**Chief Executive Officer**  
**Date:**  
Swan Hill Rural City Council

Swan Hill Rural City Council

2021/2022 Financial Report

Annual Financial Report  
for the year ended 30 June 2022

Victorian Auditor-General's Office Report

---

Insert VAGO Report here

Swan Hill Rural City Council

2021/2022 Financial Report

Annual Financial Report  
for the year ended 30 June 2022

Victorian Auditor-General's Office Report (continued)

---

Insert VAGO Report here

## Swan Hill Rural City Council

2021/2022 Financial Report

### Annual Financial Report

for the year ended 30 June 2022

## Understanding Council's Financial Statements

---

### Introduction

Each year, individual Local Governments across Victoria are required to present a set of audited financial statements to their council and community.

### What you will find in the Report

The financial report set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2022.

The format of the financial report is standard across all Victorian Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by Local Government Victoria.

### About the Certification of the Financial Statements

The financial statements must be certified by senior staff and Councillors as "presenting fairly" the Council's financial results for the year as well as Council's financial position, and are required to be adopted by Council - ensuring both responsibility for and ownership of the financial statements.

### About the Primary Financial Statements

The financial statements incorporate 5 "primary" financial statements:

#### 1. Comprehensive Income Statement

Summarises Council's financial performance for the year, listing all income & expenses.

Includes other comprehensive income which primarily records changes in the fair values of Council's property, infrastructure, plant and equipment.

#### 2. Balance Sheet

A 30 June snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

#### 3. Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net wealth".

#### 4. Statement of Cash Flows

Indicates where Council's cash came from and where it was spent.

#### 5. Statement of Capital Works

This statement details all amounts expended by Council on capital works.

### About the Notes to the Financial Report

The Notes to the financial statements provide greater detail and additional information on the 5 primary financial statements.

### About the Auditor's Reports

Council's financial statements are required to be audited by the Victorian Auditor General's office.

The auditor provides an audit report which gives an opinion on whether the financial statements present fairly the Council's financial performance and position.

### Who uses the Financial Report?

The financial report is a publicly available document and is used by (but not limited to) Councillors, residents and ratepayers, employees, suppliers, contractors, customers, Local Government Victoria, state and federal governments, and financiers including banks and other financial institutions.

The financial statements must be presented at a Council meeting no later than 1 month after submitting the annual report to the Minister.

Swan Hill Rural City Council  
 Comprehensive Income Statement  
 for the year ended 30 June 2022

2021/2022 Financial Report

	Notes	2022 \$ '000	2021 \$ '000
<b>Income</b>			
Rates and charges	3.1	30,101	29,200
Statutory fees and fines	3.2	1,077	1,106
User fees	3.3	4,156	4,002
Grants - operating	3.4	15,307	17,927
Grants - capital	3.4	10,452	13,588
Contributions - monetary	3.5	295	342
Contributions - non monetary	3.5	39	10
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.6	211	554
Other income	3.7	3,563	4,199
<b>Total income</b>		<b>65,201</b>	<b>70,928</b>
<b>Expenses</b>			
Employee costs	4.1	20,468	20,083
Materials and services	4.2	20,614	19,710
Depreciation	4.3	9,911	9,756
Amortisation - right of use assets	4.4	424	406
Bad and doubtful debts	4.5	70	6
Borrowing costs	4.6	163	322
Finance costs - leases	4.7	24	27
Other expenses	4.8	820	1,539
<b>Total expenses</b>		<b>52,494</b>	<b>51,849</b>
<b>Surplus/(deficit) for the year</b>		<b>12,707</b>	<b>19,079</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/(decrement)	6.1	69,524	1,925
<b>Total other comprehensive income</b>		<b>69,524</b>	<b>1,925</b>
<b>Total comprehensive result</b>		<b>82,231</b>	<b>21,004</b>

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

## Swan Hill Rural City Council

2021/2022 Financial Report

## Balance Sheet

as at 30 June 2022

	Notes	2022 \$ '000	2021 \$ '000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1	10,590	18,698
Trade and other receivables	5.1	3,936	3,352
Other financial assets	5.1	40,554	32,954
Inventories	5.2	231	93
Other assets	5.2	319	165
<b>Total current assets</b>		<b>55,630</b>	<b>55,262</b>
<b>Non-current assets</b>			
Trade and other receivables	5.1	—	13
Property, infrastructure, plant and equipment	6.1	571,739	496,804
Right-of-use assets	5.8	408	444
Intangible assets	5.2	3,840	3,072
Other assets	5.2	50	50
<b>Total non-current assets</b>		<b>576,037</b>	<b>500,383</b>
<b>Total assets</b>		<b>631,667</b>	<b>555,645</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3	3,025	3,265
Trust funds and deposits	5.3	468	284
Unearned income/revenue	5.3	4,276	6,545
Provisions	5.5	5,016	5,233
Interest-bearing liabilities	5.4	271	5,168
Lease liabilities	5.8(b)	259	269
<b>Total current liabilities</b>		<b>13,315</b>	<b>20,764</b>
<b>Non-current liabilities</b>			
Provisions	5.5	3,234	1,674
Interest-bearing liabilities	5.4	2,347	2,618
Lease liabilities	5.8(b)	167	216
<b>Total non-current liabilities</b>		<b>5,748</b>	<b>4,508</b>
<b>Total liabilities</b>		<b>19,063</b>	<b>25,272</b>
<b>Net assets</b>		<b>612,604</b>	<b>530,373</b>
<b>Equity</b>			
Accumulated surplus		331,162	318,455
Reserves	9.1	281,442	211,918
<b>Total Equity</b>		<b>612,604</b>	<b>530,373</b>

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



## Swan Hill Rural City Council

2021/2022 Financial Report

Statement of Changes in Equity  
for the year ended 30 June 2022

	Note	Total \$ '000	Accumulated Surplus \$ '000	Revaluation Reserves \$ '000
<b>2022</b>				
<b>Balance at beginning of the financial year</b>		530,373	318,455	211,918
<b>Surplus/(deficit) for the year</b>		12,707	12,707	–
<b>Other comprehensive income</b>				
Net asset revaluation increment/(decrement)	6.1	69,524	–	69,524
<b>Other comprehensive income</b>		69,524	–	69,524
<b>Total comprehensive income</b>		82,231	12,707	69,524
Transfers to other reserves	9.1	–	–	–
Transfers from other reserves	9.1	–	–	–
<b>Balance at end of the financial year</b>		612,604	331,162	281,442
<b>2021</b>				
<b>Balance at beginning of the financial year</b>		515,904	305,911	209,993
Correction of prior period errors – retrospective	11.1	(6,535)	(6,535)	–
<b>Surplus/(deficit) for the year</b>		19,079	19,079	–
<b>Other comprehensive income</b>				
Net asset revaluation increment/(decrement)	6.1	1,925	–	1,925
<b>Other comprehensive income</b>		1,925	–	1,925
<b>Total comprehensive income</b>		21,004	19,079	1,925
Transfers to other reserves	9.1	–	–	–
Transfers from other reserves	9.1	–	–	–
<b>Balance at end of the financial year</b>		530,373	318,455	211,918

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

## Swan Hill Rural City Council

2021/2022 Financial Report

## Statement of Cash Flows

for the year ended 30 June 2022

		2022	2021
		Inflows/ (Outflows)	Inflows/ (Outflows)
	Notes	\$ '000	\$ '000
<b>Cash flows from operating activities</b>			
Rates and charges		29,336	29,152
Statutory fees and fines		1,077	1,106
User fees		4,165	4,000
Grants - operating		17,043	17,417
Grants - capital		6,438	11,888
Contributions - monetary		295	342
Interest received		452	433
Trust funds and deposits taken		184	(8)
Other receipts		3,167	5,163
Net GST refund/payment		2,664	2,320
Employee costs		(20,274)	(20,155)
Materials and services		(21,116)	(19,345)
Other payments		(2,201)	(3,522)
<b>Net cash provided by/(used in) operating activities</b>	9.2	<u>21,230</u>	<u>28,791</u>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment	6.1	(16,241)	(14,586)
Proceeds from sale of property, infrastructure, plant and equipment		305	577
Payments for investments		(7,600)	(6,625)
<b>Net cash provided by/(used in) investing activities</b>		<u>(23,536)</u>	<u>(20,634)</u>
<b>Cash flows from financing activities</b>			
Finance costs		(163)	(322)
Proceeds from borrowings		-	500
Repayment of borrowings		(5,168)	(565)
Interest paid - lease liability		(24)	(27)
Repayment of lease liabilities		(447)	(426)
<b>Net cash flow provided by/(used in) financing activities</b>		<u>(5,802)</u>	<u>(840)</u>
<b>Net increase (decrease) in cash and cash equivalents</b>		<u>(8,108)</u>	<u>7,317</u>
Cash and cash equivalents at the beginning of the financial year		18,698	11,381
<b>Cash and cash equivalents at the end of the financial year</b>		<u>10,590</u>	<u>18,698</u>
Financing arrangements	5.6	2,818	7,986
Restrictions on cash assets	5.1	468	284

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

## Swan Hill Rural City Council

2021/2022 Financial Report

## Statement of Capital Works

for the year ended 30 June 2022

	2022	2021
	\$ '000	\$ '000
<b>Property</b>		
Land	1,298	461
<b>Total land</b>	<u>1,298</u>	<u>461</u>
Buildings	2,317	1,775
<b>Total buildings</b>	<u>2,317</u>	<u>1,775</u>
<b>Total property</b>	<u>3,615</u>	<u>2,236</u>
<b>Plant and equipment</b>		
Plant, machinery and equipment	1,688	958
Fixtures, fittings and furniture	19	168
Computers and telecommunications	61	124
Library books	131	103
Artworks	12	7
<b>Total plant and equipment</b>	<u>1,911</u>	<u>1,360</u>
<b>Infrastructure</b>		
Sealed Roads	5,313	4,978
Unsealed Roads	2,165	1,554
Footpaths and cycleways	781	160
Drainage	1,133	876
Recreational, leisure and community facilities	38	1,648
Waste management	25	-
Parks, open space and streetscapes	1,106	505
Other infrastructure	110	1,199
<b>Total infrastructure</b>	<u>10,671</u>	<u>10,920</u>
<b>Total capital works expenditure</b>	<u>16,197</u>	<u>14,516</u>
<b>Represented by:</b>		
New asset expenditure	6,767	4,610
Asset renewal expenditure	7,807	8,949
Asset upgrade expenditure	1,623	957
<b>Total capital works expenditure</b>	<u>16,197</u>	<u>14,516</u>

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

## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 1. Overview

##### Introduction

The Swan Hill Rural City Council was established by an Order of the Governor in Council on 20 January 1995 and is a body corporate.

The Council's main office is located at 45 Splatt St Swan Hill.

##### 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 Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

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

##### Significant accounting policies

###### (a) Basis of accounting

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

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

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

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

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

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

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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 1. Overview (continued)

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

The Coronavirus (Covid-19) was declared a world-wide pandemic by the World Health Organisation in March 2020. Covid-19 and the highly infectious delta variant has continued to plague the Australian and local economy.

At the date of preparation of these financial statements, the impact of the coronavirus pandemic is ongoing, with lockdown restrictions often reoccurring. The speed and recovery of economic activity is largely dependent on measures introduced by both State and Federal Governments, such as restrictions on movement, the roll out of vaccines, and stimulus support packages.

The Covid-19 pandemic continues to present new challenges and the Government's economic support continues to evolve. Australia's economy despite earlier grim predictions has to the contrary rapidly rebounded, to grow larger than it was before the pandemic.

Covid-19, as well as measures including government directives to slow the spread of the virus in Australia, have impacted Council operations in the following areas:

- The leisure centre facilities, library, art gallery, town hall and public halls, community centres, municipal offices and the Pioneer Settlement (museum) were closed to the public during stage 4 & 5 restrictions. These closures resulted in a redeployment of Council staff from closed facilities to other Council roles and lead to a number of unavoidable and unfortunate stand-downs. User charge based items such as parking meters and associated fines have also reduced due to the stay at home measures. Closure of some of Council's facilities and reduction in user fees and charges has resulted in a continued decrease in Council's revenue and decrease in employment and other costs.
- Many major operational projects and budgeted capital expenditure projects have been delayed due to difficulties in recruiting staff and engaging contractors.
- Unprecedented building activity resulted in additional revenue from building and planning fees.
- The Pioneer Settlement was closed for 115 days during 2020/21 due to the pandemic. These closures significantly impacted the revenue of the tourist attraction. For the periods the Pioneer Settlement was able to operate there was very good attendance at the attraction, so once restrictions begin to lift we hope to see good patronage and an increase in revenue.
- Council received government stimulus funding under a number of initiatives during the year. The State government funded Working For Victoria Jobs program, provided employment opportunities for 54 people for up to six months (\$1.8m), and Council received approval to engage 20% from our stood-down workforce (10.8 EFT).

The above impacts on the financial statements for the year ended 30 June 2022, have led to a reduction in income and expenditure in many areas, but has not resulted in a negative impact to Council's 30 June 2022 financial result.

Given the dynamic and evolving nature of Covid-19, recent experience of the economic and financial impacts of the pandemic have not adversely affected our financial position. Changes to the estimates and judgements that have been applied in the measurement of assets and liabilities may arise in the future. Other than adjusting events that provide evidence of conditions that exists at the end of the reporting period, the impact of events that arise after the reporting period will be accounted for in future periods.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 2.1. Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$1,000,000 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*.

	Budget 2022 \$ '000	Actual 2022 \$ '000	Variance \$ '000	Variance %	Ref
<b>2.1.1 Income and expenditure</b>					
<b>Income</b>					
Rates and charges	30,022	30,101	79	0%	
Statutory fees and fines	1,045	1,077	32	3%	
User fees	4,539	4,156	(383)	(8)%	
Grants - operating	11,565	15,307	3,742	32%	1
Grants - capital	11,281	10,452	(829)	(7)%	
Contributions - monetary	255	295	40	16%	2
Contributions - non monetary	-	39	39	∞	3
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	332	211	(121)	(36)%	4
Other income	3,335	3,563	228	7%	
<b>Total income</b>	<b>62,374</b>	<b>65,201</b>	<b>2,827</b>	<b>5%</b>	
<b>Expenses</b>					
Employee costs	21,407	20,468	939	4%	
Materials and services	17,386	20,614	(3,228)	(19)%	5
Depreciation	11,183	9,911	1,272	11%	6
Amortisation - right of use assets	240	424	(184)	(77)%	7
Bad and doubtful debts	2	70	(68)	(3,400)%	8
Borrowing costs	198	163	35	18%	9
Finance costs - leases	18	24	(6)	(33)%	10
Other expenses	1,200	820	380	32%	11
<b>Total expenses</b>	<b>51,634</b>	<b>52,494</b>	<b>(860)</b>	<b>(2)%</b>	
<b>Surplus/(deficit) for the year</b>	<b>10,740</b>	<b>12,707</b>	<b>1,967</b>	<b>18%</b>	

continued on next page ...

Page 14

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 2.1. Performance against budget (continued)

## (i) Explanation of material variations

Variance	Explanation
Ref	

- |     |  |
|-----|--|
| 1.  | This variance relates to additional funds received for the Our Region Our Rivers project. These funds were received by Council and passed on to partner Councils as their projects were completed.   |
| 2.  | User group contributions budgeted for in 2020/21 were received in 2021/22.   |
| 3.  | Council received Artworks donated to the Gallery Collection. Donation of assets is not budgeted for.   |
| 4.  | The written down value of plant and equipment was higher than forecast. The majority of plant and equipment renewed during 2021/22 had not been fully depreciated.   |
| 5.  | The majority of this variance (\$2,465,000) relates to works budgeted as capital expenditure, but deemed not to meet capitalisation thresholds and requirements and was therefore expensed. The variance is also affected by an increase in the Landfill provision of (\$1,441,000). |
| 6.  | Budget forecast higher levels of capital works being completed during the 2021/22 financial year.  |
| 7.  | The increase in amortisation is attributed to new leases for the Swan Hill Regional Information Centre and Maternal and Child Health Centre during this financial year.  |
| 8.  | An increased provision is required due to an increase in trade and other receivables.  |
| 9.  | Actual borrowing costs included \$29,000 of accrual reversal from 2020/21.   |
| 10. | Finance costs increased due to the new leases for the Swan Hill Regional Information Centre and Maternal and Child Health Centre.  |
| 11. | The budget allows for the full value of operating lease costs and doesn't factor in the unwinding of the lease liability.  |

continued on next page ...

Page 15

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 2.1. Performance against budget (continued)

	Budget 2022 \$ '000	Actual 2022 \$ '000	Variance \$ '000	Variance %	Ref
<b>2.1.2 Capital works</b>					
<b>Property</b>					
Land	3,409	1,298	(2,111)	(62)%	1
<b>Total land</b>	<b>3,409</b>	<b>1,298</b>	<b>(2,111)</b>	<b>(62)%</b>	
Buildings	8,511	2,317	(6,194)	(73)%	2
<b>Total buildings</b>	<b>8,511</b>	<b>2,317</b>	<b>(6,194)</b>	<b>(73)%</b>	
<b>Total property</b>	<b>11,920</b>	<b>3,615</b>	<b>(8,305)</b>	<b>(70)%</b>	
<b>Plant and equipment &amp; Culture and heritage</b>					
Plant, machinery and equipment	1,414	1,688	274	19%	3
Fixtures, fittings and furniture	63	19	(44)	(70)%	4
Computers and telecommunications	250	61	(189)	(76)%	5
Library books	155	131	(24)	(15)%	6
Artworks	–	12	12	∞	7
<b>Total plant and equipment &amp; Culture and heritage</b>	<b>1,882</b>	<b>1,911</b>	<b>29</b>	<b>2%</b>	
<b>Infrastructure</b>					
Sealed Roads	6,613	5,313	(1,300)	(20)%	8
Unsealed Roads	1,295	2,165	870	67%	9
Footpaths and cycleways	115	781	666	579%	10
Drainage	121	1,133	1,012	836%	11
Recreational, leisure and community facilities	175	38	(137)	(78)%	12
Waste management	22	25	3	14%	13
Parks, open space and streetscapes	1,134	1,106	(28)	(2)%	
Other infrastructure	3,078	110	(2,968)	(96)%	14
<b>Total infrastructure</b>	<b>12,553</b>	<b>10,671</b>	<b>(1,882)</b>	<b>(15)%</b>	
<b>Total capital works expenditure</b>	<b>26,355</b>	<b>16,197</b>	<b>(10,158)</b>	<b>(39)%</b>	
<b>Represented by:</b>					
New asset expenditure	14,017	6,767	(7,250)	(52)%	
Asset renewal expenditure	11,055	7,807	(3,248)	(29)%	
Asset upgrade expenditure	1,283	1,623	340	27%	
<b>Total capital works expenditure</b>	<b>26,355</b>	<b>16,197</b>	<b>(10,158)</b>	<b>(39)%</b>	

continued on next page ...

Page 16



## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 2.1. Performance against budget (continued)

## (i) Explanation of material variations

Variance Ref	Explanation
1.	The budget allowed (\$1,659,000) for the development of Tower Hill. The funds were spent and the works capitalised as drainage and sealed roads. The budget also included works on Robinvale Housing Strategy of \$1,750,000, of this \$830,000 was spent to 30 June 2022.
2.	The budget allowed (\$6,207,000) for the Our Place building, with only design and consultation works being undertaken to date.
3.	A grant of \$267,000 was received in 2020/21 for the purchase of a new Library van, the variance is due to the expenditure relating to the Library van purchase.
4.	The budget included the fit out of Robinvale Library, these works were expensed due to being under capitalisation thresholds. Actual expenditure relates to renewal of the IT server room air-conditioning.
5.	The budget included \$120,000 to implement recommendations of the IT Strategy, \$68,000 of this remains unspent and will be carried forward into 2022/23. Expenditure of \$146,000 was expensed due to being below capitalisation thresholds.
6.	Purchases made to provide non-book material for the new Library in Robinvale were made from the library collection capital purchases budget. These were expensed to 'materials and services', as they could not be capitalised in accordance with our asset recognition thresholds and useful life criteria.
7.	Council was able to purchase a number of works funded by donations to the Art Gallery acquisitions trust.
8.	Sealed roads budget included \$1,598,000 for carparking at the Art Gallery, which was not complete at the end of the financial year.
9.	This variance is due to \$1,078,000 of Aerodrome runway works being capitalised to unsealed roads.
10.	The majority of this variance relates to expenditure for McCallum Street footpath of \$360,000, Anniversary Drive \$108,000 and Campbell Street Reconstruction of \$110,000.
11.	The majority of the variance relates to works completed on Robinvale Town Levee of \$663,000 and drainage works at Tower Hill of \$360,000.
12.	The budget includes \$125,000 for Swan Hill Outdoor Pool preliminary designs of which \$24,000 has been spent. The Robinvale Recreation Reserve change rooms are now complete.
13.	Waste Management expenditure relates to preliminary works on the Ultima Compost Facility establishment. The budgeted Swan Hill Landfill boundary fence replacement is not yet complete.
14.	Other Infrastructure budgeted included \$2,443,000 for the Swan Hill Aerodrome Reconstruction and \$375,000 for the Vibrant Villages project. Aerodrome works were capitalised to sealed and unsealed roads, and the majority of Vibrant Villages works were expensed due to being under capitalisation thresholds.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 2.2. Analysis of Council results by program

## 2.2.1 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

**Economic growth**

Economic growth will encourage new business development, provide support for business expansion and will continuously seek to help our existing businesses to prosper. This function provides, building and planning statutory services, management of caravan parks, economic development programs, regulatory services and parking control, management of the Pioneer Settlement and regional visitor information centre.

**Community enrichment**

Community enrichment function will provide a range of services to individuals and to the broader community that assist all in our community to live healthy, fulfilling lives. We will embrace our role as a regional centre by providing a range of cultural opportunities. The community enrichment function includes aged care services, maternal and child health, after school and vacation programs, libraries, art gallery and performing arts.

**Infrastructure**

Infrastructure will provide and maintain publicly accessible infrastructure that is appropriate for the community's needs in the most effective and efficient manner possible. The infrastructure function is responsible for constructing new infrastructure and maintaining existing infrastructure across the municipality.

**Governance and leadership**

Governance and leadership provides efficient, effective and proactive support services across Council to enable the delivery of policy commitments, Council vision and mission. The function will plan for our municipality's long term growth and development by committing to a robust program of strategic planning while representing our community's interests and conducting our affairs openly and with integrity, reflecting the high levels of governance our community expects.

## 2.2.2 Summary of income, expenses, assets and capital expenses by program

Functions/activities	Income \$ '000	Expenses \$ '000	Surplus / (Deficit) \$ '000	Grants included in income \$ '000	Total assets \$ '000
<b>2022</b>					
Economic Growth	15,189	14,645	544	11,141	9,217
Community enrichment	5,079	8,095	(3,016)	3,716	2,781
Infrastructure	13,899	19,857	(5,958)	6,911	563,060
Governance and leadership	31,034	9,897	21,137	3,991	56,609
<b>Total functions and activities</b>	<b>65,201</b>	<b>52,494</b>	<b>12,707</b>	<b>25,759</b>	<b>631,667</b>
<b>2021</b>					
Economic Growth	15,907	16,848	(941)	12,646	9,314
Community enrichment	4,409	6,933	(2,524)	3,715	2,746
Infrastructure	13,697	20,403	(6,706)	9,639	486,774
Governance and leadership	36,915	7,665	29,250	5,515	56,811
<b>Total functions and activities</b>	<b>70,928</b>	<b>51,849</b>	<b>19,079</b>	<b>31,515</b>	<b>555,645</b>

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 3. Funding for the delivery of our services

	2022	2021
	\$ '000	\$ '000

## 3.1 Rates and charges

Council uses Capital Improved Value as the basis of valuation of all properties within the municipal district. The Capital Improved Value of a property is the value of its land, buildings and improvements.

The valuation base used to calculate general rates for 2021/22 was \$4,756 million (2020/21 \$4,437 million).

Residential	11,052	10,724
Commercial	1,638	1,555
Industrial	879	913
Farm/rural	11,998	11,853
Supplementary rates and rate adjustments	192	71
Garbage charge	3,680	3,545
Special Marketing Rates	370	366
Rate agreements - Electricity Industry Act	296	291
Abandonments	(18)	(15)
Other	14	(103)
<b>Total rates and charges</b>	<b>30,101</b>	<b>29,200</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2021, and the valuation will be 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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>3.2 Statutory fees and fines</b>		
Infringements and costs	65	39
Building and planning fees	676	750
Animal registration and release fees	160	163
Health registration fees	99	91
Other fees and fines	77	63
<b>Total statutory fees and fines</b>	<b>1,077</b>	<b>1,106</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.

**3.3 User fees**

Aged and health services	760	695
Administration fees	134	151
Child care/children's programs	120	105
Parking	177	144
Sales - Admissions	1,239	896
Sales - merchandising, catering, other sales	446	379
Hire & Leasing fees	637	531
Livestock Exchange	429	552
Other fees and charges	214	549
<b>Total user fees</b>	<b>4,156</b>	<b>4,002</b>
<b>User fees by timing of revenue recognition</b>		
User fees recognised over time	637	531
User fees recognised at a point in time	3,519	3,471
<b>Total user fees</b>	<b>4,156</b>	<b>4,002</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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 3. Funding for the delivery of our services (continued)

	2022	2021
	\$ '000	\$ '000

## 3.4 Funding from other levels of government

Grants were received in respect of the following:

**Summary of grants**

Commonwealth funded grants	17,439	18,319
State funded grants	8,320	13,196
<b>Total grants received</b>	<b>25,759</b>	<b>31,515</b>

**(a) Operating Grants****Recurrent - Commonwealth Government**

Financial Assistance Grants - general purpose	6,613	5,001
Financial Assistance Grants - local roads	2,889	2,350
Out of school hours care	246	242
Home and community care	1,537	1,507

**Recurrent - State Government**

Public health	64	22
Art Gallery and performing arts	150	150
School crossing supervisors	49	48
Libraries	214	207
Maternal and child health	408	236
Other	120	131

<b>Total recurrent operating grants</b>	<b>12,290</b>	<b>9,894</b>
---	---------------	--------------

**Non-recurrent - Commonwealth Government**

Our Region Our Rivers	911	3,492
Home & community care	108	239

**Non-recurrent - State Government**

Community projects	327	285
Environmental protection	163	245
Waste management	64	-
Cultural heritage	296	128
Libraries	12	16
Economic development	520	807
Home & community care	-	134
Family and children	481	848
Working for Victoria Jobs program	-	1,611
Employment subsidies	75	75
Information technology	-	100
Other	60	53

<b>Total non-recurrent operating grants</b>	<b>3,017</b>	<b>8,033</b>
---	--------------	--------------

<b>Total operating grants</b>	<b>15,307</b>	<b>17,927</b>
-------------------------------	---------------	---------------

continued on next page ...

Page 21

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>(b) Capital Grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Roads to recovery	1,372	2,151
<b>Total recurrent capital grants</b>	<b>1,372</b>	<b>2,151</b>
<b>Non-recurrent - Commonwealth Government</b>		
Our Region Our Rivers	630	808
Local roads and community infrastructure program	2,173	2,040
Aerodrome	960	489
<b>Non-recurrent - State Government</b>		
Buildings	2,607	3,254
Roads	128	1,248
Plant, machinery and equipment	-	267
Drainage	224	123
Footpaths	-	150
Parks playgrounds and street beautification	1,302	2,076
Art and heritage	7	7
Waste management	40	-
Livestock exchange	3	25
Recreation, leisure and community facilities	691	555
Other	315	395
<b>Total non-recurrent capital grants</b>	<b>9,080</b>	<b>11,437</b>
<b>Total capital grants</b>	<b>10,452</b>	<b>13,588</b>
<b>(c) Unspent grants received on condition that they be spent in a specific manner</b>		
<b>Operating</b>		
Balance at start of year	4,722	3,845
Received during the financial year and remained unspent at balance date	9,219	4,084
Received in prior years and spent during the financial year	(5,157)	(3,207)
<b>Balance at year end</b>	<b>8,784</b>	<b>4,722</b>
<b>Capital</b>		
Balance at start of year	7,845	2,739
Received during the financial year and remained unspent at balance date	2,150	6,282
Received in prior years and spent during the financial year	(3,987)	(1,176)
<b>Balance at year end</b>	<b>6,008</b>	<b>7,845</b>

Grant income is recognised at the point in time when the Council satisfies its performance obligations as specified in the underlying agreement.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>(d) Recognition of grant income</b>		
<p>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 <i>AASB 15 Revenue from Contracts with Customers</i>. When both these conditions are satisfied, the Council:</p> <ul style="list-style-type: none"> <li>- identifies each performance obligation relating to revenue under the contract/agreement</li> <li>- determines the transaction price</li> <li>- recognises a contract liability for its obligations under the agreement</li> <li>- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.</li> </ul> <p>Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies <i>AASB 1058 Income for Not-for-Profit Entities</i>.</p> <p>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.</p>		
<b>Income recognised under AASB 1058 Income of Not-for-Profit Entities</b>		
General purpose	-	-
Specific purpose grants to acquire non-financial assets	2,490	6,504
Other specific purpose grants	-	-
<b>Revenue recognised under AASB 15 Revenue from Contracts with Customers</b>		
Specific purpose grants	1,767	31
	<u>4,257</u>	<u>6,535</u>

(\*) 50% of the 2021/22 allocation was received prior to June 30 (2021, 50% received prior to June 30)

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 3. Funding for the delivery of our services (continued)

	2022 \$ '000	2021 \$ '000
<b>3.5 Contributions</b>		
<b>Monetary contributions</b>		
Monetary	295	342
<b>Total monetary contributions</b>	<b>295</b>	<b>342</b>
<b>Non-monetary contributions</b>		
Non-monetary	39	10
<b>Total non-monetary contributions</b>	<b>39</b>	<b>10</b>
<b>Total contributions</b>	<b>334</b>	<b>352</b>

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

Library Books	4	1
Artworks	35	9
<b>Total non-monetary contributions</b>	<b>39</b>	<b>10</b>

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

## 3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

<b>Property, infrastructure, plant and equipment</b>		
Proceeds of sale	305	577
Written down value of assets disposed	(94)	(23)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>211</b>	<b>554</b>
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>211</b>	<b>554</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	452	433
Reimbursements	769	552
Tower Hill land sales	2,018	2,955
Less - Tower Hill costs of goods sold	-	(56)
Revenue from volunteer services	174	242
Other	150	73
<b>Total other income</b>	<b>3,563</b>	<b>4,199</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.



## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 4. The cost of delivering services

	2022	2021
	\$ '000	\$ '000

## 4.1 Employee costs

**(a) Employee costs**

Wages and salaries	15,796	15,150
WorkCover	1,113	485
Superannuation	1,986	1,752
Fringe benefits tax	31	29
Agency staff	969	1,898
Long service leave	320	511
Staff training	135	153
Other	118	105
<b>Total employee costs</b>	<b>20,468</b>	<b>20,083</b>

**(b) Superannuation**

Council made contributions to the following funds:

**Defined benefit fund**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	103	138
	<b>103</b>	<b>138</b>

**Accumulation funds**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	1,828	1,589
	<b>1,828</b>	<b>1,589</b>

**Total superannuation costs**

	<b>1,931</b>	<b>1,727</b>
--	--------------	--------------

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

## 4.2 Materials and services

Contract payments	10,297	6,561
Building maintenance	734	745
General maintenance	1,644	2,306
Utilities	1,208	1,243
Office administration	656	542
Information technology	628	721
Insurance	987	934
Consultants	689	612
Community grants sponsorship and contributions	2,046	4,631
Volunteer services - cost of service	174	242
Other	1,551	1,173
<b>Total materials and services</b>	<b>20,614</b>	<b>19,710</b>

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

continued on next page ...

Page 25

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 4. The cost of delivering services (continued)

	2022 \$ '000	2021 \$ '000
<b>4.3 Depreciation</b>		
<b>Property</b>		
Buildings - specialised	1,252	1,220
Buildings - non specialised	78	78
<b>Total depreciation - property</b>	<b>1,330</b>	<b>1,298</b>
<b>Plant and equipment</b>		
Plant machinery and equipment	892	838
Fixtures fittings and furniture	321	322
Computers and telecomms	95	121
Artworks	18	18
Library Collection	128	131
Pioneer Settlement vehicles & vessels	58	49
Pioneer Settlement site exhibits	26	21
Pioneer Settlement buildings	11	11
<b>Total depreciation - plant and equipment</b>	<b>1,549</b>	<b>1,511</b>
<b>Infrastructure</b>		
Footpaths and cycleways	390	388
Drainage	596	594
Recreational, leisure and community	368	289
Waste management	97	231
Parks open spaces and streetscapes	345	328
Sealed roads	3,644	3,546
Unsealed roads	1,363	1,358
Other infrastructure	229	213
<b>Total depreciation - infrastructure</b>	<b>7,032</b>	<b>6,947</b>
<b>Total depreciation</b>	<b>9,911</b>	<b>9,756</b>

Refer to note 5.2( c ), 5.8 and 6.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

## 4.4 Amortisation - right of use assets

Property	424	406
<b>Total Amortisation - Right of use assets</b>	<b>424</b>	<b>406</b>

continued on next page ...

Page 26

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 4. The cost of delivering services (continued)

	2022 \$ '000	2021 \$ '000
<b>4.5 Bad and doubtful debts</b>		
Parking fine debtors	48	(9)
Rates debtors	20	15
Other debtors	2	–
<b>Total bad and doubtful debts</b>	<b>70</b>	<b>6</b>
<b>Movement in provisions for doubtful debts</b>		
Balance at the beginning of the year	278	276
New provisions recognised during the year	60	2
Amounts already provided for and written off as uncollectible	(10)	(7)
Amounts provided for but recovered during the year	10	7
<b>Balance at end of year</b>	<b>338</b>	<b>278</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	163	322
<b>Total borrowing costs</b>	<b>163</b>	<b>322</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	24	27
<b>Total finance costs</b>	<b>24</b>	<b>27</b>

continued on next page ...

Page 27

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 4. The cost of delivering services (continued)

	2022 \$ '000	2021 \$ '000
<b>4.8 Other expenses</b>		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	60	55
Auditors' remuneration - Internal Audit	16	30
Councillors' allowances	267	239
Assets written-off / impaired	96	690
Operating lease rentals	27	23
Vehicle registrations	83	90
Bank Charges	55	55
Legal Costs	98	214
Fire Services Levy	65	61
Others	53	82
<b>Total other expenses</b>	<b>820</b>	<b>1,539</b>

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position

	Note	2022 \$ '000	2021 \$ '000
<b>5.1 Financial assets</b>			
<b>(a) Cash and cash equivalents</b>			
<b>Current</b>			
Cash on hand		13	12
Cash at bank		7,536	12,583
Term deposits		3,041	6,103
<b>Total current cash and cash equivalents</b>		<b>10,590</b>	<b>18,698</b>
<b>(b) Other financial assets</b>			
<b>Current</b>			
Term deposits - current		40,554	32,954
<b>Total current other financial assets</b>		<b>40,554</b>	<b>32,954</b>
<b>Total current financial assets</b>		<b>51,144</b>	<b>51,652</b>
<b>External restrictions</b>			
Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:			
Trust funds and deposits	5.3	468	284
<b>Total restricted funds</b>		<b>468</b>	<b>284</b>
<b>Total unrestricted cash and cash equivalents</b>		<b>10,122</b>	<b>18,414</b>
<b>Intended allocations</b>			
Although not externally restricted the following amounts have been allocated for specific future purposes by Council:			
Unspent conditional grants received		14,792	13,493
Cash held to fund carried forward capital works		13,641	11,559
<b>Total funds subject to intended allocations</b>		<b>28,433</b>	<b>25,052</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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>(c) Trade &amp; Other Receivables</b>		
<b>Current</b>		
<i>Statutory receivables</i>		
Rates debtors	2,515	1,750
Infringement debtors	336	292
Private scheme debtors	4	4
Net GST receivable	368	423
<i>Non-statutory receivables</i>		
Loans and advances to community organisations	48	37
Other debtors	1,003	1,124
<i>Provisions for doubtful debts</i>		
Provision for doubtful debts - rates debtors	(75)	(60)
Provision for doubtful debts - infringements	(254)	(214)
Provision for doubtful debts - other debtors	(9)	(4)
<b>Total current trade and other receivables</b>	<b>3,936</b>	<b>3,352</b>
<b>Non-Current</b>		
<i>Non-statutory receivables</i>		
Loans and advances to community organisations	-	13
<b>Total non-current trade and other receivables</b>	<b>-</b>	<b>13</b>
<b>Total trade and other receivables</b>	<b>3,936</b>	<b>3,365</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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022	2021
	\$ '000	\$ '000
<b>(d) Ageing of receivables</b>		
The ageing of the Council's trade & other receivables (excluding statutory receivables) that are not impaired was:		
Current (not yet due)	130	941
Past due between 31 and 180 days	629	69
Past due between 181 and 365 days	137	22
Past due by more than 1 year	149	158
<b>Total trade and other receivables</b>	<b>1,045</b>	<b>1,190</b>

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

At balance date, other debtors representing financial assets with a nominal value of \$8,741 (2021: \$3,846) were impaired. The amount of the provision raised against these debtors was \$8,741 (2021: \$3,846). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

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

Past due by more than 1 year	9	4
<b>Total trade and other receivables</b>	<b>9</b>	<b>4</b>

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022	2021
	\$ '000	\$ '000

## 5.2 Non-financial assets

## (a) Inventories

## Current

Inventories held for distribution	152	15
Inventories held for sale	35	34
Tower Hill Estate	44	44
<b>Total current inventories</b>	<b>231</b>	<b>93</b>

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

## (b) Other assets

## Current

Prepayments	125	74
Accrued income	159	91
Other	35	–
<b>Total current other assets</b>	<b>319</b>	<b>165</b>

## Non-current

Other	50	50
<b>Total non-current other assets</b>	<b>50</b>	<b>50</b>

## (c) Intangible assets

Water rights	3,840	3,072
<b>Total intangible assets</b>	<b>3,840</b>	<b>3,072</b>

	Water Rights
	\$ '000

## Gross Carrying Amount

Balance at 1 July 2021	3,072
Asset revaluations	768
<b>Balance at 30 June 2022</b>	<b>3,840</b>
<b>Net book value at 30 June 2021</b>	<b>3,072</b>
<b>Net book value at 30 June 2022</b>	<b>3,840</b>

Water rights are valued at current market rates. The valuation is based on market transactions being the trading of water shares within the relevant water trading region. Prices are sourced from the Victorian Water Register for water traded within trading zone 7 VIC Murray - Barmah to SA.

continued on next page ...

Page 32



## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>5.3 Payables, trust funds and deposits and unearned income/revenue</b>		
<b>(a) Trade and other payables</b>		
<b>Current</b>		
<i>Non-statutory payables</i>		
Trade payables	380	693
Salaries and wages	941	840
Accrued expenses	1,704	1,732
<b>Total current trade and other payables</b>	<b>3,025</b>	<b>3,265</b>
<b>(b) Trust funds and deposits</b>		
<b>Current</b>		
Refundable deposits	150	108
Fire services property levy	-	14
Retention amounts	318	162
<b>Total current trust funds and deposits</b>	<b>468</b>	<b>284</b>
<b>(c) Unearned income/revenue</b>		
<b>Current</b>		
<b>Grants received in advance:</b>		
Grants received in advance - operating	1,767	31
Grants received in advance - capital	2,490	6,504
<b>Total grants received in advance</b>	<b>4,257</b>	<b>6,535</b>
<b>User fees received in advance:</b>		
Other	19	10
<b>Total user fees received in advance</b>	<b>19</b>	<b>10</b>
<b>Total unearned income/revenue</b>	<b>4,276</b>	<b>6,545</b>

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of grant income payable to external partner Council's and capital works projects. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.

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

**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 property Levy - Council is the collection agent for fire services property 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.

continued on next page ...

Page 33

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>5.4 Interest-bearing liabilities</b>		
<b>Current</b>		
Other borrowings - secured	271	5,168
	<u>271</u>	<u>5,168</u>
<b>Non-current</b>		
Other borrowings - secured	2,347	2,618
	<u>2,347</u>	<u>2,618</u>
<b>Total</b>	<u>2,618</u>	<u>7,786</u>

Borrowings are secured by Swan Hill Rural City Council General Rates.

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

Not later than one year	271	5,168
Later than one year and not later than five years	1,988	2,063
Later than five years	359	555
	<u>2,618</u>	<u>7,786</u>

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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	Employee provisions \$ '000	Landfill restoration \$ '000	Total \$ '000
<b>5.5 Provisions</b>			
<b>2022</b>			
Balance at the beginning of the financial year	5,349	1,558	6,907
Additional provisions	1,134	1,442	2,576
Amounts used	(1,471)	-	(1,471)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	144	94	238
<b>Balance at the end of the financial year</b>	<b>5,156</b>	<b>3,094</b>	<b>8,250</b>
<b>2021</b>			
Balance at the beginning of the financial year	5,362	1,452	6,814
Additional provisions	1,058	44	1,102
Amounts used	(1,091)	-	(1,091)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	20	62	82
<b>Balance at the end of the financial year</b>	<b>5,349</b>	<b>1,558</b>	<b>6,907</b>
		<b>2022</b>	<b>2021</b>
		<b>\$ '000</b>	<b>\$ '000</b>

**(a) Employee provisions****Current provisions expected to be wholly settled within 12 months**

Annual leave	1,280	1,252
Long service leave	283	71
	<b>1,563</b>	<b>1,323</b>

**Current provisions expected to be wholly settled after 12 months**

Annual leave	315	330
Long service leave	3,138	3,510
	<b>3,453</b>	<b>3,840</b>

**Total current employee provisions**

5,016 5,163

**Non-Current**

Long service leave	140	186
<b>Total non-current employee provisions</b>	<b>140</b>	<b>186</b>

## Aggregate carrying amount of employee provisions:

Current	5,016	5,163
Non-current	140	186
<b>Total aggregate carrying amount of employee provisions</b>	<b>5,156</b>	<b>5,349</b>

continued on next page ...

Page 35

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
--	-----------------	-----------------

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.

**(b) Landfill restoration****Current**

Current	-	70
<b>Total current</b>	<b>-</b>	<b>70</b>

**Non-current**

Non-current	3,094	1,488
<b>Total non-current</b>	<b>3,094</b>	<b>1,488</b>

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

## Key assumptions:

- discount rate	3.16%	1.80%
- index rate	6.10%	2.88%

## 5.6 Financing arrangements

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

Credit card facilities	200	200
Loans and borrowings	2,618	7,786
<b>Total Facilities</b>	<b>2,818</b>	<b>7,986</b>
Used facilities	2,650	7,809

continued on next page ...

Page 36

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>Used facilities</b>	2,650	7,809
<b>Unused facilities</b>	168	177

	Not later than 1 year \$ '000	Later than 1 year and not later than 2 years \$ '000	Later than 2 years and not later than 5 years \$ '000	Later than 5 years \$ '000	Total \$ '000
--	-------------------------------------	--	---	----------------------------------	------------------

## 5.7 Commitments

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

## 2022

## Operating

Building and property maintenance	496	-	-	-	496
Cleaning - council buildings, public toilets, barbeques	226	-	-	-	226
Licenses	83	-	-	-	83
Management & operations of the PS Pyap	621	-	-	-	621
Materials and supplies	1,060	25	22	4	1,111
Office equipment and supplies	72	-	-	-	72
Other Infrastructure	24	-	-	-	24
Professional services	2,688	-	-	-	2,688
Recreation, leisure and community facilities	-	-	-	-	-
Uniforms	23	-	-	-	23
Waste management operation and kerbside collection	2,301	-	-	-	2,301
<b>Total</b>	<b>7,594</b>	<b>25</b>	<b>22</b>	<b>4</b>	<b>7,645</b>

## Capital

Buildings	5,100	-	-	-	5,100
Cultural and heritage	887	-	-	-	887
Drainage	319	-	-	-	319
Footpaths	163	-	-	-	163
Land	32	-	-	-	32
Other infrastructure	7,026	151	-	-	7,177
Materials and supplies	539	-	-	-	539
Parks and open spaces	641	-	-	-	641
Plant & equipment	543	-	-	-	543
Professional services	5	-	-	-	5
Recreation and leisure assets	5,179	-	-	-	5,179
Sealed roads	1,149	-	-	-	1,149
<b>Total</b>	<b>21,583</b>	<b>151</b>	<b>-</b>	<b>-</b>	<b>21,734</b>

continued on next page ...

Page 37

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	Not later than 1 year \$ '000	Later than 1 year and not later than 2 years \$ '000	Later than 2 years and not later than 5 years \$ '000	Later than 5 years \$ '000	Total \$ '000
<b>2021</b>					
<b>Operating</b>					
Building and property maintenance	200	–	–	–	200
Cleaning - council buildings, public toilets, barbeques	212	–	–	–	212
Licenses	151	–	–	–	151
Management & operations of the PS Pyap	195	16	–	–	211
Materials and supplies	1,661	–	–	–	1,661
Office equipment and supplies	91	32	4	–	127
Other Infrastructure	–	–	–	–	–
Professional services	1,597	19	–	–	1,616
Recreation, leisure and community facilities	532	–	–	–	532
Uniforms	39	–	–	–	39
Waste management operation and kerbside collection	3,025	–	–	–	3,025
<b>Total</b>	<b>7,703</b>	<b>67</b>	<b>4</b>	<b>–</b>	<b>7,774</b>
<b>Capital</b>					
Buildings	137	–	–	–	137
Cultural and heritage	–	–	–	–	–
Drainage	145	–	–	–	145
Footpaths	48	–	–	–	48
Land	–	–	–	–	–
Other infrastructure	3,366	–	–	–	3,366
Materials and supplies	–	–	–	–	–
Parks and open spaces	546	133	–	–	679
Plant & equipment	419	–	–	–	419
Professional services	–	–	–	–	–
Recreation and leisure assets	1,059	–	–	–	1,059
Sealed roads	4,512	673	–	–	5,185
<b>Total</b>	<b>10,232</b>	<b>806</b>	<b>–</b>	<b>–</b>	<b>11,038</b>

continued on next page ...

Page 38

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022	2021
	\$ '000	\$ '000

**(b) Operating lease receivables*****Operating lease receivables***

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

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

Not later than one year	448	380
Later than one year and not later than five years	1,250	1,238
Later than five years	671	636
	<u>2,369</u>	<u>2,254</u>

continued on next page ...

Page 39

## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 5. Our financial position (continued)

##### 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 has a number of Peppercorn Leases for parcels of crown land or land controlled by other entities. The leases of land are used to provide open space and recreation areas to residents along with a major tourist attraction in the area in known as the Pioneer Settlement.

Details of Peppercorn Leases held by Council are as follows:

Land Details	Remaining Term of Lease	\$ Per Annum
Crown Land - Pioneer Settlement	26 years	\$0
Lake Boga Boat Ramps and Jetty	3 years	\$1
Various parcels of VicTrack Land (parks & reserves)	Various terms	\$1 each

continued on next page ...

Page 40



## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

## (a) Right-of-Use Assets

	Property \$ '000	Total \$ '000
<b>2022</b>		
Balance at 1 July	444	444
Additions	388	388
Amortisation charge	(424)	(424)
<b>Balance at 30 June</b>	<b>408</b>	<b>408</b>
<b>2021</b>		
Balance at 1 July	851	851
Additions	-	-
Amortisation charge	(407)	(407)
<b>Balance at 30 June</b>	<b>444</b>	<b>444</b>

continued on next page ...

Page 41

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 5. Our financial position (continued)

	2022 \$ '000	2021 \$ '000
<b>(b) Lease Liabilities</b>		
Maturity analysis - contractual undiscounted cash flows		
Less than one year	264	253
One to five years	154	199
More than five years	29	41
<b>Total undiscounted lease liabilities as at 30 June:</b>	<b>447</b>	<b>493</b>
<b>Lease liabilities included in the Balance Sheet at 30 June:</b>		
Current	259	269
Non-current	167	216
<b>Total lease liabilities</b>	<b>426</b>	<b>485</b>
<b>Short-term and low value leases</b>		
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 \$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>Expenses relating to:</b>		
Leases of low value assets	-	1
<b>Total</b>	<b>-</b>	<b>1</b>
<b>Non-cancellable lease commitments - Short-term and low-value leases</b>		
Commitments for minimum lease payments for short-term and low-value leases are payable as follows:		
Payable:		
Within one year	1	1
Later than five years	2	2
Later than one year but not later than five years	3	3
<b>Total lease commitments</b>	<b>6</b>	<b>6</b>

## Swan Hill Rural City Council

2021/2022 Financial Report

Notes to the Financial Statements  
for the year ended 30 June 2022

## Note 6. Assets we manage

## 6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment	Carrying amount	Additions	Contributions	Revaluation	Depreciation	Disposal	Write-off	Transfers	Carrying amount
	30 June 2021								30 June 2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
Property	119,772	1,257	-	6,349	(1,330)	(22)	-	528	126,554
Plant and equipment/Culture and heritage assets	17,423	1,303	39	-	(1,549)	(96)	-	-	17,120
Infrastructure	354,622	8,034	-	62,407	(7,032)	(23)	-	2,740	420,748
Work in progress	4,987	5,602	-	-	-	-	(4)	(3,268)	7,317
<b>Total</b>	<b>496,804</b>	<b>16,196</b>	<b>39</b>	<b>68,756</b>	<b>(9,911)</b>	<b>(141)</b>	<b>(4)</b>	<b>-</b>	<b>571,739</b>
<b>Summary of Work in Progress</b>									
Property					Opening WIP				Closing WIP
Plant and equipment					\$ '000	Additions	Write-off	Transfers	\$ '000
Infrastructure					1,832	2,358	-	(528)	3,662
					12	607	-	-	619
					3,143	2,637	(4)	(2,740)	3,036
<b>Total</b>					<b>4,987</b>	<b>5,602</b>	<b>(4)</b>	<b>(3,268)</b>	<b>7,317</b>

continued on next page ...

Page 43

## Swan Hill Rural City Council

2021/2022 Financial Report

Notes to the Financial Statements  
for the year ended 30 June 2022

## Note 6. Assets we manage (continued)

	Land specialised \$ '000	Land non specialised \$ '000	Total land and land improvements \$ '000	Buildings specialised \$ '000	Buildings non specialised \$ '000	Total buildings \$ '000	Work in progress \$ '000	Total property \$ '000
At fair value 1 July 2021	64,398	6,300	70,698	104,136	4,436	108,572	1,832	181,102
Accumulated depreciation at 1 July 2021	-	-	-	(59,340)	(158)	(59,498)	-	(59,498)
Carrying amount - 1 July 2021	64,398	6,300	70,698	44,796	4,278	49,074	1,832	121,604
<b>Movements in fair value</b>								
Additions	9	-	9	1,248	-	1,248	2,358	3,615
Revaluation	4,981	1,368	6,349	-	-	-	-	6,349
Disposal	-	-	-	(261)	-	(261)	-	(261)
Transfers	139	-	139	389	-	389	(528)	-
Total movements in fair value	5,129	1,368	6,497	1,376	-	1,376	1,830	9,703
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation	-	-	-	(1,252)	(78)	(1,330)	-	(1,330)
Accumulated depreciation of disposals	-	-	-	239	-	239	-	239
Total movements in accumulated depreciation	-	-	-	(1,013)	(78)	(1,091)	-	(1,091)
At fair value 30 June 2022	69,527	7,668	77,195	105,512	4,436	109,948	3,662	190,805
Accumulated depreciation at 30 June 2022	-	-	-	(60,353)	(236)	(60,589)	-	(60,589)
Carrying amount - 30 June 2022	69,527	7,668	77,195	45,159	4,200	49,359	3,662	130,216

## Swan Hill Rural City Council

Notes to the Financial Statements  
for the year ended 30 June 2022

## Note 6. Assets we manage

	Plant machinery and equipment \$ '000	Fixtures and furniture \$ '000	Computers and telecomms \$ '000	Artworks \$ '000	Library Collection \$ '000	Pioneer Settlement vehicles & vessels \$ '000	Pioneer Settlement site exhibits \$ '000	Pioneer Settlement buildings \$ '000	Total \$ '000	Work in progress \$ '000	Total plant and equipment/ culture and heritage assets \$ '000
At fair value 1 July 2021	12,383	4,441	1,201	1,785	2,122	5,730	2,607	7,814	38,083	12	38,095
Accumulated depreciation at 1 July 2021	(8,186)	(2,792)	(962)	(52)	(1,498)	-	-	(7,170)	(20,660)	-	(20,660)
Carrying amount - 1 July 2021	4,197	1,649	239	1,733	624	5,730	2,607	644	17,423	12	17,435
<b>Movements in fair value</b>											
Additions	1,081	19	61	11	131	-	-	-	1,303	607	1,910
Contributions	-	-	-	35	4	-	-	-	39	-	39
Disposal	(658)	-	(62)	(2)	(64)	-	-	-	(786)	-	(786)
Total movements in fair value	423	19	(1)	44	71	-	-	-	556	607	1,163
<b>Movements in accumulated depreciation</b>											
Depreciation and amortisation	(892)	(321)	(95)	(18)	(128)	(58)	(26)	(11)	(1,549)	-	(1,549)
Accumulated depreciation of disposals	564	-	62	-	64	-	-	-	690	-	690
Total movements in accumulated depreciation	(328)	(321)	(33)	(18)	(64)	(58)	(26)	(11)	(859)	-	(859)
At fair value 30 June 2022	12,806	4,460	1,200	1,829	2,193	5,730	2,607	7,814	38,639	619	39,258
Accumulated depreciation at 30 June 2022	(8,514)	(3,113)	(995)	(70)	(1,562)	(58)	(26)	(7,181)	(21,519)	-	(21,519)
Carrying amount - 30 June 2022	4,292	1,347	205	1,759	631	5,672	2,581	633	17,120	619	17,739

## Swan Hill Rural City Council

2021/2022 Financial Report

Notes to the Financial Statements  
for the year ended 30 June 2022

## Note 6. Assets we manage

	Sealed roads \$ '000	Unsealed roads \$ '000	Footpaths and cycleways \$ '000	Drainage \$ '000	Recreational, leisure and community \$ '000	Waste management \$ '000	Parks open spaces and streetscapes \$ '000	Other infrastructure \$ '000	Total \$ '000	Work in progress \$ '000	Total Infrastructure \$ '000
Infrastructure											
At fair value 1 July 2021	259,995	104,350	31,103	56,348	18,493	6,819	12,629	13,786	503,523	3,143	506,666
Accumulated depreciation at 1 July 2021	(84,385)	(11,940)	(10,309)	(20,480)	(5,952)	(6,528)	(5,582)	(3,725)	(148,901)	-	(148,901)
Carrying amount - 1 July 2021	175,610	92,410	20,794	35,868	12,541	291	7,047	10,061	354,622	3,143	357,765
Movements in fair value											
Additions	3,916	2,021	319	1,110	38	-	629	1	8,034	2,637	10,671
Revaluation	62,760	8,891	1,012	-	-	-	-	-	72,663	-	72,663
Disposal	-	-	-	(37)	-	-	-	-	(37)	-	(37)
Write-off	-	-	-	-	-	-	-	-	-	(4)	(4)
Transfers	1,476	29	3	1,070	5	-	157	-	2,740	(2,740)	-
Total movements in fair value	68,152	10,941	1,334	2,143	43	-	786	1	83,400	(107)	83,293
Movements in accumulated depreciation											
Depreciation and amortisation	(3,644)	(1,363)	(390)	(596)	(368)	(97)	(345)	(229)	(7,032)	-	(7,032)
Accumulated depreciation of disposals	-	-	-	14	-	-	-	-	14	-	14
Revaluation	(4,430)	(1,320)	(4,506)	-	-	-	-	-	(10,256)	-	(10,256)
Total movements in accumulated depreciation	(8,074)	(2,683)	(4,896)	(582)	(368)	(97)	(345)	(229)	(17,274)	-	(17,274)
At fair value 30 June 2022	328,147	115,291	32,437	58,491	18,536	6,819	13,415	13,787	586,923	3,036	589,959
Accumulated depreciation at 30 June 2022	(92,459)	(14,623)	(15,205)	(21,062)	(6,320)	(6,625)	(5,927)	(3,954)	(166,175)	-	(166,175)
Carrying amount - 30 June 2022	235,688	100,668	17,232	37,429	12,216	194	7,488	9,833	420,748	3,036	423,784

continued on next page ...

Page 46

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 6. Assets we manage (continued)

*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.

**Asset recognition thresholds and depreciation periods**

	<b>Depreciation Period years</b>	<b>Threshold Limit \$ '000</b>
<b>Land and land improvements</b>		
<b>Buildings</b>		
buildings	30 to 100 years	10
building improvements	30 to 100 years	10
leasehold improvements	5 to 15 years	10
<b>Plant and Equipment</b>		
plant machinery and equipment		
large plant	10 years	3
small plant	2 years	3
fixtures, fittings and furniture	5 years	3
computers and telecommunications	3 to 5 years	2
<b>Cultural and heritage</b>		
Artworks	100 years	–
Library Collection	5 to 100 years	–
Pioneer Settlement vehicles & vessels	100 years	5
Pioneer Settlement site exhibits	100 years	5
Pioneer Settlement buildings	100 years	10
<b>Infrastructure</b>		
sealed road formation	-	10
sealed road pavements	60 to 100 years	10
sealed road seals	15 to 80 years	10
road ancillary assets	20 to 25 years	10
unsealed road natural surface	-	10
unsealed road gravel surface	30 years	10
kerb and channel	25 to 50 years	10
footpaths and cycleways	20 to 100 years	10
drainage	20 to 100 years	10
recreation, leisure and community facilities	10 to 90 years	10
waste management	10 years	10
parks, open space and streetscapes	10 to 60 years	10
other infrastructure	10 to 150 years	10

*Land under roads*

Council recognises land under roads it controls at fair value.

continued on next page ...

Page 47

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 6. Assets we manage (continued)

*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.

*Leasehold improvements*

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter. At balance date, leasehold improvements are amortised over a 5 to 15 year period.

*Valuation of land and buildings*

Valuation of land and buildings were undertaken by a qualified independent valuer Benjamin Sawyer AAPI Reg. 63163. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

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

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.

The land and buildings were subject to full independent valuation in 2020 by our accredited independent valuer. The valuation was performed during the Covid-19 pandemic, with limited market activity and low sales volumes. While the valuer's independent valuation report did not indicate impairment of land and buildings, it does present estimation uncertainty regarding the valuation of land and buildings by acknowledging that past cycles indicate a lag for property markets to react to economic events, and that the extent of any decline in value is presently uncertain, and may depend on the length of the Covid-19 pandemic. Also, there is not yet any comparable market evidence available to determine what, if any, impact the current Covid-19 pandemic may have on the value or marketability of the subject property, particularly in the short and medium terms.

Council performed an indexation assessment using the Valuer General indices on the land and building assets as at 30 June 2022. The indexation assessment resulted in a material movement in land of \$6.35m being recognised in the financial statements and an immaterial movement in buildings of \$3.16m. A full independent valuation of land and building asset categories will be performed by an accredited independent valuer in 2023.

The fair value assessed may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the valuer could not reasonably have been aware of as at the date of valuation). Refer to Significant accounting policies under Overview section and Note 8.4 for further information on fair value measurement.

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

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

continued on next page ...

Page 48



## Swan Hill Rural City Council

2021/2022 Financial Report

Notes to the Financial Statements  
for the year ended 30 June 2022

## Note 6. Assets we manage (continued)

	Level 1 2022 \$ '000	Level 2 2022 \$ '000	Level 3 2022 \$ '000	Date of valuation
Land	-	7,668	-	30/06/2022
Specialised land	-	-	69,527	30/06/2022
Buildings	-	4,200	-	30/06/2022
Building - specialised	-	-	45,159	30/06/2022
<b>Total</b>	-	<b>11,868</b>	<b>114,686</b>	

*Valuation of Infrastructure*

Valuation of infrastructure assets has been determined in accordance by applying the most recent unit rates as calculated from a sample of internal and external projects.

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

The valuation is at fair value based on current replacement cost 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 2022 \$ '000	Level 2 2022 \$ '000	Level 3 2022 \$ '000	Date of valuation
Sealed roads	-	-	235,688	30/06/2022
Unsealed roads	-	-	100,668	30/06/2022
Footpaths and cycleways	-	-	17,232	30/06/2022
Drainage	-	-	37,429	30/06/2020
Recreational, leisure & community facilities	-	-	12,216	30/06/2020
Waste management	-	-	194	30/06/2021
Parks, open space & streetscapes	-	-	7,488	30/06/2020
Other Infrastructure	-	-	9,833	30/06/2020

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

	Level 1 2022 \$ '000	Level 2 2022 \$ '000	Level 3 2022 \$ '000	Date of valuation
Artworks	-	-	1,759	30/06/2018
Pioneer Settlement vehicles and vessels	-	-	5,672	30/06/2021
Pioneer Settlement site exhibits	-	-	2,581	30/06/2021
Pioneer Settlement buildings	-	-	633	30/06/2020
<b>Total</b>	-	-	<b>431,393</b>	

*Valuation of cultural and heritage assets**Artworks*

Valuation of artwork assets has been determined in accordance with an independent valuation undertaken by Warren Joel Auction and Valuation Services. The effective date of the valuation was 30 June 2018. Valuation of the assets was determined by analysing comparable sales of an artist's work, knowledge of the collections history and condition of the collection.

*Pioneer Settlement*

Valuation of Pioneer Settlement vehicles and vessels and site exhibit assets was conducted by qualified independent valuer Mr David Freeman, member of Auctioneers and Valuers Association of Australia, and Chief Executive Officer of Amanda Adams Auctions, Bulleen, Victoria. The valuation is based on average market realisation prices that should be obtained if the items were sold via private treaty or auction sales. The effective date of the valuation is 30 June 2021.

Valuation of Pioneer Settlement buildings were undertaken by qualified independent valuer, Benjamin Sawyer AAPI Reg. 63163 as at 30 June 2020.

continued on next page ...

Page 49

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 6. Assets we manage (continued)

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

**Description of significant unobservable inputs into level 3 valuations**

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 25% and 75% for specialised land and between 85% and 95% for land under roads. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$0.10 and \$450 per square metre.

**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. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 10 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of 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 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

**Artwork assets** are valued based on the market based direct comparison approach. Significant unobservable inputs include the rarity of the item, historical significance and the history of the artist. If there are events that determine certain pieces of the collection to be of historical significance, if the artist has works that have increased in popularity or the item is considered to be rare and in demand, this would result in a higher fair value.

**Pioneer Settlement vehicles** and vessels and site exhibit assets are valued based on the market based direct comparison approach. Significant unobservable inputs include the rarity of the item and historical significance. If there are events that determine certain pieces of the collection to be of historical significance or the item is considered to be rare and in demand, this would result in a higher fair value.

**Pioneer Settlement 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 cost is calculated on a square metre basis. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 1 year to 54 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 their useful lives.

**Reconciliation of specialised land**

	2022 \$ '000	2021 \$ '000
Land under roads	43,158	42,312
Parks and reserves	16,725	13,997
Crown Land	9,644	8,106
<b>Total specialised land</b>	<b>69,527</b>	<b>64,415</b>

**(c) Community Asset Committee**

All entities controlled by Council that have material income, 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.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 7. People and relationships

## 7.1 Council and key management remuneration

## (a) Related Parties

*Parent entity*

Swan Hill Rural City Council is a single entity.

*Subsidiaries and Associates*

Council has no interests in subsidiaries and associates.

## (b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Swan Hill Rural City Council. The Councillors, Chief Executive Officer and Executive Directors are deemed KMP.

Details of KMP at any time during the year are:

<b>Councillors</b>	Mayor Jade Benham	19/03/2019 to 30/06/2022
	Deputy Mayor Bill Moar	15/11/2016 to 30/06/2022
	Cr Les McPhee	08/12/2008 to 30/06/2022
	Cr Ann Young	15/11/2016 to 30/06/2022
	Cr Chris Jeffery	15/11/2016 to 30/06/2022
	Cr Nicole McKay	16/04/2019 to 30/06/2022
	Cr Stuart King	17/11/2020 to 30/06/2022
<b>Chief Executive Officer</b>	Mr John McLinden	21/03/2016 to 05/11/2021
	Ms Rosanne Kava (Acting)	22/11/2021 to 06/06/2022
	Mr Scott Barber	06/06/2022 to 30/06/2022
<b>Directors</b>	Mr Bruce Myers (Community and Cultural Services)	28/02/1994 to 30/06/2022
	Ms Heather Green (Planning and Development)	03/07/2017 to 30/06/2022
	Ms Svetla Petkova (Infrastructure)	11/12/2017 to 30/06/2022
	Mr Joel Lieschke (Corporate Services)	19/10/2020 to 13/01/2022
	Ms Helen Morris (Acting Corporate Services)	17/01/2022 to 30/06/2022

	2022	2021
	No.	No.
<b>Total Number of Councillors</b>	7	8
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	8	6
<b>Total Number of Key Management Personnel</b>	15	14
	2022	2021
	\$ '000	\$ '000

## (c) Remuneration of Key Management Personnel

Total remuneration of key management personnel was as follows:

Short-term benefits	1,487	1,237
Long-term benefits	45	80

continued on next page ...

Page 51

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 7. People and relationships (continued)

	2022 \$ '000	2021 \$ '000
Post employment benefits	113	99
<b>Total</b>	<b>1,645</b>	<b>1,416</b>

	2022 No.	2021 No.
The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:		
\$1 - \$9,999	-	1
\$10,000 - \$19,999	1	1
\$20,000 - \$29,999	5	4
\$30,000 - \$39,999	-	1
\$50,000 - \$59,999	1	-
\$70,000 - \$79,999	1	1
\$80,000 - \$89,999	1	1
\$130,000 - \$139,999	1	-
\$140,000 - \$149,999	-	1
\$180,000 - \$189,999	1	-
\$200,000 - \$209,999	1	1
\$210,000 - \$219,999	-	2
\$220,000 - \$229,999	2	-
\$290,000 - \$299,999	1	-
\$300,000 - \$309,999	-	1
	<b>15</b>	<b>14</b>

**(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:

	2022 No.	2021 No.
Income Range:		
\$150,000 - \$159,999	1	1
\$160,000 - \$169,999	-	3
\$170,000 - \$179,999	2	3
\$180,000 - \$189,999	1	-
	<b>4</b>	<b>7</b>

	2022 \$ '000	2021 \$ '000
Total Remuneration for the reporting year for Senior Officers included above amounted to:	687	1,181

continued on next page ...

Page 52

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 7. People and relationships (continued)

## 7.2 Related party disclosure

**(a) Transactions with related parties**

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

Cr Stuart King	Swan Hill Hire - \$63,681 Plant and equipment hire. Cr King has a controlling interest in Swan Hill Hire.
----------------	--

**(b) Outstanding balances with related parties**

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

2022 = Nil

2021 = Nil

**(c) Loans to/from related parties**

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

2022 = Nil

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 the council to a related party are as follows:

2022 = Nil

2021 = Nil

## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 8. Managing uncertainties

##### 8.1 Contingent assets and liabilities

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

###### (a) Contingent assets

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

###### *Future superannuation contributions*

In addition to the disclosed contributions, Council has paid unfunded liability payments to Vision Super totalling \$0 (2020/21 \$0). 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 2022 are \$78,806.

###### Landfill

Council operates a landfill. Council will have to carry out site rehabilitation works in the future. At balance date Council has a provision in place for these remediation works.

###### 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.

###### MAV Workcare

Council was a participant of the MAV WorkCare Scheme. The MAV WorkCare Scheme provided workers compensation insurance. MAV WorkCare commenced business on 1 November 2017 and the last day the Scheme operated as a self-insurer was 30 June 2021. In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six year liability period following the cessation of the Scheme (to 30 June 2027). During the liability period, adjustment payments may be required (or received). The determination of any adjustment payments is dependent upon revised actuarial assessments of the Scheme's tail claims liabilities as undertaken by Work Safe Victoria. If required, adjustments will occur at the 3-year and 6-year points during the liability period, and will affect participating members.

###### (c) Guarantees for loans to other entities

Council is not the guarantor for any loans.

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.

continued on next page ...

Page 54

## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 8. Managing uncertainties

##### 8.2 Change in accounting standards

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

##### 8.3 Financial instruments

###### (a) Objectives and policies

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

###### (b) Market risk

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

###### *Interest rate risk*

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes Council to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

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

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

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

Interest rate movements have significantly affected the return expected on invested funds during the year. This impacted the surplus by \$420,000.

###### (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 has exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

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

continued on next page ...

Page 55

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 8. Managing uncertainties (continued)

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.

**(d) Liquidity risk**

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

To help reduce these risks Council:

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

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(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.



## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 8. Managing uncertainties (continued)

##### (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 + 2.00% and + 0.50% in market interest rates (AUD) from year-end rates of 0.10%.

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, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 2 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.

##### *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

continued on next page ...

Page 57

## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 8. Managing uncertainties (continued)

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

There have been no significant events occurring after the balance date which may affect the Council's operations or the results of those operations, except for noting that the COVID-19 pandemic is ongoing and it is not practicable to estimate the potential impact after the reporting date.

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 9. Other matters

	Balance at beginning of reporting period \$ '000	Increment (decrement) \$ '000	Balance at end of reporting period \$ '000
<b>9.1 Reserves</b>			
<b>(a) Asset revaluation reserves</b>			
<b>2022</b>			
<b>Property</b>			
Land - specialised	–	4,981	4,981
Land - non specialised	–	1,368	1,368
Land and land improvements	25,415	–	25,415
Buildings	29,320	–	29,320
	<u>54,735</u>	<u>6,349</u>	<u>61,084</u>
<b>Culture and heritage assets</b>			
Pioneer Settlement vehicles & vessels	1,674	–	1,674
Pioneer Settlement site exhibits	1,390	–	1,390
Artworks	1,635	–	1,635
Pioneer Settlement buildings	4,002	–	4,002
Water rights	2,429	767	3,196
	<u>11,130</u>	<u>767</u>	<u>11,897</u>
<b>Infrastructure</b>			
Footpaths and cycleways	15,283	(3,494)	11,789
Drainage	17,723	–	17,723
Recreational, leisure and community facilities	7,374	–	7,374
Waste management	102	–	102
Parks, open space and streetscapes	2,831	–	2,831
Sealed roads	83,561	58,330	141,891
Unsealed roads	15,976	7,571	23,547
Other infrastructure	3,204	–	3,204
	<u>146,054</u>	<u>62,407</u>	<u>208,461</u>
<b>Total asset revaluation reserves</b>	<u>211,919</u>	<u>69,523</u>	<u>281,442</u>

continued on next page ...

Page 59

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 9. Other matters (continued)

	Balance at beginning of reporting period \$ '000	Increment (decrement) \$ '000	Balance at end of reporting period \$ '000
<b>2021</b>			
<b>Property</b>			
Land and land improvements	25,415	-	25,415
Buildings	29,320	-	29,320
	<u>54,735</u>	<u>-</u>	<u>54,735</u>
<b>Culture and heritage assets</b>			
Pioneer Settlement vehicles & vessels	517	1,157	1,674
Pioneer Settlement site exhibits	724	666	1,390
Artworks	1,635	-	1,635
Pioneer Settlement buildings	4,002	-	4,002
Water rights	2,429	-	2,429
	<u>9,307</u>	<u>1,823</u>	<u>11,130</u>
<b>Infrastructure</b>			
Footpaths and cycleways	15,283	-	15,283
Drainage	17,723	-	17,723
Recreational, leisure and community facilities	7,374	-	7,374
Waste management	-	102	102
Parks, open space and streetscapes	2,831	-	2,831
Sealed roads	83,561	-	83,561
Unsealed roads	15,976	-	15,976
Other infrastructure	3,204	-	3,204
	<u>145,952</u>	<u>102</u>	<u>146,054</u>
<b>Total asset revaluation reserves</b>	<u>209,994</u>	<u>1,925</u>	<u>211,919</u>

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

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 9. Other matters (continued)

	2022 \$ '000	2021 \$ '000
<b>9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)</b>		
Surplus/(deficit) for the year	12,707	19,079
Depreciation/amortisation	10,335	10,162
Impairment losses	96	690
Profit/(loss) on disposal of property, infrastructure, plant and equipment	(211)	(554)
Contributions - non monetary assets	(39)	(10)
Amounts disclosed in financing activities	187	349
<b>Change in assets and liabilities:</b>		
(Increase)/decrease in trade and other receivables	(571)	271
(Increase)/decrease in inventories	(138)	78
(Increase)/decrease in prepayments	(51)	25
Increase/(decrease) in accrued income	(68)	64
Increase/(decrease) in other assets	(35)	-
Increase/(decrease) in trade and other payables	(240)	764
Increase/(decrease) in provisions	1,343	93
(Decrease)/increase in other liabilities	184	(8)
Increase/(decrease) in unearned income/revenue	(2,269)	(2,212)
<b>Net cash provided by/(used in) operating activities</b>	<b>21,230</b>	<b>28,791</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 Income Statement when they are made or due.

**Accumulation**

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

**Defined Benefit**

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

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

**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.

continued on next page ...

Page 61

## Swan Hill Rural City Council

2021/2022 Financial Report

### Notes to the Financial Statements

for the year ended 30 June 2022

#### Note 9. Other matters (continued)

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

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

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

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

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

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

#### Employer contributions

##### (a) Regular contributions

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

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

##### (b) Funding calls

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

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

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

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up. If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

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

#### 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.

continued on next page ...

Page 62

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 9. Other matters (continued)

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

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

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

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

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

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

**The 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).

**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:

Scheme	Type of scheme	Rate	2022 \$ '000	2021 \$ '000
Vision Super	Defined benefit	10.0% (2021: 9.5%)	103	138
Vision Super	Accumulation fund	10.0% (2021: 9.5%)	1,828	1,589

## Swan Hill Rural City Council

2021/2022 Financial Report

## Notes to the Financial Statements

for the year ended 30 June 2022

## Note 10. Errors and changes in accounting estimates

In accordance with AASB 15 Revenue from Contracts with Customers, grant revenue is recognised as contractual performance obligations are satisfied. In comparison, capital grant revenue under AASB 1058 Income of Not-for-Profit-Entities, is generally recognised as the capital project is completed. In the 2021 financial year Council applied AASB 15 to all grant revenue and recognised grant income as received, in line with performance obligations.

Due to inconsistencies in the application of AASB 15 and AASB 1058 the Australian Accounting Standards Board provided guidance in March 2022. In response, Council have determined that liabilities were understated, resulting in overstated grant revenue and equity in 2021.

	\$ '000
<b>Reconciliation of revenue</b>	
Grants – operating as reported 30 June 2021	17,927
Grants – capital as reported 30 June 2021	13,588
Decrease in Grants received in advance – operating	(31)
Decrease in Grants received in advance – capital	(6,504)
Adjusted comparative Grants – operating	17,896
Adjusted comparative Grants – capital	7,084
<b>Reconciliation of liability</b>	
Grants received in advance as reported 30 June 2021	-
Increase in current liability – Grants received in advance – operating	31
Increase in current liability – Grants received in advance – capital	6,504
Adjusted comparative – Grants received in advance	6,535

If the above treatment was applied in 2021 the following results would have applied in 2022

<b>Reconciliation of revenue</b>	
Grants – operating as at 30 June 2022	15,276
Grants – capital as at 30 June 2022	3,948
Increase in Grants received in advance – operating	31
Increase in Grants received in advance – capital	6,504
Adjusted comparative Grants – operating	15,307
Adjusted comparative Grants – capital	10,452



## **B.22.75      AUDIT & RISK COMMITTEE 8 SEPTEMBER 2022**

**Responsible Officer:**            Director Corporate Services  
**File Number:**                    S15-28-01  
**Attachments:**                    1      Audit Committee Minutes

### **Declarations of Interest:**

Bhan Pratap - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

Council's Audit Committee met on 8 September 2022 and this report summarises the items that were discussed at this meeting.

### **Discussion**

The Audit Committee met on 8 September 2022 and as well as the usual procedural items the agenda items included:

1.        Risk Management Report
2.        Internal Audit updates on recommendations
3.        Our Place update
4.        2021/2022 Asset Revaluations
5.        Annual Financial Report FY2022
6.        Performance Statement FY2022
7.        VAGO Closing report FY2022
8.        VAGO Final Management Letter
9.        Independent member self-assessment survey results
10.      Significant Legislative Changes affecting Council
11.      Suspected and Actual Frauds, Theft and Breaches of the Law by Management

### **Consultation**

Not applicable.

### **Financial Implications**

The sitting fees paid to independent members on the Audit Committee is adjusted annually by CPI. Sitting fees are included in Council's Budget.

### **Social Implications**

Not applicable.

### **Economic Implications**

Not applicable.

### **Environmental Implications**

Not applicable.

### **Risk Management Implications**

The Audit Committee helps to oversee Council's risk management practices. Internal and other audits are routinely done to reduce the risk to Council.

### **Council Plan Strategy Addressed**

*Leadership* - Bold leadership, strong partnerships and effective advocacy.

### **Options**

Not applicable.

### **Recommendations**

**That Council note the items discussed at the 8 September 2022 meeting of the Audit and Risk Committee.**

### **112/22 Motion**

#### **MOVED Cr King**

**That Council note the items discussed at the 8 September 2022 meeting of the Audit and Risk Committee.**

#### **SECONDED Cr McKay**

**The Motion was put and CARRIED**

## **Confidential attachment**

- Audit Committee Confidential unconfirmed Minutes 8 September 2022

## B.22.76 ASSET NAMING

**Responsible Officer:** Director Infrastructure  
**File Number:** S11-01-01  
**Attachments:** 1 Asset Naming Master List 2022

### Declarations of Interest:

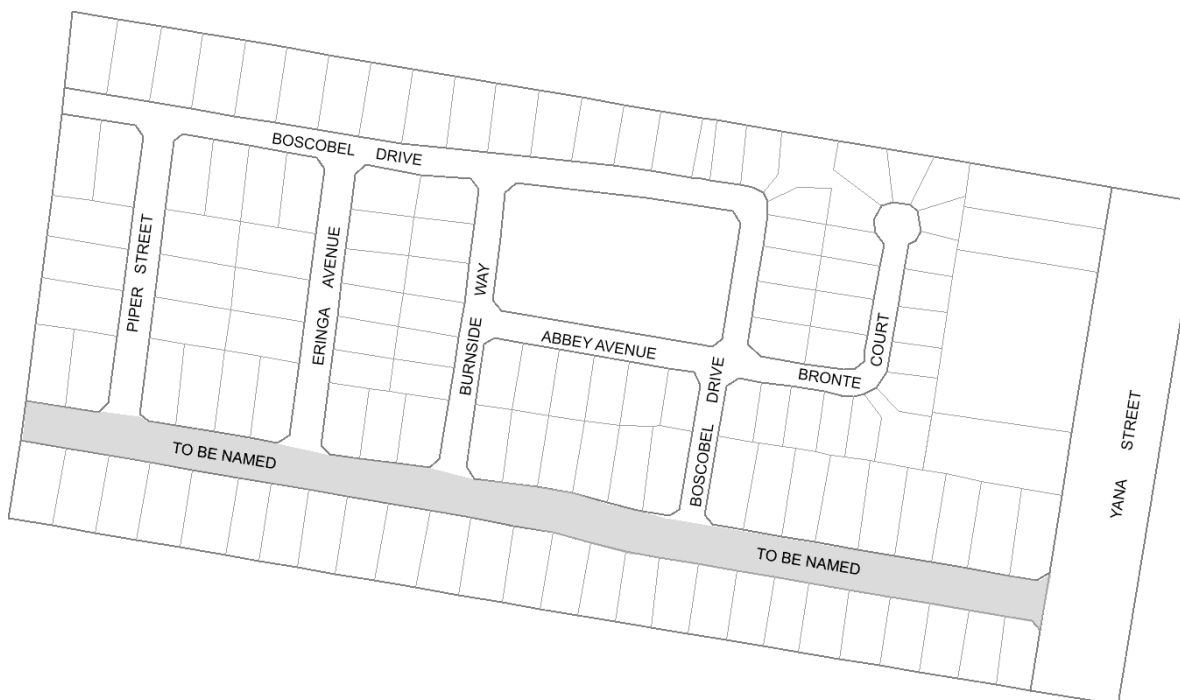
Svetla Petkova - as the responsible officer, I declare that I have no disclosable interests in this matter.

### Summary

On 21 December 2021, Council resolved to seek public submissions to update the Asset Name Master List, to be more diverse and inclusive, and to seek an alternative name for the main east-west arterial road through the Southview development. This report is presented to Council to consider the submissions received.

### Discussion

On the 21 December 2021, Council resolved to seek an alternative name from the Asset Naming Master List for the main east west arterial road through the Southview Development as shown in grey below



This road will extend through multiple developments and eventually link up Yana Street to Sea Lake-Swan Hill Road. Submissions regarding the Southview Development Asset Naming indicated a preference of a road name that better reflected the Swan Hill region as well as a name that was potential more diverse and inclusive.

The Asset Name Master List provides a list of pre-approved names for the use of Developers or Council to select from when naming assets. These names are nominated by the public and are mostly commemorative in nature.

The “Naming rules for places in Victoria 2022” has a number of statutory requirements for naming roads, features and localities and these requirements are reflected in Council’s Asset Naming Policy and Procedure.

The Asset Naming Procedure specifies that asset name proposals will be assessed by Council’s Enterprise Asset Manager for compliance with the general principals outlined in the procedure. Compliant proposals will then be taken to Council and approved in principle for public exhibition and community comments are invited. Council will then consider the nomination and all submissions and, if in agreement, ratify the addition of the name to the pre-approved Asset Naming Master List

A submission Portal has been included into “Let’s Talk” that will allow the public to make submissions for Asset Names electronically at any time. It is proposed that submissions will be collated on an annual basis for inclusion into the Asset Name Master List using the above process.

Over the period of May until August 2022, 19 submissions were made to the Let’s Talk Portal and 4 nominations were made using the paper Asset Name Proposal Form.

Of these 23 submissions, 14 were deemed compliant with the asset name principles. These are as follows:

- DOT NORTON
- EUNICE KENNEDY
- IVY BELL
- JILL PATTENDEN
- JONES
- KRUGER
- LAURA KIRBY
- LILLY JACKSON
- PARFREY
- PROCTOR
- QUAYLE
- QUEEN AGGIE
- SALVATRICE  
MAROTTA
- VERA

9 Submissions were rejected as non-compliant as they are referring to people that are still alive, not having enough information, utilising non-local indigenous languages or duplication of existing road names. They were as follows:

- DANNY MARKS
- WURRUNNA
- MEMORIAL DRIVE
- PAT SALAU
- YABBYMAN
- RAYLENE  
RICHARDSON
- FORSTER
- ELLWASTE ST
- TYRELL

Compliant submissions have been incorporated into the Asset Naming Master List 2022.

Existing names within the Asset Name Master List was were also checked against current compliance rules to ensure all names would be acceptable by Geographic Names Victoria. Non-compliant names have been removed.

There is limited evidence that existing names in the Asset Name Master List have been open to public submissions. Historically, they were added by approval of the Asset Naming Committee minutes going through Council. This would not satisfy the current naming requirements for community to have an opportunity to object.

It is recommended that all compliant names be released to the public and community comment invited.

### **Consultation**

The Asset Naming Policy and Procedure requires asset naming proposals be publicly advertised and community comment invited. Let's Talk was open to submissions from May. 19 proposals were received during that time. Feedback has been provided to all submissions.

"Naming rules for places in Victoria 2022" specifies that any person or organisation can lodge a submission in objection or in support of a naming proposal. The submission period must be at least 30 days. The naming proposal for the unnamed road in the Southview Development, and the updated Asset Naming Master List will be required to be advertised in local newspapers and online.

### **Financial Implications**

Not applicable for this report.

### **Social Implications**

Asset Naming can present Council with an opportunity to recognise prominent locals and be inclusive.

### **Economic Implications**

Not applicable for this report.

### **Environmental Implications**

Not applicable for this report.

### **Risk Management Implications**

Not applicable for this report.

## **Council Plan Strategy Addressed**

**Leadership** - Bold leadership, strong partnerships and effective advocacy.

### **Options**

Council may choose to adopt or amend the recommendation.

### **Recommendations**

**That Council:**

- 1. Select a name from the compliant names for the main east-west arterial road from the Draft Asset Naming Master List 2022 and seek community feedback, and**
- 2. Approve compliant names listed in the Draft Asset Naming Master List 2022 in principle for public exhibition and invite public submissions.**

### **113/22 Motion**

**MOVED Cr McKay**

**That Council:**

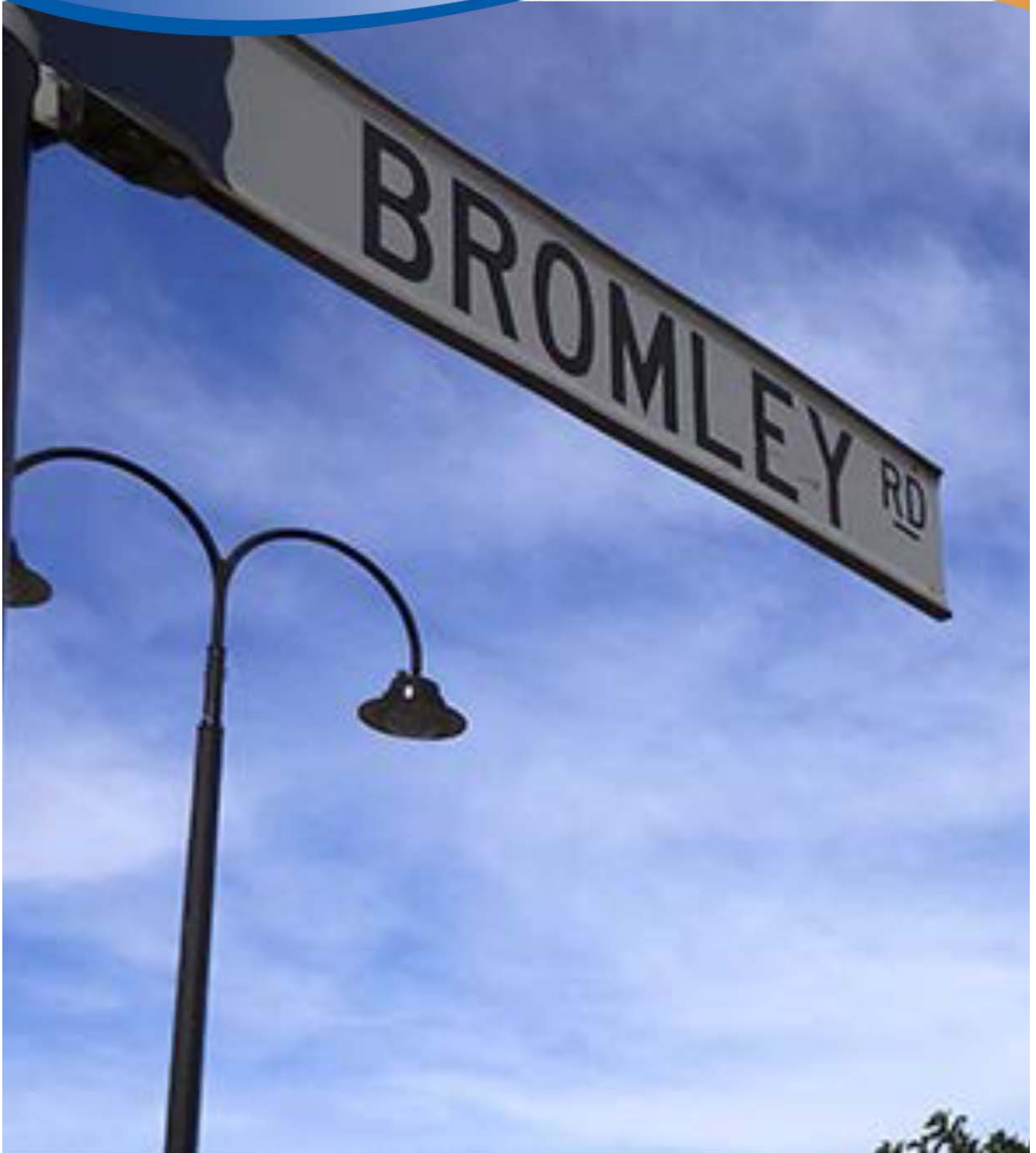
- 1. Select Laura Kirby as the name, and Boulevard as the preferred road type for the main east-west arterial road from the Draft Asset Naming Master List 2022 and seek community feedback, and;**
- 2. Approve compliant names listed in the Draft Asset Naming Master List 2022 in principle for public exhibition and invite public submissions.**

**SECONDED Cr Young**

**The Motion was put and CARRIED**

# Asset Naming Master List

## Current Available Names – Sep 2022





**Document History and Version Control**

<b>Version</b>	<b>Change effected</b>	<b>Date Approved</b>
0.1 DRAFT	Reviewed against Naming Rules 2022 compliance. Public Submissions incorporated.	

## Contents

<i>Beverford</i> .....	4	<i>Swan Hill</i> .....	18
MARSHALL	4	ADAMTHWAITE	18
PATTERSON	4	ALBRECHT	18
		BARKER	18
<i>Boundary Bend</i> .....	5	BIRD	19
JESSIE	5	BLOOMFIELD	19
MELVILLE	5	BOOTH	19
WILLEE	5	BRYDON	20
		DAVEY	20
<i>Chillingollah/Pira</i> .....	6	DELANY	20
SIMPSON	6	DIXION	21
		DOT NORTON	21
<i>Nyah/Nyah West</i> .....	7	EUNICE KENNEDY	22
BLACKBURROW	7	HEIDORN	23
EYLES	7	HOWITT	23
GRUNDY	8	IVY BELL	24
JOHNS	8	JILL PATTENDEN	25
LEWIS	8	JONES	26
MANSFIELD	9	KILMARTIN	26
SYDES	9	KRUGER	26
SYKES	9	LAURA KIRBY	27
WOOD	10	LILLY JACKSON	28
		LUCARDIE	28
<i>Pental Island</i> .....	11	MALONE	28
ABBOT	11	MCCORMICK	29
ARGYLE	11	MCLEOD	29
TEAGUE	11	MENSFORTH	29
		O'CONNELL	30
<i>Robinvale</i> .....	12	QUEEN AGGIE	30
AUDINO	12	PARFREY	31
BEGGS	12	PROCTOR	32
DONOVAN	12	QUAYLE	32
FUMBERGER	13	REES	33
GERVASI	13	SALVATRICE MAROTTA	33
GOUDIE	13	SHIPP	34
GRAHAM	13	SILK	34
GRANT	14	STEMMER	34
GROSE	14	STUTLEY	35
HARRIS	14	SULLIVAN	35
KERRIGAN	14	THEYERS	35
LAZZARA	15	VERA	36
LENZI	15	WOODBURN	36
MITCHELL	15		
NOTER	16	<i>Tyntynder</i> .....	37
OATES	16	DERRICK	37
PRAGT	17		
RIGGS	17	<i>Woorinen</i> .....	38
WATTS	17	MANSON	38
		RIDGEWAY	38

## Beverford

Proposed name	<b>MARSHALL</b>				
Details	One of the first two returned servicemen who pioneered their land. Now deceased.				
Preferred region	Beverford				
Reference	Names of the General Public - 09/10/04 document				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>PATTERSON</b>				
Details	One of the first two returned servicemen who pioneered their land. Now deceased.				
Preferred region	Beverford				
Reference	Names of the General Public - 09/10/04 document				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

## Boundary Bend

Proposed name	<b>JESSIE</b>				
Details	Jessie (wife of Alexander McCallum) managed the property for as long a period as her husband. Now deceased.				
Preferred region	Boundary Bend				
Reference	Lily E. Liardet File No: 842613 Vol 01 Fol 08				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	Yes	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>MELVILLE</b>				
Details	Melville Forster's family owned Yungera. He formed and gravelled this lane in approximately 1958. Now deceased.				
Preferred region	Boundary Bend				
Reference	Mr Len Hopcroft File No: 842613 Vol 01 Fol 03				
Classification	Commemorative				
Compliant					
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>WILLEE</b>				
Details	Willee Woorlang of the Kilean Tribe of Yungera area lived with Mr & Mrs McCallum. Now deceased.				
Preferred region	Boundary Bend				
Reference	File No: 842613 Vol 01 Fol 06				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	Yes	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

## Chillingollah/Pira

Proposed name	<b>SIMPSON</b>				
Details	Joe Simpson and his family came to Chillingollah in 1908. He selected a farm on the edge of Wahpool Lake where he lived until late 1926. He was the Justice of Peace and District Coroner for many years. Now Deceased.				
Preferred region	Chillingollah/Pira				
Reference	Betty McKay, File No: 842612 Vol 01 Fol 01				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

## Nyah/Nyah West

Proposed name	<b>BLACKBURROW</b>				
Details	Reginald Edward Blackburrow - Born in Circa 1874. Married Margaret Thwaites 1897 had 2 daughters. He was one of the early settlers in the Taverna Community Village Settlement at Nyah. 1989 started a scheme to pump water from the Murray River to irrigate their fruit blocks. These settlers built a timber lined tunnel approx. 1600 feet in length from the Murray River to a well 72 feet deep at Two Bays Corner, using horses and scoops. With the aid of an inadequate pump they had endeavoured to irrigate the land, and used a horse to drive the pump. The first Irrigation Scheme was officially opened in 1901. His wife was killed in a car accident 1928 whilst they were travelling to Warnambool for a holiday. As a sign of respect to their late teacher, her pupils at the Nyah Union Sunday School formed a line as the cortege left for the cemetery. He died 1952				
Preferred region	Nyah/Nyah West				
Reference					
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012				

Proposed name	<b>EYLES</b>				
Details	A nursery on the Mornington Peninsula in 1910-17 tried unsuccessfully to graft citrus weather too cold while Sydney nurseries were successful due to warmer climate. Mr Eyles relocated from the Sydney nursery to move to Nyah where they brought property e.g. Two Bays Nursery. Bringing his large family with him and successfully grafting citrus here. it's probable that citrus was first grafted successfully in Victoria was at Nyah.				
Preferred region	Nyah/Nyah West				
Reference					
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012				

Proposed name	<b>GRUNDY</b>
Details	Walter Alexander Grundy born Albert Park 1893. He was an Orchardist at Nyah when WW1 broke out and enlisted in the AIF 1916. After his arrival in France he was transferred to the 3rd Division Ammunition/Artillery Column, where he was appointed driver the later Bombardier, the T/Corporal. Returning to Australia 1919. He married Amy Mann 1925 who was remembered for her dramatic and enjoyable recitations. Walter was one of the original trustees of the Nyah Bush Nursing Hospital Inc when it was registered as a private hospital 1935. He continued as an Orchardist Nyah/Nyah West area until 1940. He died 1973.
Preferred region	Nyah/Nyah West
Reference	
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012

Proposed name	<b>JOHNS</b>
Details	LM Johns First head master at the Nyah Primary School 1913-1920 (given leave of absence to join army) WW1 soldier returning to Nyah Primary school after service. Photographer developed his own photos of early Nyah. Very much respected by district citizens and pupils.
Preferred region	Nyah/Nyah West
Reference	
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012

Proposed name	<b>LEWIS</b>
Details	WH Lewis was originally a blacksmith, saw miller & owned a steam engine with which he did a lot of clearing- eventually applied for a HA Grant in 1897. His son became a manager of Packing Shed in Nyah West. Mr WH Lewis was the instigator for a local cemetery. A tradition which is carried on by several younger generations of the family.
Preferred region	Nyah/Nyah West
Reference	
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012. There is a Lewis Road in the south west of the LGA, care must be taken for any new names to be >30km from existing road to prevent duplicates

Proposed name	<b>MANSFIELD</b>			
Details	Mr William Mansfield had a woodpile at Nyah about where the Pumping Station is for use of Paddle Steamer Captains. Built Nyah's first home. River St Log Cabin, marked on earlier maps.			
Preferred region	Nyah/Nyah West			
Reference				
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012			

Proposed name	<b>SYDES</b>			
Details	Born 1888, Chelmsford, Essex, England. Youngest of 11 children. Migrated to Australia at the age of 22. He was initially employed as a farm worker for J McDonald "Rosevale" Koondrook. Married Winifred Morgan 1915 had 3 sons. During 1911-1912 he was cattle droving in NSW and Balranald. Purchased a block 1912 in Kinghorne Lane, Nyah West. where he built a 1 room house he called a "Dog Box" which has been extended over time and remains a part of the existing house. He planted 400 orange trees and grapes. Arthur was Director/Secretary/Member of the Nyah Fruit Co-op and the Nyah Growers Union. He was also Treasurer/Secretary of the All Saints Church of England, Nyah West. Also a referee at local soccer matches.; His son planted a Sugar Gun in the Nyah West Park for Arbour Day in 1934. This tree was included on the register of "Significant Trees in Victoria" in 1992. Arthur died 1948. Members of family still live in the area.			
Preferred region	Nyah/Nyah West			
Reference				
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012			

Proposed name	<b>SYKES</b>			
Details	JB & A Sykes. Members of Taverner HA. One of 7 irrigators who shared in the work and use of the schemes. digging etc. A nephew was killed when digging a by-pass tunnel which collapsed during flood water escape and bought the collapse of the scheme and was quite possibly responsible for the start of the SR&WS(State Revenue & Water Supply Commission)			
Preferred region	Nyah/Nyah West			
Reference				
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012			



Proposed name	<b>WOOD</b>			
Details	Mr John Wood member Taverner HA 189-1900 was in charge of the HA Co-op Store. His wife opened a private school in her own home until State Schools Dept took over and the local hall was used.			
Preferred region	Nyah/Nyah West			
Reference				
Classification	Commemorative			
Compliant	No			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 31/01/2012. Potentially duplicated with Wood Street Swan Hill approx. 25km away			

## Pental Island

Proposed name	<b>ABBOT</b>			
Details	Former Chairman of the Pental Island Improvement Trust			
Preferred region	Pental Island			
Reference	Keith Greenham File No: 422806			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 24/10/06			

Proposed name	<b>ARGYLE</b>			
Details	Selector in the Pental Island Region 1874.			
Preferred region	Pental Island			
Reference	Keith Greenham File No: 422806			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 24/10/06			

Proposed name	<b>TEAGUE</b>			
Details	Former Chairman of the Pental Island Improvement Trust			
Preferred region	Pental Island			
Reference	Keith Greenham File No: 422808			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 24/10/06			

## Robinvale

Proposed name	<b>AUDINO</b>				
Details	Pat Audino requested to name a road within the Robinvale District in memory of her brother Tony Audino. Tony came to Robinvale in 1945, the same time as his parents. He established Robinvale's first transport business. He had to sell the business in 1976 just prior to his death.				
Preferred region	Robinvale				
Reference	Pat Audino Names of the General Public - 9/10/04 document				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>BEGGS</b>				
Details	Thomas Beggs had the Tol Tol Holding homestead, close to current location of Loch 15. Thomas Beggs' children, grandchildren and great grandchildren lived in Robinvale until the 1950's.				
Preferred region	Robinvale				
Reference	Euston/Robinvale Historical Society Names of the General Public – 9/10/04 doc.				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>DONOVAN</b>				
Details	The Donovan Family has a history of early post WW11 soldier settler dry farming in the south-west Robinvale area. The family continues in the district including John Donovan one of the early school bus proprietors in the area.				
Preferred region	Robinvale				
Reference	Euston/Robinvale Historical Society Letter dated 28/03/05				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee to approve this name on 09/11/04.				

Proposed name	<b>FUMBERGER</b>			
Details	George Fumberger was a builder who assisted with the building of the original block homes. He was a pioneer of the Robinvale area.			
Preferred region	Robinvale			
Reference	L H Ginn File No 842602 Vol 04			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>GERVASI</b>			
Details	Antonio Gervasi settled in Third Road (now Oliver Road), Robinvale in 1953, purchasing Lots 6 & 7. He played a part in the purchase of a dialysis unit for the Robinvale Hospital. Generations of the Gervasi family still live in the same area.			
Preferred region	Robinvale			
Reference	L H Ginn File No 842602 Vol 04 Fol 13			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>GOUDIE</b>			
Details	William Brown Smith Goudie moved to Robinvale in 1932 and worked as a carpenter on projects like the bridge, the weir and the Lake Benanee railway line and pump station.			
Preferred region	Robinvale			
Reference	Peter Goldring File No 842602 Vol 04 Fol 33			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>GRAHAM</b>			
Details	Stan Graham was a builder who assisted with building of the later block homes. He was a pioneer of the Robinvale area.			
Preferred region	Robinvale			
Reference	LH Ginn File No 842602 Vol 04			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>GRANT</b>				
Details	In 1847 John Grant was granted the Pastoral Licence of Bumbang. He lived where Robinswood now stands and his sons John and Simon bought from him in 1855 and held the licence until 1862.				
Preferred region	Robinvale				
Reference	Euston/Robinvale Historical Society Names of the General Public - 9/10/04 document				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>GROSE</b>				
Details	Kaye Grose was a teacher at the Robinvale High School for at least 35 years. She was also involved in Girl Guides and a member of the Historical Society & Environmental Society. Kaye passed away 2017.				
Preferred region	Robinvale				
Reference	John Katis File No 842602 Vol 04 Fol 23				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	Yes	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>HARRIS</b>				
Details	John & Betsy Harris lived in 7th Road after moving from Lake Benanee around 1944. They had four Children. One of the Children (Jack) was an early real estate agent for Elders in Robinvale.				
Preferred region	Robinvale				
Reference	Malcolm Harris File No 842602 Vol.4 Fol 39				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant

Proposed name	<b>KERRIGAN</b>				
Details	Frank Kerrigan was a World War 1 veteran who worked and lived at the Loch 15 and spent his spare time beautifying the surrounding area On retirement he settled in Latje Road.				
Preferred region	Robinvale				
Reference	Josephene Jones (nee Kerrigan) (Niece) 842602 Vol 04 Fol 61				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>LAZZARA</b>			
Details	Gesualdo "Jack" Lazzara moved to Robinvale in 1950 after serving as a soldier in World War II. He married in 1951 and had 5 children and worked his property as a market garden and supplied fresh fruit to local supermarkets. Jack is now deceased his widow and family occupy his original block.			
Preferred region	Robinvale			
Reference	Tanina and Peter Nooy File No 842602 Vol 04 Fol 47 EW Reedy File No 842602 Vol 04 Fol 46			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>LENZI</b>			
Details	Francesco Lenzi moved to Euston in 1952 and then to Robinvale in 1964. In the 1956 floods he helped the community by ploughing the soil for sandbagging. He was a well known member of the Italian community. His son, Antonio helped with the making of the levy bank in Robinvale, which ran across the ends of the roads between First and Ninth Roads.			
Preferred region	Robinvale			
Reference	Anthony Lenzi (Grandson) File No 842602 Vol 04 Folio 73			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>MITCHELL</b>			
Details	Dave and Jean Mitchell purchased property in the Liparoo area in 1964. Their family has been farming the land for four generations.			
Preferred region	Robinvale			
Reference	Neville Mitchell File No 422806			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 24/10/06			

Proposed name	<b>NOTER</b>				
Details	The 'Noter' name is synonymous throughout the surrounding district to be part of the basketballing community for the last 50 years or so. Cedric arrived on his own firstly and was the person who planted up most of Wemen with grapes etc. He then contracted many old Soldier Settlement grape blocks and was friends with a lot of the returned soldiers who are now no longer with us. He then brought his wife Beryl to Robinvale in the early 60's and it was in 1964 that their first born of six was born. As well as being a contractor in the grape industry, he also worked hard picking oranges in Boundary Bend and he also used to shoot rabbits for a living too. He has also worked for a lot of the families in Robinvale and they all hold him high esteem as do their children and their grandchildren. He & his wife are both life members of basketball				
Preferred region	Robinvale				
Reference	Detha Noter (Daughter) File S11-01-01				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 16/05/2017. Approved Council 15/08/2017				

Proposed name	<b>OATES</b>				
Details	Dr. Oates was a doctor in Robinvale who retired after 40 years service. His wife was the community nurse for many years and even though retired still assists with Meals on Wheels. Now deceased.				
Preferred region	Robinvale				
Reference	John Katis File No 842602 Vol 04 Fol 23				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>PRAGT</b>
Details	<p>The Pragt family's migration to Robinvale from Holland began in 1951 with the arrival of Jacobus "Jack" Pragt. He was followed a year later by brother Hank and sister Antonetta.</p> <p>They bought a house in Robinvale in order to provide a home for their parents and five siblings to relocate from Holland to live in Australia.</p> <p>Hank and Bill Pragt were inaugural members of the Volunteer Fire Brigade and volunteer drivers for the Robinvale Ambulance. Jack Pragt was an inaugural member and early controller of the Robinvale State Emergency Service (SES). Jack was an active member of St. Vincent de Paul Society, assisting many people in need in the Robinvale community.</p> <p>Jack and Hank Pragt ran a successful Mobil Service Station in Euston, Pragt Brothers Garage, until Jack had a serious accident and they had to sell the business.</p> <p>Jack was also a Euston School bus driver, driving the school bus that serviced Euston and Robinvale schools.</p>
Preferred region	Robinvale
Reference	Lynn Tolley submission 17/11/2015 Marie Pragt Submission 25/07/2022
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub Committee approved this name on 22/03/2016

Proposed name	<b>RIGGS</b>
Details	Fred Riggs was a plasterer who assisted with the building of the original block homes in Robinvale. He was a pioneer of the area.
Preferred region	Robinvale
Reference	L H Ginn File No. 842602 Vol 04
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 09/11/04

Proposed name	<b>WATTS</b>
Details	Jim Watts was one of the first electricians in area. Barry and Greg Watts (a different family) both of whom are current residents, have contributed to Robinvale area through SES, Rotary, Scouts, Cricket, Football and Guides. If name is selected only deceased may be officially commemorated.
Preferred region	Robinvale
Reference	Greg Watts File No 842602 Vol 04 Fol 13
Classification	Commemorative
Compliant	Partial
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> partially compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 09/11/04.



## Swan Hill

Proposed name	<b>ADAMTHWAITE</b>
Details	Dick Adamthwaite was a pioneer name in the district. He worked in the Ford Dealership. He was active in the Anglican Church.
Preferred region	Swan Hill
Reference	Names of the General Public(printed from Ausinfo EDMS)
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 28/9/04

Proposed name	<b>ALBRECHT</b>
Details	Charles Albrecht was Secretary/Engineer for the Swan Hill Shire Council (based at Kerang) from 1870 to 1878 after which he continued as Secretary until the Lower Murray Riding successfully achieved severance. He then took up the position of Secretary/Engineer with the Castle Donnington Shire, a post he held until 1905. As Engineer, he inspected work over the extensive area of the Shire travelling by horse and gig, hiring a man to go with him and hold the end of his tape measure as required.
Preferred region	Swan Hill
Reference	Names of the General Public (printed from Ausinfo EDMS)
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 28/9/04

Proposed name	<b>BARKER</b>
Details	John Henry Barker was the first Pharmaceutical Chemist in Swan Hill. He came to Swan Hill in 1889 and opened his business premises in Campbell Street. He was a prominent member of the Murray Lodge of Freemasons of which he was a past Master. John passed away at 73 years of age.
Preferred region	Swan Hill
Reference	Names of the General Public (printed from Ausinfo EDMS)
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 28/9/04

Proposed name	<b>BIRD</b>			
Details	Allan Bird 27 Years – Water Board – Deceased 15/07/1985			
Preferred region	Swan Hill			
Reference				
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>BLOOMFIELD</b>			
Details	R. Bloomfield Rees in 1890 commissioned the building of a block of five two storey shop and residences, a structure currently being recreated at the Swan Hill Pioneer Settlement. He owned a property with a frontage to the Murray River, moving from Bendigo where he was a Chemist to become involved in farming. He was a keen advocate of bulk handling wheat long before it eventuated. He was the Member of the Legislative Council for the North Western Province for some time early this century.			
Preferred region	Swan Hill			
Reference	Names of the General Public (printed from Ausinfo EDMS)			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>BOOTH</b>			
Details	In memory of Fredrick Henry Booth and father Charles Fredrick Booth. Both were good community workers and were Life Members of ANA. Charles was a fireman from age 18 to 65 and both worked on wood carting for Swan Hill Hospital. Grandfather came to the Mallee aged 13 and lived rest of life in Swan Hill and father lived all his life here.			
Preferred region	Swan Hill			
Reference	Elaine Priest File No 842600 Vol 05 Fol 03			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04.			

Proposed name	<b>BRYDON</b>			
Details	Doug Brydon came to the Swan Hill area in the early 1920's and lived there for nearly 40 years. Charles Brydon was a wheat farmer and Councillor in South Riding for Swan Hill Shire. He was President of Shire from 1926 to 1927.			
Preferred region	Swan Hill			
Reference	Names of the General Public – 9/10/04 document			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04. Possible duplicate with similar Bryan Street. Also a Brydon Road in South West of LGA			

Proposed name	<b>DAVEY</b>			
Details	Geoff Davey was employed by Swan Hill City Council from 1960 until his retirement in 1985. He was originally in the Power House and then Maintenance Carpenter. He performed duties as Father Christmas at Pre-Schools and on Christmas Eve with a horse and cart in Campbell Street. In the 1920's his father Thomas Davey was a Blacksmith in Campbell Street.			
Preferred region	Swan Hill			
Reference	Mr Geoff Davey letter 11/11/04 File No 422806 Vol 01			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>DELANY</b>			
Details	Gerald Delany was a Solicitor in Swan Hill for many years in partnership with Brian Delany. He went to Melbourne to practice and is now deceased.			
Preferred region	Swan Hill			
Reference	Names of the General Public (printed from Ausinfo EDMS)			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>DIXION</b>			
Details	William Ridley Dixon moved to Swan Hill in 1921 and worked in real estate for 45 years. He was president of the ANA lodge in the 1930s, a champion billiard player at the Swan Hill Club, prominent in cricket circles and umpiring. In the 1940's and 1950's he was a committee member at the Swan Hill Football Club and was made a life member of the Mid Murray Football League. He died in 1974			
Preferred region	Swan Hill			
Reference	Graham Dixon File No 842607 Vol 01 Folio 14			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>DOT NORTON</b>			
Details	Dotty Norton was a pioneer in the theatre here in Swan Hill for decades. Well ahead of her time Dot, championed the arts and theatre with gusto till well into her 80s.			
Preferred region	Swan Hill			
Reference	"Let's Talk" 18 AUG 2022 Sysaid #287110. Mark Smith			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	Yes	Indigenous	B	Status Approval Required
Comments	To be formally approved.			

Proposed name	<b>EUNICE KENNEDY</b>
Details	<p>Eunice Kennedy OAM, 1916 – Deceased</p> <p>1992 OAM for service to those with intellectual disabilities and the community.</p> <p>2001 Awarded a Centenary Medal for long service to the community, including ageing, U3A and the Genealogical Society.</p> <p>1982 BPW Woman of the Year – Community Service</p> <p>Eunice was genuinely interested in change and progress and ensuring that these dynamics worked to the benefit of our community. She maintained a consistent and compassionate involvement with the community.</p> <p>Long-term commitment to the Lady Byrnes Centre for Intellectually Handicapped, dynamic leadership leading to the establishment of a school, workshop and residential accommodation.</p> <p>Led the establishment of Citizens' Advice Bureau providing free, independent, confidential and impartial advice.</p> <p>Prominent businesswoman who spent 5 years on the Chamber of Commerce, worked for the introduction of the Shopping Park and supported Swan Hill Pioneer Week.</p> <p>BPW Swan Hill. Developed a school leavers program, a school-to-work program, a careers seminar and supported many other successful innovations.</p> <p>Strong passion for ongoing education and recording history. Involved in transition of Dowling House Inc. from arts and crafts to adult education venue, establishment of U3A, compiled comprehensive history of BPW Swan Hill and active member of Oral History Group.</p> <p>Alcheringa Hostel. Auxiliary member and active volunteer. Member of Council-aided Committee for the Ageing.</p> <p>Active Uniting Church member.</p>
Preferred region	Swan Hill
Reference	"Let's Talk" 28 June 2022 Sysaid #287110. Helen Gell
Classification	Commemorative
Compliant	Yes
Prominent Female	Yes <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Approval Required <input type="checkbox"/>
Comments	To be formally approved.

Proposed name	<b>HEIDORN</b>			
Details	Hans Heidorn was the earliest settler, arriving in Swan Hill on the P.S. "Success" in 1872. He constructed a house in the swamp area known as Campbell Street near the Butter Factory. He was a builder by trade.			
Preferred region	Swan Hill			
Reference	Names of the General Public (printed from Ausinfo EDMS)			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>HOWITT</b>			
Details	Alfred William Howitt was engaged by the Victorian Government to search for the missing Burke and Wills, starting from their setting off point at Swan Hill. Howitt successfully found King, the sole survivor of the group of four, living with Aborigines at Cooper Creek, about where Innamincka is located today. He also located the remains of Burke and Wills and buried them there. On instruction, he later returned to the Cooper and recovered the remains of Burke and Wills, returning them to Melbourne where a state funeral was later attended by some 40,000 people.			
Preferred region	Swan Hill			
Reference	Richard Lawrence French File No 842607 Vol 01			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

Proposed name	<b>IVY BELL</b>				
Details	<p>A mainstay of the Swan Hill community, Aunty Ivy Bell had devoted much of her life to the needs of local Aboriginal people, through roles in welfare, health and justice. She brought patience and empathy to all she did, and provided a safe and loving home to those most vulnerable during her many years as a foster carer. In 1982, Ivy graduated with a degree in Applied Social Science, specialising in Aboriginal Welfare. She subsequently spent 10 years as a foster care worker and, over a 20-year period, fostered 16 children herself. Between 1990 and 2002, Ivy served as a volunteer on the Aboriginal community justice panel in Swan Hill, making herself available 24 hours a day to assist Aboriginal and Torres Strait Islander people taken into custody. A gifted artist, Ivy engaged new generations with Aboriginal culture through her work. Using traditional techniques, she carved emu eggs and produced striking charcoal drawings, which have been exhibited locally and around the state. Ivy was an enthusiastic champion of young local artists, some of whom have been shortlisted for Victorian Indigenous Art Awards with her support. Proactive in all she did, Ivy's keen understanding of the social justice issues affecting Aboriginal people earned her a reputation as an upstanding member of the local community. Committed to all she did, Ivy worked without the expectation of reward but in the hope of changing lives for the better. An inductee of the Aboriginal Honour Roll, Ivy died in 2013.</p>				
Preferred region	Swan Hill				
Reference	Let's Talk 2 June 2022 Sysaid #287110. Andrea Otto				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	Yes	Indigenous	Yes	Status	Approval Required
Comments	To be formally approved.				

Proposed name	<b>JILL PATTENDEN</b>			
Details	<p>1936-2021</p> <p>Jill gave outstanding and inspirational service to Swan Hill especially to the Aboriginal and refugee communities, Uniting Church, Theatre Group and BPW Swan Hill committing herself to bettering the life of others.</p> <p>Awards: SHRCC Citizen of the Year, MFC life member, Vic. Multicultural, BPW Australia.....</p> <p>Hands on, leader, active, tireless, persistent</p> <p>Lifelong volunteer and advocate for oppressed or disadvantaged people.</p> <p>Educated, enabled and empowered. Fostered reconciliation for all.</p> <p>Holistic approach. Physical, social and emotional support e.g. food, shelter, recreation and social activities for all ages. Connected families to Infant Welfare, immunisations, pre-school, schools, sporting groups, agencies and employment.</p> <p>Compassionate, caring, empathetic. Steadfast dedication and commitment</p> <p>Aboriginal</p> <p>Came here to train Aboriginal Educators for district schools.</p> <p>Developed and supported teaching of Aboriginal Core Curriculum</p> <p>Refugee</p> <p>Voluntarily assisted refugees and asylum seekers through English language classes, communicating with Government departments and aid agencies</p> <p>Resource person, on call to mainstream service providers and media</p> <p>Leader in establishing Harmony Day</p> <p>Community</p> <p>Adult Literacy, Community and Aboriginal welfare, Theatre group pianist, golf.</p> <p>Uniting Church</p> <p>Leader, skilful musician, elder, Parish Council Chairman, Community Issues group convenor, member of Mallee and Victorian governance committees.</p> <p>More details available.</p>			
Preferred region	Swan Hill			
Reference	Let's Talk 28 June 2022 Sysaid #287110. Helen Gell			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	Yes	Indigenous	No	Status Approval Required
Comments	To be formally approved. Name not to be used until 2023 as there is now a two year requirement for person to have been deceased.			



Proposed name	<b>JONES</b>
Details	Robert BRUCE Jones 1947 - 2016, was Mayor of Swan Hill Rural City. The Jones family farming enterprise 'Hastings Jones Pty Ltd' was a forerunner in large scale dairying and rotary dairy development, being the largest platform internationally for several years. Bruce was the instigator of the Weed Warrior campaign making a significant difference to the Swan Hill city environment. The Jones family were original selectors of land in the Murraydale area (Thomas Jones and Robert Hastings). The land for Tyntynder South School was donated by Jones family. He made a difference.
Preferred region	Swan Hill
Reference	Let's Talk 20 May 2022 Sysaid #287110. Joy Jones
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Approval Required <input type="checkbox"/>
Comments	To be formally approved. There is currently a Jones Road in Natya area approximately 68km from Swan Hill, however, this is compliant with distance requirements and is unlikely to cause issues.

Proposed name	<b>KILMARTIN</b>
Details	My family originated in Swan Hill and still have family residing in the area. My mother's father came and took up land from when he was 17 or 18 years of age. He had land on the Jam Pot Rd just out of Lake Boga. He died in 1938 and is buried in Swan Hill. His name was Jack Kilmartin a mallee pioneer. I understand that the Historical Society use his picture when they have articles in the Swan Hill paper. I understand that Dr Major had a big photo of him outside where he had his surgery; the photo was taken in 1909, when my mother was born in the old hospital. My father was a steam engine driver in Swan Hill for 40 years. He met an untimely death in 1962 and is buried in Swan Hill also.
Preferred region	Swan Hill
Reference	Bill Stemmer
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant <input type="checkbox"/>
Comments	Asset Naming Sub-Committee approved this name on 05/02/2013

Proposed name	<b>KRUGER</b>
Details	Wilhelm Charles Kruger arrived at Tyntynder at early 1900's where allotments were available. Summer Bushfires caused hardship and the settled in Kerang, returning to Swan Hill in 1919. Charlie built a brick house that still remains and opened Krugers Garage next door at 207 Campbell Street where he was a forge welder, welder engineer and mechanic. Rugby and Falcon Knights cars were also sold there. Wrestling and boxing ring was set up un the shed. Charlie passed away 1951
Preferred region	Swan Hill
Reference	Sysaid #203372 Asset Naming Submission 3 May 2021. Margaret Kruger
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Approval Required <input type="checkbox"/>
Comments	To be formally approved.

Proposed name	<b>LAURA KIRBY</b>
Details	<p>1914 - Deceased</p> <p>1991 BPW Woman of the Year – Community Education</p> <p>Laura Kirby was an elder in both her Aboriginal and the whole Swan Hill community. An independent lady, a quiet strength for others, both black and white. A humble lady who educated and mentored many young people.</p> <p>Young Laura worked as a doctor's housekeeper then married and had 13 children.</p> <p>Lived on a Mission during the Depression. Very little money or available food, supplemented with damper, dripping and locally caught fish and animals.</p> <p>Taught Sunday School, formed a women's sewing group, ran a Homework Group in her home for Aboriginal children.</p> <p>1960's Laura led the development of Wandarrah Aboriginal Centre in the CBD. Taught poker work, carving of emu eggs and helped with classes for young Aboriginal girls in table setting and etiquette.</p> <p>1970's Inaugural Director of the Swan Hill Aboriginal Co-operative, a position she held for many years overseeing various important developments, including the Laura Kirby Health Centre.</p> <p>1980's faithful member of the Aboriginal Education Committee, making an outstanding contribution to the education of both Aboriginal and non-Aboriginal students, teaching her own history and culture within our schools.</p> <p>Longstanding involvement in the local Aboriginal Evangelical Fellowship and Baptist Church, taught Sunday School, organised church services and promoted study groups, earned her the respect of the community.</p> <p>More information available if required.</p>
Preferred region	Swan Hill
Reference	Let's Talk 6 June 2022 Sysaid #287110. Helen Gell
Classification	Commemorative
Compliant	Yes
Prominent Female	Yes      Indigenous      Yes      Status      Approval Required
Comments	To be formally approved. Name not to be used until 2023 as there is now a two year requirement for person to have been deceased.

Proposed name	<b>LILLY JACKSON</b>			
Details	Beatrice Lilly Jackson, my grandmother had post office at Tyntynder, was oldest running at end. My mother was post mistress at settlement for 30 years in Cobb and co days. My grandmother also milked 200 cows on her own and ran shop in swan hill in David Stynes arcade. She donated the land for tyntynder central school and built them a hall. She was a hard working lady and passed at 66. Trixi lilly Dalton was her maiden name it would be a lovely tribute to her and my family.			
Preferred region	Swan Hill			
Reference	"Let's Talk" 18 AUG 2022 Sysaid #287110. Mark Brown.			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	Yes	Indigenous	No	Status Approval Required
Comments	To be formally approved.			

Proposed name	<b>LUCARDIE</b>			
Details	John Lucardie commenced work with Council in 1961. John retired from Council in August 1991 after 30 years as a dedicated employee. John was also actively involved in many sporting groups and within the Catholic School and Parish communities. John passed away in November 1999.			
Preferred region	Swan Hill			
Reference	Mrs Rose Lucardie (wife) Letter 22/11/04 File No 422806 Vol 01			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>MALONE</b>			
Details	Mr Patrick (Pad) Malone move from Mystic Park to Swan Hill in 1946-47 where he purchased a property at 72 Gray Street Swan Hill. Mr Malone served in the 8th Lighthouse regiment in the 1914-18 World War. His war record was documented in a book by Colin Heggen. He was also an active member in the Swan Hill RSL and the Swan Hill Football Club.			
Preferred region	Swan Hill			
Reference	Mrs Margaret Jirik File No 842607			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 24/10/06			

Proposed name	<b>MCCORMICK</b>
Details	Allan McCormick was employed in 1960 as the librarian for the Swan Hill Regional Library bookmobile for 33 Years. He was instrumental in designing the first articulated trailer for bookmobile services and took library services into remote towns in the Swan Hill Shire Other organisations he was involved with include Swan Hill Lions Club, Swan Hill & District Highland Pipe Band (Life Member), Swan Hill National Theatre and Mid-Murray Football League Independent Tribunal.
Preferred region	Swan Hill
Reference	Letter – Mr McCormick 10/11/04 File No 422806 Vol. 01
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> TBC
Comments	Asset Naming Sub-Committee approved this name on 28/9/04

Proposed name	<b>MCLEOD</b>
Details	Marjorie McLeod, B.E.M, lived in one of two flats which have been replaced by business premises at 12 Rutherford Street, Swan Hill. She came to Swan Hill to join her husband who was employed with Local Government. She was a well known playwright, poet and theatrical producer and founded the Swan Hill National Theatre in 1943. She inspired the community to stage an annual Shakespeare Festival which continued for 30 years.
Preferred region	Swan Hill
Reference	Swan Hill Genealogical & Historical Society Letter dated 11/2/05
Classification	Commemorative
Compliant	Yes
Prominent Female	Yes <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant
Comments	Asset Naming Sub-Committee approved this name on 01/03/05

Proposed name	<b>MENSFORTH</b>
Details	Harry Mensforth was employed by Swan Hill City Council in September 1965. Harry retired from Swan Hill City Council in July 1992 after 27 years employment. Now Deceased
Preferred region	Swan Hill
Reference	Mr Harry Mensforth letter 13/11/04 File No 422806 Vol 01
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04

Proposed name	<b>O'CONNELL</b>			
Details	Frank O'Connell came to Swan Hill in 1944 and purchased the Ford Dealership where he worked all his life. Frank also worked with the Donnington Golf Club. Frank passed away in 1979.			
Preferred region	Swan Hill			
Reference	Names of the General Public (printed from Ausinfo EDMS)			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>QUEEN AGGIE</b>			
Details	<p>Mrs Aggie Stewart was one of the most respected women to have carried the name of the Aboriginal race into our history books. She was the daughter of Jim &amp; Sarah Crow of the Watti Watti tribe. Aggie was an only child, and she had very few playmates due to the rapid decline in the population in the area.</p> <p>Aggie led a traditional life-style, which was only slightly affected by European settlement in her later years.</p> <p>Fortunately for the Aboriginal people today, she passed some of her oral history on to a well-known member of the Swan Hill community, Mr Frank Stewart. Mr Stewart spent much of his school holidays with Aggie, after she married Harry Edwards. Harry was a member of the neighbouring Muti-Muti tribe. Aggie was in her early teens when the marriage took place, but Harry was many years her senior.</p> <p>Aggie changed her name to "Queen Aggie" after the turn of the century - it is believed that her title of Queen was added at the time of her official presentation to the State Governor at the opening of the local show.</p> <p>In November 1928, Aggie passed away at the age of 55. She was buried in the Swan Hill Cemetery, and a special tombstone was erected in her memory.</p>			
Preferred region	Swan Hill			
Reference	Sysaid #290073. Asset Naming Submission 2022 Debra Chaplin			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	Yes	Indigenous	Yes	Status Compliant
Comments	To be formally approved.			

Proposed name	<b>PARFREY</b>				
Details	<p>The Parfrey family has had a long standing association with the Swan Hill district. My Grandparents, Claude and Maisie Parfrey, owned and ran a small corner store on the corner of High and Everingham streets in the 1960's for at least 15 years. The shop itself has now been preserved at the Pioneer Settlement as "Kim's Hairdresser".</p> <p>My Grandmother was a quiet and giving person who was involved in many charities in Swan Hill when she was alive. She was very active in the Anglican Church in town and worked hard for the Laurel Club. She was also the Treasurer of the Swan Hill Blind Auxiliary. She was awarded Life Membership at the Swan Hill Football Club for her dedication to the club in running the canteen at all games. She ran the op shop under the old water tower in McCallum St., which raised funds for the local hospital and was made a Life Governor of the hospital in 1986.</p> <p>My Grandfather, Claude, supported my Grandmother so that she could assist the local community by working endless hours at the shop. He also supported the Swan Hill Football Club as a time keeper.</p>				
Preferred region	Swan Hill				
Reference	Sysaid #147263 Asset Naming Submission 15 May 2020. Ainslie Parfrey				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Approval Required
Comments	To be formally approved.				

Proposed name	<b>PROCTOR</b>
Details	<p>Alexander Proctor was born in Scotland on 25/5/1898. He fought in the First World War as a Scottish Soldier for the Allies. He went off to war aged 16. He was also a Prisoner of War and still had shards of machine gun bullets in him until the day he died.</p> <p>After the War, Alexander Proctor aged 24 left Scotland on the Ship SS "Benalla" on 11/1/1923. He arrived in Melbourne on 22nd February 1923. After working briefly in Melbourne, moved to Murrabit to work on the railways and met his future wife Caterina Parmenter.</p> <p>Alexander and Caterina moved to Swan Hill in 1927. Alexander started work with the Swan Hill Shire in 1928 and worked for the Swan Hill Shire for 45 years until his retirement at age 75.</p> <p>Alexander and Caterina had five children and raised them all in Swan Hill. One of their homes was a house that is where Café 202 is now!</p> <p>Alexander was a grader driver and worked all around Swan Hill, Robinvale, Manangatang, Ouyen, Nyah West, Lake Boga – everywhere. (See attached maps) He was known for his hard work, being extremely meticulous with his work, honest, and loyal.</p> <p>Even upon Alexander's retirement, he was so well respected that the local shire Engineer (I believe Neville Beasley?) offered Alexander (aged 75) a job doing lawns etc for the Shire. However, Alexander was ready to retire.</p> <p>Unfortunately, not long after he retired, he was diagnosed with Dementia. He spent his later years in the newly created geriatric ward of the Swan Hill District Hospital (now the sub-acute area of the hospital).</p> <p>Alexander passed away on the 9/5/1983, just shy of 85 years old. He is buried in the Swan Hill District Cemetery along with his wife and 3 of his children. .</p>
Preferred region	Swan Hill
Reference	Mr Alex Proctor letter 9/11/2004. Sysaid #290074 - Phil Joyce Asset Naming Submission 2022
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> TBC
Comments	To be formally approved.

Proposed name	<b>QUAYLE</b>
Details	David Quayle. Previous councillor, Mayor, Chairman & Board member Swan Hill Theatre Group. Started the soccer in Swan Hill in 1974. Healthy Minds Network. List goes on but he deserves some recognition. Thank you
Preferred region	Swan Hill
Reference	Let's Talk 13 May 2022 Sysaid #287110. Terri Sparks
Classification	Commemorative
Compliant	Yes
Prominent Female	No <input type="checkbox"/> Indigenous <input type="checkbox"/> No <input type="checkbox"/> Status <input type="checkbox"/> Approval Required
Comments	To be formally approved.

Proposed name	<b>REES</b>			
Details	Evan (Gordon) Rees was an early developer in Swan Hill. He built the Neath Flats on the corner of Beveridge and McCrae Streets Swan Hill.			
Preferred region	Swan Hill			
Reference	Names of the General Public (printed from Ausinfo EDMS)			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

Proposed name	<b>SALVATRICE MAROTTA</b>			
Details	<p>1922 Italy – Deceased</p> <p>Over many years, Salva willingly gave her time, for the benefit of her fellow Italians, helping them to assimilate into a strange land and assisting them to better understand the language and thus enabling them to become great contributors to the economy of our district.</p> <p>Emigrated to Barham in 1933. Completed primary school. Taught 3 brothers Correspondence School.</p> <p>Moved to Moulamein. Mother hospitalised for six months, difficulty in communicating with Doctors and staff. Salva began life-long interpreting role for Italians.</p> <p>Moved to Lake Boga, then Swan Hill.</p> <p>1950's Salva sought to interpret at the Swan Hill Hospital, day or night, for new Italian immigrants.</p> <p>Assisted at the Baby Health Centre, particularly the Friday sessions for Italian mothers. Travelled to farms with Sister e.g. Robinvale and Kerang.</p> <p>Salva did all this whilst caring for her 3 children under 7 years, her husband, boarders, and a family of young foster children.</p> <p>1955 Swan Hill Doctors nominated Salva for Recognition of Service to the Italian community, was awarded a Hospital Life Governorship.</p> <p>Salva involved herself in community organisations including Meals on Wheels 23 years, Certificate of Recognition of Services St. Vincent de Paul, member of 3SH Women's Club, Technical School Canteen, Senior Citizens' Club, Committee for the Ageing, Hospital Trolley 12 years. With husband Paul, established the Italian Senior Citizens' Club and volunteered at the Italian Club.</p>			
Preferred region	Swan Hill			
Reference	"Let's Talk" 28 June 2022 Sysaid #287110. Helen Gell			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	Yes	Indigenous	No	Status Approval Required
Comments	To be formally approved.			



Proposed name	<b>SHIPP</b>				
Details	Jonathon Shipp conducted a variety of businesses in Swan Hill for many years from about 1893. An advertisement in 1912 listed Mr. Shipp as a fruiterer, caterer, confectioner, greengrocer, general carrier and cab proprietor. He was also owner of the Swan Hill Aerated Water and Cordial Factory from which more than 50 flavours of soft drinks could be obtained. A well known facility he provided was Shipp's Open Air Picture Theatre.				
Preferred region	Swan Hill				
Reference	Names of the General Public (printed from Ausinfo EDMS)				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04				
Proposed name	<b>SILK</b>				
Details	William Silk conducted a drapery shop for about 20 years from about 1911, in Campbell Street, two doors south of the Post Office.				
Preferred region	Swan Hill				
Reference	Names of the General Public (printed from Ausinfo EDMS)				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04				

Proposed name	<b>STEMMER</b>				
Details	Sarah Stemmer's family has lived in Swan Hill since 1905. Mrs Stemmer died at 95 years of age in 2001. Her husband worked on railways for 40 years as a driver.				
Preferred region	Swan Hill				
Reference	Bill Stemmer File No 842607 Vol 01 Folio 16				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	Yes	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04				

Proposed name	<b>STUTLEY</b>				
Details	Alfred William Stutley was born in Adelaide in 1852 and worked as a coachman before moving to Swan Hill about 1890. Mr Stutley spent most of his time in the Swan Hill Area as a cartage contractor, employed during the building of the Little Murray Weir and during one flood, was employed to cart soil for levees on Pental Island. During wet seasons another task was to cart sawdust to the muddy main street of Swan Hill for the construction of temporary walkways from one side of the street to the other. In 1909, Mr Stutley purchased the p.s "Little Ruby".				
Preferred region	Swan Hill				
Reference	Sysaid #191988				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Council Meeting approved this name on 16/11/2010				

Proposed name	<b>SULLIVAN</b>				
Details	W.G.R. Sullivan came to Swan Hill for a pre-war partnership in a dental clinic with brother-in-law L.C. Cato.				
Preferred region	Swan Hill				
Reference	Names of the General Public (printed from Ausinfo EDMS)				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04				

Proposed name	<b>THEYERS</b>				
Details	Mr W Theyers was Shire President prior to the formation of Shire of Swan Hill.				
Preferred region	Swan Hill				
Reference	Names of the General Public (printed from Ausinfo EDMS)				
Classification	Commemorative				
Compliant	Yes				
Prominent Female	No	Indigenous	No	Status	Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04				

Proposed name	<b>VERA</b>			
Details	Vera Frame was the woman behind Frames Plumbing. She was the first of her family born in Australia, Swan Hill, in 1926 after her parents and older sister made the voyage from England. She settled and raised 5 children in Swan Hill while supporting her husband, Les Frame, in establishing his very successful plumbing business. She was an avid member of the RSL, Red Cross, Mothers Union and many committees as her children went through school. A very community minded lady, she passed away peacefully at her Stradbroke Avenue home in 1998.			
Preferred region	Swan Hill			
Reference	Let's Talk 14 May 2022 Sysaid #287110. Casey Simmonds			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	Yes	Indigenous	No	Status Approval Required
Comments	To be formally approved.			

Proposed name	<b>WOODBURN</b>			
Details	Robert Woodburn commenced work with Swan Hill Waterworks Trust in February 1966 which then became Swan Hill Water Board. He was one of the first employees to lay PVC pipes in Mellor Grove Swan Hill. In 1971 he became plant operator in the filtration plant for 15 years when he then became assistant to the new plant operator. He retired in November 1990 and passed away 2018.			
Preferred region	Swan Hill			
Reference	Mr Robert Woodburn summary			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 28/9/04			

## Tyntynder

Proposed name	<b>DERRICK</b>			
Details	Mr Bill Derrick selected a block of land on Neimann Road after his return from France in 1918. In the family were seven children. He cleared hundreds of box stumps after felling the heavy timber he then planted grape vines and orange trees. In 1937 his brother Charlie took over Block 3. Another brother Phillip owned and lived on Block 2.			
Preferred region	TYNTYNDER			
Reference	Mr. W. Derrick File No: 842603 Vol. 01			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

## Woorinen

Proposed name	<b>MANSON</b>			
Details	John Adrian Mason as a returned British Soldier bought land at Woorinen after world war 1. Two crown lots 43 & 43B now 67 Goodman Rd. He farmed there until he listed with AIF in WWII but was invalided home and the share farmed until his death in 1957. My sister Mary and I grew up and attended Woorinen Nth State School and Swan Hill High School. Our mother Ada Manson nee MsQueen lived and worked in the district for 70 years up until her decline and removal to Bendigo Lily Lodge where she died 1999. My fathers name was on the honour roll at Woorinen Soldiers Hall.			
Preferred region	WOORINEN			
Reference	Dorothy Price nee Manson			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 05/02/2013			

Proposed name	<b>RIDGEWAY</b>			
Details	Emile Ridgeway signed up for active service in 1916 and was wounded in action. In 1918 he was transferred to the Machine Gun Battalion until he returned home in 1919. He passed away in 1938.			
Preferred region	WOORINEN			
Reference	Mr Bob Ridgeway File No 842600 Vol 04 Fol 47 (also mentioned in 842603 Vol 01 Folio 16)			
Classification	Commemorative			
Compliant	Yes			
Prominent Female	No	Indigenous	No	Status Compliant
Comments	Asset Naming Sub-Committee approved this name on 09/11/04			

## **SECTION C – DECISIONS WHICH NEED ACTION/RATIFICATION**

### **C.22.15 SIGN & SEAL REPORT**

**Responsible Officer:** Chief Executive Officer

**Attachments:** Nil.

**Declarations of Interest:**

Scott Barber - as the responsible officer, I declare that I have no disclosable interests in this matter.

#### **Summary**

The following documents and agreements have been signed and sealed by the Councillors and the Chief Executive Officer on the respective dates. Those actions require the ratification of the Council.

#### **Discussion**

During the course of any month Council is required to sign and seal a range of documents arising from decisions made on a previous occasion(s). Examples include sale of land, entering into funding arrangements for Council programs etc.

As the decision to enter into these agreements has already been made, these documents are signed and sealed when received, with Council ratifying the signing and sealing at the next Council meeting.

The following documents were signed and sealed since the last Council meeting:

No.	Document Type	Document Description	Date signed/ sealed
1114	Section 173 Agreement – private infrastructure in Councils Road Reserve – Lake Road, Woorinen	Between Swan Hill Rural City Council and D.R.Morpeth and P.W.Morpeth and K.L.Morpeth	16/08/22
1115	Section 173 Agreement – Private infrastructure in Councils Road Reserve – Happy Valley Landing Road, Hocking Road and Knight Road, Happy Valley	Between Swan Hill Rural City Council and S.P.Lazzara and D.A.Lazzara and J.P.Lazzara and B.M.Lazzara	30/08/22

Note: A Section 173 Agreement is a typically a contract between the Council and a landowner that places use or development restrictions on the land.

**DECISIONS WHICH NEED ACTION/RATIFICATION**

---

20 September 2022

They are intended to ensure compliance with conditions contained in permits granted by the Council and are often used in subdivision matters. These agreements are named after Section 173 of the Planning and Environment Act 1987.

**Conclusion**

Council authorise the signing and sealing of the above documents.

**Recommendation**

**That Council notes the actions of signing and sealing the documents under delegation as scheduled.**

**114/22 Motion**

**MOVED Cr Jeffery**

**That Council notes the actions of signing and sealing the documents under delegation as scheduled.**

**SECONDED Cr King**

**The Motion was put and CARRIED**

## **C.22.16 COUNCILLOR ASSEMBLIES - RECORD OF ATTENDANCE AND AGENDA ITEMS**

**Responsible Officer:** Chief Executive Officer  
**File Number:** S15-05-06  
**Attachments:** 1 Record of attendance

### **Declarations of Interest:**

Scott Barber - as the responsible officer, I declare that I have no disclosable interests in this matter.

### **Summary**

The following report provides details of Councillor Assemblies on a monthly basis.

### **Discussion**

Whilst Minutes have not been recorded, Agenda items and those in attendance are reported and presented to Council.

An assembly of Councillors is defined as a meeting that is planned or scheduled at which at least half of the Council and one Officer are in attendance, and where the matters being considered that are intended or likely to be the subject of a Council decision.

No formal decisions can be made at an assembly but rather direction can be given that is likely to lead to a formal decision of Council.

Details of the most recent assemblies of Council are attached.

### **Consultation**

Not applicable.

### **Financial Implications**

Not applicable.

### **Social Implications**

Not applicable.

### **Economic Implications**

Not applicable.

### **Environmental Implications**

Not applicable.



**DECISIONS WHICH NEED ACTION/RATIFICATION**

---

20 September 2022

**Risk Management Implications**

Not applicable.

**Council Plan Strategy Addressed**

*Leadership* - Bold leadership, strong partnerships and effective advocacy.

**Options**

Council Assemblies are reported to ensure good governance and transparency.

**Recommendation**

**That Council note the contents of the report.**

**115/22 Motion**

**MOVED Cr Jeffery**

**That Council note the contents of the report.**

**SECONDED Cr Young**

**The Motion was put and CARRIED**

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**16 August 2022 at 1.00pm, Swan Hill Town Hall – Council Chambers**

**AGENDA ITEMS**

- Meeting the Commissioner for LGBTIQ+ Communities

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Nicole McKay
- Cr Bill Moar
- Cr Ann Young

**Apologies**

- Cr Chris Jeffery
- Cr Stuart King

**Leave of Absence**

- Cr Jade Benham

**OFFICERS**

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- Malcolm Styles, Acting Director Infrastructure
- Bhan Pratap, Director Corporate Services
- Heather Green, Director Development and Planning
- Helen Morris Organisational Manager
- Terri McCormick, Executive Support Officer
- Sharon Lindsay, Executive Assistant

**Other**

Todd Fernando and Daniel Witthaus – LGBTIQ+

**CONFLICT OF INTEREST**

Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**23 August 2022 at 12 noon, Swan Hill Town Hall – Council Chambers**

**AGENDA ITEMS**

- Pioneer Settlement – Community Advisory Committee
- SuniTafe Tour
- Youth Support Program
- Insurance renewal
- Sale of asset
- Governance Rules
- Robinvale Housing Strategy complaint

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Nicole McKay
- Cr Bill Moar
- Cr Stuart King
- Cr Ann Young

**Apologies**

- Cr Chris Jeffery

**Leave of Absence**

- Cr Jade Benham

**OFFICERS**

- Scott Barber, Chief Executive Officer
- Camille Cullinan, Acting Director Community & Cultural Services
- Heather Green, Director Development and Planning
- Bhan Pratap, Director Corporate Services
- Jess Warburton, General Manager Pioneer Settlement
- Jess Chislett, Procurement and Properties Coordinator
- Kane Sparks, Youth Support Co-Ordinator

**Other**

- Nil

**CONFLICT OF INTEREST**

- Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**30 August 2022 at 1.00pm, Swan Hill Town Hall – Council Chambers**

**AGENDA ITEMS**

- MGRC Water
- Australia Day
- 157A River Road
- VNI West Project
- Regional Event Fund – Luna Lights
- Vibrant Villages update
- Swan Hill and Robinvale Outdoor Activation Update
- Our Place Update
- Verbal updates – Swan Hill Leisure Centre; Monash Drive, COVID vaccinations; Traffic Management/Car parking etc at the hospital; Werril Street Back Boga Road intersection design.

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Nicole McKay
- Cr Bill Moar
- Cr Ann Young
- Cr Chris Jeffery
- Cr Stuart King

**Apologies**

Nil

**Leave of Absence**

- Cr Jade Benham

**OFFICERS**

- Scott Barber, Chief Executive Officer
- Camille Cullinan, Acting Director Community & Cultural Services
- Malcolm Styles, Acting Director Infrastructure
- Bhan Pratap, Director Corporate Services
- Heather Green, Director Development and Planning
- Helen Morris Organisational Manager
- Kate Jewell, Development Manager
- Nick Mudge, Environment and Sustainability Officer
- Nathan Keighran, Economic Development Officer
- Dione Heppell, Liveability and Project Development Coordinator
- Sharon Lindsay, Executive Assistant

**Other**

Nil

**CONFLICT OF INTEREST**

Nil

**COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA**  
**6 September 2022 at 1.00pm, Swan Hill Town Hall – Council Chambers**

**AGENDA ITEMS**

- Councillor Only Session
- Update on Lake Boga Caravan Park
- Our Place
- Asset Naming
- Delegations
- Annual Report
- Butterworth Street
- Verbal update on Audit and Risk Committee

**ADDITIONAL ITEMS DISCUSSED**

- Nil

**ATTENDANCE**

Councillors

- Cr Les McPhee
- Cr Nicole McKay
- Cr Bill Moar
- Cr Chris Jeffery
- Cr Stuart King

**Apologies**

- Cr Ann Young

**Leave of Absence**

- Cr Jade Benham

**OFFICERS**

- Scott Barber, Chief Executive Officer
- Bruce Myers, Director Community & Cultural Services
- Malcolm Styles, Acting Director Infrastructure
- Bhan Pratap, Director Corporate Services
- Heather Green, Director Development and Planning
- Helen Morris Organisational Manager
- Laura O'Dwyer, Enterprise Assets Manager
- Azam Suleman and Raju Thota, PMO
- Grant Jones, Development Officer Facilities

**Other**

Nil

**CONFLICT OF INTEREST**

Nil

## **SECTION D – NOTICES OF MOTION**

### **D.22.4 BUFFET SERVICE**

Having given due notice, **Councillor Nicole McKay MOVED that:**

**Council write to the Victorian Minister for Transport Infrastructure, The Honourable Jacinta Allen and The Minister for Public Transport, the Honourable Ben Carroll to emphasise the importance of the Food and Drink buffet service for Swan Hill and all long-distance train services.**

#### ***Preamble***

The Swan Hill-Melbourne train service is highly valued by the region. The service is utilised by families, the elderly, those attending medical appointments, large numbers of people coming to the region to work in agriculture, and of course the general community.

Additionally, for those travelling to, or from Mildura, the bus leaves Mildura at 4am, and meets the Swan Hill Train at 7am. The return journey doesn't arrive at Mildura until 1.40am. Without food available on the Swan Hill-Melbourne train, this would mean a journey of over 7 hours without sustenance available.

The ongoing provision of a buffet services on long distance train services is currently under a cloud of uncertainty.

The regions already suffer from a lack of public transport. It is essential that our current level of service is not undermined in either amenity, comfort, or safety. Infrastructure improvements are essential to maintain quality of life in regional areas, and for our region to be able to attract essential tradespeople and professional workers into the future.

#### **116/22 Motion**

##### **MOVED Cr McKay**

Having given due notice, **Councillor Nicole McKay MOVED that:**

**Council write to the Victorian Minister for Transport Infrastructure, The Honourable Jacinta Allen and The Minister for Public Transport, the Honourable Ben Carroll to emphasise the importance of the Food and Drink buffet service for Swan Hill and all long-distance train services.**

##### **SECONDED Cr King**

**The Motion was put and CARRIED**

**SECTION E – FORESHADOWED ITEMS**

Nil

**SECTION F – URGENT ITEMS NOT INCLUDED IN AGENDA**

Nil

**SECTION G – TO CONSIDER & ORDER ON COUNCILLOR REPORTS**

**Councillor Stuart King list of events / meetings attended**

Date	Organisation / Group	Details (if relevant)
1/9/22	MMLLEN	Science & Engineering Challenge
31/8/22	Swan Hill Drag Club	Meeting to commence Business Plan for the organisation

**Councillor Nicole McKay list of events / meetings attended**

Date	Organisation / Group	Details (if relevant)
2/9/22	SLIM	Sustainable Living in the Mallee – River peoples forum
2/9/22	Print and Drawing Awards	Held at the Swan Hill Art Gallery
5/9/22	Nyah District Action Group	Held first Monday of the Month
8/9/22	Audit and Risk Committee Meeting	Third meeting of 2022 of the Audit and Risk committee
19/9/22	Swan Hill Incorporated Meeting	

**Councillor Bill Moar list of events / meetings attended**

Date	Organisation / Group	Details (if relevant)
17/8/22	W.D.P.A	Woorinen Progress Association Meeting with Guest Speaker Anthony Couroupis from Lower Murray Water

22/8/22	Lake Boga Inc.	
25/8/22	CVGA	Central Victoria Greenhouse Alliance Board Meeting held via Zoom
26/8/22	Western Murray Land Improvement (WMLIG) Group	Reconnecting Rivers Country program
28/8/22	Coffee With a Councillor	Nyah West Community Park
31/8/22	VLGGC	Statewide Information Session held via Zoom
1/9/22	MMLLEN	Science & Engineering Challenge
1/9/22	MRGC	Mayors Meeting held via Zoom
2/9/22	SLIM	Sustainable Living in the Mallee – River peoples forum
2/9/22	FLO	FLO Campus 10 Year Celebration
2/9/22	Print and Drawing Awards	Held at the Swan Hill Art Gallery
4/9/22	Sikh Ceremony	Sikh Culture Community Ceremony
5/9/22	Agribusiness	Committee Meeting
6/9/22	Soccer Pavilion	Grand Opening with Mark Gepp at Ken Harrison Reserve
7/9/22	Swan Hill Lawn Tennis and Croquet Club	Season Launch
12/9/22	MRGC Canberra Advocacy	<p>Last week I joined our CEO Scott Barber and members of the Murray River Group of Councils at Australian Parliament House in Canberra.</p> <p>It was a valuable trip that included extensive advocacy work, on behalf of our region.</p> <p>We met with a number of Ministers, advisors and Members of Parliament to forward on the advocacy work of the Murray River Group of Councils and our Municipality.</p> <p>We met with Minister for Infrastructure, Transport and Regional Development, Hon. Catherine King to discuss the new Swan Hill Bridge and ongoing heritage delays.</p> <p>The Hon. Tanya Plibersek, Minister for Environment and Water, listened to our concerns about the vulnerable state of our region and considerable cumulative impacts of buy backs to our community.</p> <p>We expressed concerns about the Agricultural workforce</p>



			<p>crisis, across both the skilled and unskilled sectors, when we met with the Chief of Staff to Hon. Andrew Giles, Minister for Immigration.</p> <p>Regional digital connectivity advisor to the Hon. Michelle Rowland, Minister for Communication, met with us to discuss regional digital connectivity, wireless broadband, NBN and on-farm connectivity.</p> <p>Murray River Group of Councils has a huge capacity for large scale solar power generation and we took the opportunity to meet with electricity and gas advisor to Hon. Chris Bowen, Minister for Climate Change and Energy and the group expressed their support of VNI-West and large scale solar projects.</p> <p>We continue these conversations, with updates as well as extending invitations to these ministers to visit our Municipality, with the aim of achieving positive outcomes for our region.</p>
16/9/22	Swan Hill Garden Club		40 <sup>th</sup> Anniversary afternoon tea
17/9/22	Seasonal Welcome	Workers	Ken Harrison Reserve
17/9/22	Ultima Association	Progress	<p>Re-dedication Ceremony Marking the Centenary of Ultima War Memorial.</p> <p>Approximately 120 people attended from different areas and regions. Amazing lunch provided. Thanks to Swan Hill Rural City Council for contributing to the catering.</p>

**Councillor Ann Young list of events / meetings attended**

Date	Organisation / Group	Details (if relevant)
17/9/22	Ultima Progress Association	Re-dedication Ceremony Marking the Centenary of Ultima War Memorial. Approximately 120 people attended from different areas and regions. Amazing lunch provided. Thanks to Swan Hill Rural City Council for contributing to the catering.
17/9/22	Seasonal Workers Welcome	Pacific Islander Event and Ken Harrison Park. Over 100 people attended. Representatives from Jobs Victoria and Pacific Islander Support Groups. Great Display of cultural singing and dancing.

## **SECTION H – IN CAMERA ITEMS**

### **117/22 Motion**

#### **MOVED Cr McKay**

**That the meeting move into closed session at 4.04pm**

#### **SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

### **Recommendations**

**That Council, pursuant to section 66(2)(a) of the *Local Government Act 2020* , resolve to close the meeting to members of the public to consider the following items which relate to matters specified under section 3(1), as specified below:**

#### **B.22.77 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**

**(g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage**

#### **B.22.78 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**

**(g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage**

#### **B.22.79 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**

**(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released**

#### **B.22.80 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**

**(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released**

**B.22.81 IN CAMERA CONSIDERATION OF CONFIDENTIAL REPORT**

**(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released**

**118/22 Motion**

**MOVED Cr McKay**

**That the meeting move out of closed session at 4.53pm**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

**SECTION I – DECISIONS MADE IN CAMERA**

**B.22.77 PROPOSED SALE OF 56-76 HERBERT STREET ROBINVALE**

**119/22 Motion**

**MOVED Cr McKay**

**That Council:**

**As per the resolution approved in-camera.**

**SECONDED Cr Jeffery**

**THE MOTION WAS PUT AND CARRIED**

**120/22 Motion**

**MOVED Cr Jeffery**

**That standing orders be suspended at 4.13pm for 5 minutes.**

**SECONDED Cr McKay**

**The Motion was put and CARRIED**

**121/22 Motion**

**MOVED Cr King**

**That Standing Orders be resumed at 4.18pm.**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

**B.22.78 LAKE BOGA CARAVAN PARK LEASE – REQUEST FOR NEW LEASE**

**122/22 Motion**

**MOVED Cr King**

**As per the resolution approved in-camera.**

**SECONDED Cr Young**

**The Motion was put and CARRIED**

**B.22.79 BUTTERWORTH ST – ROAD & DRAINAGE UPGRADE**

**123/22 Motion**

**MOVED Cr King**

**As per the resolution approved in-camera.**

**SECONDED Cr Young**

**THE MOTION WAS PUT AND CARRIED**

**124/22 Motion**

**MOVED Cr King**

**The Motion was amended to read**

**That debate on this matter be deferred until a future Council meeting to allow for further information to be provided so that Councillors can make a fully informed decision on this matter.**

**SECONDED Cr Jeffery**

**THE MOTION WAS PUT AND CARRIED**

**B.22.80 AUDIT AND RISK COMMITTEE ANNUAL ASSESSMENT**

**125/22 Motion**

**MOVED Cr King**

**That Council note the contents of this report.**

**SECONDED Cr Young**

**THE MOTION WAS PUT AND CARRIED**

**B.22.81 APPOINTMENT OF AUDIT COMMITTEE MEMBERS AND THE CHAIR**

**126/22 Motion**

**MOVED Cr King**

**That Council:**

- 1. Appoint Ms. Rosanne Kava as an independent member of the Swan Hill Rural City Council Audit and Risk Committee effective 1 October 2022 for a three-year term.**
- 2. Appoint Rosanne Kava as Chair of the Swan Hill Rural City Council Audit and Risk Committee effective 1 October 2022 for a twelve month term.**
- 3. Extend the appointment of Councillor Les McPhee and Councillor Nicole McKay to 31 December 2022.**

**SECONDED Cr Jeffery**

**The Motion was put and CARRIED**

There being no further business the Acting Mayor, Councillor Bill Moar closed the meeting at 4.54pm.