

Glenelg Shire Council

Notice of Meeting and Agenda

Council Meeting Tuesday 26 September 2023

Notice is hereby given that a Council Meeting will be held in the Council Chambers - upstairs, Casterton Glenelg Shire Council Customer Service Centre, 67 Henty Street, Casterton commencing at **7:00 pm** on the above date for the purpose of transacting the business on the attached Agenda, together with such other business as the Chairperson may permit.

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DAVID HOL Acting Chief Executive Officer

Date of Issue: Thursday 21 September 2023

Invited: Mayor, Councillor Scott Martin Deputy Mayor, Councillor Jayden Smith Councillor Michael Carr Councillor Chrissy Hawker Councillor Karen Stephens Councillor Gilbert Wilson Councillor John Northcott Acting Chief Executive Officer, Mr David Hol Acting Director Corporate Services, Mr Matthew Berry Director Assets, Mr Stuart Husband Chief Information Officer, Ms Ann Kirkham Acting Director Community Services, Ms Jane Ruge

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1. PRESENT

2. OPENING PRAYER

Lord, we ask you for your blessing upon Council, direct and prosper its deliberations to the advantage of Thy Glory, and the true welfare of the people whom we serve.

3. ACKNOWLEDGEMENT OF COUNTRY

On behalf of this Glenelg Shire Council, I respectfully acknowledge the traditional lands and waters of the Gunditjmara, Jardwadjali and Boandik people and their respective culture heritages. I acknowledge the elders past and present here at today's gathering and through them, to all Aboriginal people.

Aboriginal and Torres Strait Islander People provide an important contribution to Australia's cultural heritage and identity. We respectfully acknowledge the Aboriginal and Torres Strait community living throughout the Glenelg Shire and the contribution they make to the Glenelg Shire's prosperity and wellbeing.

4. RECORDING OF MEETINGS

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published. Council meetings maybe livestreamed and the Chief Executive Officer will enable a copy of the recording to the public.

5. RECEIPT OF APOLOGIES

Chief Executive Officer, Paul Phelan and Director Community Jayne Miller.

6. QUESTION TIME

6.1. QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

Mr David Punton of Portland asked the following questions:

a. At the Council meeting held on 25 July 2023, I was advised that there was no Heritage Grant money was provided to paint the Tyrendarra Church, in September 2022 at the Council meeting the church was awarded \$3000 to paint the church, as this was misleading information would the Director Corporates Services apologise to the ratepayers for providing misleading information at the July Council meeting ?

The following response was provided by Mr David hol, Director Corporate Services.

In response I can advise that when this matter was previously raised with me prior to your question, I was informed that the painting was not part of the Heritage Grant and I subsequently relayed this information onto yourself at the meeting.

As you are now aware this advice was not accurate and I apologise for any inconvenience that this confusion may have caused. A permit was applied for to change the colour of the building and this change in colour was approved through Councils Heritage advisor.

b. At the intersection of Palmer Street and Cameron Street with the causeway near Fawthrop Lagoon would it be possible to run some drainage under the path to eliminate the slip and trip hazards?

Mr Stuart Husband advised that he would take the question on notice.

The following response was provided by Director Assets Mr Stuart Husband, Director Assets.

Thank you for attending the Council meeting and your question regarding a slip hazard due to water on the pathways at Fawthrop Lagoon. Council's Works Manager and Construction Engineer inspected the two areas you indicated on the pathways, leading from Cameron and Palmer Streets to the lagoon causeway. There is seepage from several points and a possible spring. Two treatments are currently being designed to address these areas and will be programmed in with other works in future.

c. At the July Council meeting around the 14 minute mark the Director Corporate Services made a disrespectful, offensive and objectional statement to a ratepayer who is asking a legitimate question, will the Chief Executive Officer direct the Director Corporate Services to publicly apologise for his slur at the July Council meeting?

Mayor Martin advised that he would take the question on notice.

The following response was provided by Chief Executive Officer, Mr Paul Phelan.

I have reviewed the recording of the Council meeting referred to in your question, and I am not of the opinion that the response to your question was '*disrespectful, offensive or objectional*'.

Mr Matthew Jowett of Portland asked the following question:

c. With the completion of Alexandra Park facilities imminent, could you please provide an itemised (as possible) list of costs and overall cost of this facility? Could you also provide an estimate of the expected ongoing maintenance and running costs of this facility moving forward?

Mayor Scott Martin advised that Council was briefed of the overrun of costs to this project and have been included in the current Budget, this is due to sky rocketing cost of materials since 2021 when the project began. Mr Stuart Husband further advised that in terms of maintenance costs the facility goes through a defect's liability period for 12 months and will take the rest of the question on notice.

A further detailed response was provided by Director Assets Mr Stuart Husband, Director Assets.

The total costs for the Alexandra Park – Stage 2 are still being finalised and are forecast to be \$7.3M. The project budget was \$6.25M (\$5M funding) and we experienced a number of contract variations after construction commenced. Unlike other regional projects, this project fared well cost-wise and was not impacted as heavily by COVID, delays, materials and labour costs.

As mentioned, ongoing maintenance costs will be estimates at best at this point in time. Council have entered the contract defects-liability period which requires the contractor to 'make good' defects which do not meet specification. This is also the period where we set up the maintenance program, including preventative maintenance. It is a new facility and therefore maintenance in the early stages of the asset lifecycle tend to be optimal.

The types of activities covered in the maintenance program include emergency and fire services, water reticulation and sewerage, stormwater, power and lighting, heating, ventilation and air-conditioning (HVAC), refrigeration, building envelope and internal fit-out.

The estimated on-going maintenance costs, using similar functional buildings and adding known new functionality within the Alexandra Park Facility, is expected to be between \$10K - \$20K per annum. As with all building maintenance, we use a combination of internal and contracted labour.

6.2. QUESTIONS FROM THE GALLERY

7. DECLARATIONS OF CONFLICT OF INTEREST

Conflict of Interest

In accordance with Section 130 (1-8) of the Local Government Act 2020, there is an obligation for Councillors and Officers to declare a conflict of interest in a matter that could come before Council.

Disclosure of Conflict of Interest

A Councillor or Officer must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

8. CONFIRMATION OF MINUTES

Recommendation

That the minutes of the Council Meeting held on Tuesday 22 August 2023, as circulated, be confirmed.

9. PRESENTATIONS

Nil.

10. DEPUTATIONS

Nil.

<u>11. NOTICES OF MOTION</u>

Nil.

12. PETITIONS

Nil.

<u>13. COMMITTEE REPORTS</u>

Nil.

14. MANAGEMENT REPORTS

14.1. COUNCILLOR AND CHIEF EXECUTIVE OFFICER LEAVE OF ABSENCE REGISTER

Director: Paul Phelan, Chief Executive Officer

Executive Summary

The purpose of this report is to enable Council to consider the Councillor and Chief Executive Officer Leave of Absence Register.

Recommendation

That Council approve the Councillor and Chief Executive Officer Leave of Absence Register presented as a confidential circulation under Section 35 (1) (e) (4) (6) of the *Local Government Act 2020.*

Background/Key Information:

In accordance with Section 35 (1) (e), (4), and (6) of the *Local Government Act 2020* Councillors are entitled to take Leave of Absence.

Section 35 (1) (e), (4) and (6) of the Local Government Act 2020 states:

- <u>35</u> <u>Councillor ceasing to hold office</u>
- (1) A Councillor ceases to hold the office of Councillor and the office of the Councillor becomes vacant if the Councillor:
 - (e) subject to this section, is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council.
- (4) The Council must grant any reasonable request for leave for the purposes of subsection (1)(e).
- (6) A Councillor is not to be taken to be absent from Council meetings during the period of 6 months after the Councillor or their spouse or domestic partner:
 - (a) becomes the natural parent of a child; or
 - (b) adopts a child under the age of 16 years

and the Councillor has responsibilities for the care of the child during that period.

a. <u>Council Plan and Policy Linkage</u>

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Section 35 of the Local Government Act 2020.

c. <u>Consultation and/or communication processes implemented or proposed</u>

Councillors are required to submit Leave of Absence requests in writing to the Chief Executive Officer.

The Chief Executive Officer is required to submit his Leave of Absence requests in writing to Council through the Councillor and Chief Executive Officer Leave of Absence Register.

A register will be held by the Chief Executive Officer and reported monthly to Council.

d. Financial Implications and Collaboration

Nil.

e. <u>Governance Principles</u>

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Separately circulated as Confidential attachment.

14.2. OATH OF NEW COUNCILLOR

Director: David Hol, Acting Chief Executive Officer

Executive Summary

An extraordinary vacancy has occurred at Glenelg Shire Council due to the resignation of Councillor Anita Rank on Friday 30 June 2023.

This report provides for the Oath or Affirmation of the new elected Councillor to be recorded in the minutes of the Council meeting in accordance with the requirements of the *Local Government Act 2020*.

Recommendation

That Council:

- 1. Note the tabling of the Oath of Office, made by a Councillor Northcott before the Chief Executive Officer.
- 2. Record this Oath of Office in the minutes of this meeting.

Background/Key Information:

An extraordinary vacancy has occurred at Glenelg Shire Council due to the resignation of Councillor Anita Rank on Friday 30 June 2023. The vacancy will be filled through a countback of all the votes from the last general election held in October 2020. It will include all remaining eligible candidates who were not elected at the general election. Under Section 30 of the *Local Government Act 2020* (the Act):

- (1) A person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office in the manner prescribed by the regulations.
- (2) The oath or affirmation of office must be-
 - 1. Administered by the Chief Executive Officer; and
 - 2. Dated and signed before the Chief Executive Officer; and
 - 3. Recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council Meeting.

In accordance with section 30(2)(c) of the Act, details of the Oath or Affirmation undertaken by the new Councillor is now tabled for inclusion in the minutes of this meeting.

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

Section 30(1)(2) of the Local Government Act 2020.

c. <u>Consultation and/or communication processes implemented or proposed</u>

The Oath or Affirmation of Office is recorded in the minutes of this meeting.

d. Financial Implications and Collaboration

Council is responsible for the costs incurred by the Victorian Electoral Commission for the undertaking of the countback procedure.

e. <u>Governance Principles</u>

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

1. Signed Oath of Office - Cr John Northcott 28 August 2023 [**14.2.1** - 1 page]



OATH OF OFFICE

Section 30(1), Local Government Act 2020

OATH

"I swear that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* and any other Act to the best of my skill and judgement".

Joh B North cott

John Northcott Councillor

Declared at Portland this 28th day of August 2023 before me.

Paul Phelan
 Chief Executive Office

14.3. GLENELG SHIRE COUNCIL FINANCIAL REPORT AUGUST 2023

Director: David Hol, Director Corporate Services

Executive Summary

The Financial Report is a key document in assuring responsible and responsive governance and decision making. This high-level report is provided to give Council the ability to monitor Glenelg Shire's financial performance.

Recommendation

That Council receives the Financial report for the period ending August 2023.

Background/Key Information:

The 2023/24 Annual Budget was adopted by Council on 27 June 2023.

This report provides information on the current status of Council's financial position and performance and includes:

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Cash Flows; and
- Statement of Capital Works.

The Adopted Budget is the Budget endorsed by Council at the Council Meeting held on 27 June 2023. The Forecast Budget reflects those transactions that were not known at this point in time.

Total income has been adjusted by \$9.155M (favourable) and is made up of grant income carried forward from the 2022/23 financial year for capital and operational projects that were not completed (in line with relevant accounting standards). This has been offset by reduced operating grants of \$9.9M to reflect the early payment of Financial Assistance Grants in June 2023 for the 2023/24 financial year.

Total expenses have increased by \$2.012M (unfavourable) to reflect the expenditure associated with operational grants that have been carried forward (\$1.68M) and other projects (\$326k) committed in 2022/23 that will be completed in the current financial year. These projects include \$230k for review of Council's payroll system, and approximately \$100k for project signage, electric line clearance works and other minor asset related works that were completed in July 2023.

Cash at 30 June 2024 is forecast to increase \$1.817M from the Adopted Budget due to an increased cash position of \$7.6M at 30 June 2023, which has been offset by operational expenditure adjustments of \$2.012M and capital income and expenditure that will now be phased into the 2024/25 financial year.

a. Council Plan and Policy Linkage

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b. Legislative, Legal and Risk Management Considerations

This report is prepared monthly and is in addition to the requirements set out in the *Local Government Act 2020* Division 2, Section 97 where Council is required to prepare a quarterly budget report to be submitted to Council.

Also, in accordance with Division 4, Section 101 Council is required to consider the following Financial Management Principles:

- Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
- (b) Financial risks must be monitored and managed prudently having regard to economic circumstances.

c. <u>Consultation and/or communication processes implemented or proposed</u>

The finance report is prepared monthly for Council and submitted to the Audit and Risk Committee quarterly.

d. Financial Implications and Collaboration

The resourcing of the preparation of the financial report and year-end audit of the financial statements is provided for in the adopted budget.

The financial report is a key document that is required to monitor Council's budget and financial result.

The Financial Report provides commentary on all material variances (Greater than 10% or \$500K) to the adopted 2023/24 budget.

The information in this report contributes to various strategic planning documents under Council's strategic planning framework, including the Annual Budget, Financial Plan and Revenue and Rating Plan.

e. <u>Governance Principles</u>

The ongoing financial viability of the Council is to be ensured.

Attachment List

1. Financial Statements 2023 2024 - August 2023 [**14.3.1** - 7 pages]

TUESDAY 26 SEPTEMBER 2023

COUNCIL MEETING AGENDA





Glenelg Shire Council 2023/2024 Financial Report - YTD August

Glenelg Shire Council 2023/2024 Financial Report - YTD August

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Comprehensive Income Statement

For the Period ended August 2023

	2023/2024 Adopted Budget	2023/2024 Forecast Budget	August 2023 YTD Forecast Budget	August 2023 YTD Actual
Income				
Rates and Charges	32,618,084	32,618,084	32,183,984	32,216,938
Statutory Fees and Fines	834,802	834,802	117,253	118,193
User Fees	2,760,794	2,760,794	421,637	306,101
Grants - Operating	15,163,792	6,337,508	2,723,003	2,747,246
Grants - Capital	7,989,264	25,971,143	8,727,149	8,727,149
Other Income	788,850	788,850	75,461	199,943
Contributions - Monetary	90,000	90,000	40,000	50,300
Net Gain (or Loss) on disposal of PP & E	340,000	340,000	58,310	43,704
Total Income	60,585,586	69,741,181	44,346,797	44,409,574
Expenses				
Employee Costs	(26,535,590)	(26,535,590)	(3,679,839)	(3,554,122)
Materials and Services	(19,027,100)	(20,530,386)	(4,063,934)	(3,193,474)
Borrowing Costs	0	0	0	0
Bad and Doubtful Debts	0	0	0	(100)
Other Expenses	(2,504,422)	(3,013,942)	(641,092)	(537,187)
Finance Costs - Leases	(17,098)	(17,098)	(3,432)	(2,618)
Depreciation and Amortisation	(12,747,713)	(12,747,713)	(2,146,533)	(2,130,293)
Internal Cost Allocations	1,332,500	1,332,500	294,146	19,599
Total Expenses	(59,499,423)	(61,512,229)	(10,240,684)	(9,398,195)
Surplus/(Deficit) for the year	1,086,163	8,228,952	34,106,113	35,011,379

Notes

Rates and Charges amount is based on amount invoiced during this financial year (1 Jul 2023 to 30 Jun 2024)

Variance notes are based on a materiality threshold where the variance is greater or less than \$500,000 and this variance to YTD forecast or Full year budget is greater or less than 10 percent.

Category	Variance Notes
User Fees	User fees are \$116k less than the YTD budget. \$83k is due to Aged and Disability User fees being less than budget due to some services already being transitioned away from Council. Waste Transfer income is \$40k lower than YTD budget.
Other Income	Other income is \$124k higher than YTD budget. This was largely due to unbudgeted insurance proceeds being received.
Contributions - Monetary	Monetary contributions received are \$10k more than the YTD budget due to additional sponsorship being received by the Arts & Culture unit.
Net Gain (or Loss) on disposal of Property Plant & Equipment	YTD the net gain for the disposal of plant and equipment is \$15k less than budget due to a timing difference on the disposal of equipment.
Materials and Services	YTD Materials and services are \$870k lower than budget. This is mainly due to materials expenditure expected to increase in future months. YTD, lower fuel costs, utilities, materials and consultancy costs have contributed to the decrease, which has been offset slightly by an additional spend of \$65k on the office refurbishment.
Bad and Doubtful Debts	These charges relate to debts raised in the Ages Services unit.
Internal Cost Allocations	Internal cost allocation are \$275k under budget largely due to low allocations of vehicle & machinery and gravel and water allocations costs.

Glenelg Shire Council Monthly Finance Report

Balance Sheet

For the Period ended August 2023

	2023/2024 Adopted Budget	2023/2024 Forecast Budget	August 2023 YTD Actual
Assets			
Current assets			
Cash and Cash Equivalents	5,644,000	7,461,412	5,166,550
Trade and other receivables	3,204,000	3,204,000	38,734,157
Inventories	200,000	200,000	218,633
Prepayments	350,000	350,000	0
Other Assets	50,000	50,000	111,949
Total current assets	9,448,000	11,265,412	44,231,289
Non-current assets			
Non current Trade and other receivables	10,000	10,000	0
Property, infrastructure, plant and equipment	451,784,000	480,450,031	472,660,452
Right of Use Assets	116,000	230,000	354,122
Total non-current assets	451,910,000	480,690,031	473,014,574
Total assets	461,358,000	491,955,443	517,245,863
Liabilities			
Current liabilities			
Trade and other payables	2,100,000	2,100,000	3,941,118
Trust funds and deposits	1,000,000	1,000,000	1,109,756
Provisions	5,141,000	5,141,000	5,559,662
Interest-bearing loans and borrowings	587,000	587,000	226,946
Lease Liabilities - Current	86,000	86,000	158,803
Total Current liabilities	8,914,000	8,914,000	10,996,284
Non-current liabilities			
Non Current Provisions	8,046,000	8,046,000	10,706,000
Non Current Interest-bearing loans and borrowings	6,674,000	6,674,000	282,000
Lease Liabilities - Non Current	38,000	38,000	196,000
Total Non-current liabilities	14,757,000	14,758,000	11,184,000
Total liabilities	23,671,000	23,672,000	22,180,284
Net assets	437,687,000	468,283,443	495,065,579
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Equity Accumulated surplus	142,267,837	127,895,000	127,896,686
Reserves	293,875,509	331,702,000	331,700,023
Reserves - Restricted Cash	457,491	457,491	457,491
Operating Surplus (Deficit)	1,086,163	8,228,952	35,011,379
Total Equity	437,687,000	468,283,443	495,065,579
	-57,007,000	400,200,440	+33,003,313

Glenelg Shire Council Monthly Finance Report

Balance Sheet variance analysis

For the Period ended August 2023

Category	Variance Notes
Cash and cash equivalents	Cash and Cash Equivalents decreased by \$8M in July/August to \$5.6M. Rates and User Fees of \$1.9M and Grant Income of \$1.3M were collected, but offset by the following outgoings for the same period - \$4.4M of Employee Costs, \$4.2M of Materials & Services and \$3M in Capital Works.
Trade and other receivables	Trade and other receivables at EOM have increased by \$36M - made up of \$33.5M (Rates and Fire Services charges being raised) and \$2.8M (Grant income invoiced but not received at EOM).
Prepayments	Prepayments have reduced to \$0 due to accounting entries to recognise these prepayments as expenditure in the 2023/2024 accounts.
Other Assets	Other Assets included adjustments to Accrued Income. Accrued Income from 30 June 2023 was reversed, but an additional provision was included at the end of August 2023 for CHSP income for August received in September.
Right of use assets	Right of Use Assets is higher than budget due to new Lease Agreements entered into during 2022/2023.
Trade and other payables	Trade and Other payables is largely made up of the Fire Services Levies that are owing as a result of Rates and Charges being raised for 2023/2024.
Provisions	Current and Non Current provisions are made up of Employee, Landfill and Gravel Pit Provisions. Provisions have decreased by approx. \$200k due to payments of Annual Leave and Long Service Leave made in July & August.
Interest Bearing Loans and borrowings	No change in Loans for July/August 2023. Borrowings are fully offset by cash. Council has budgeted new borrowings of \$7M in 2023/2024 which is expected to be used in the second half of the financial year and will be determined largely by progress on major capital works projects.
Reserves	Council undertook an independent valuation on Land and Buildings in 2022/23. This movement will be reflected in the Asset Reserve once the financial statements for 2022/23 are approved by Council's external auditors.

Glenelg Shire Council Monthly Finance Report

Statement of Cash Flows

For the Period ended August 2023

	2023/2024 Adopted Budget	2023/2024 Forecast Budget	August 2023 YTD Actual
	Inflow (Outflow)	Inflow (Outflow)	Inflow (Outflow)
Cash flows from an artiging activities			
Cash flows from operating activities Rates, Charges & User Fees (including kerbside collection)	35,379,000	35,378,878	1,928,372
Grants	32,487,000	19,166,496	1,325,259
	32,487,000 835.000	834.802	118.193
Statutory Fees and Fines	90,000	90.000	50.300
Contributions - monetary Interest received	150,000	150,000	37,510
Other receipts	639,000	638,850	162,433
Employee costs	(26,536,000)	(26,535,590)	(4,407,700)
Materials and services	(19,027,000)	(20,480,386)	(4,256,065)
Short term, low value and variable lease payments	(17,000)	(50,000)	(21,472)
Trust funds and deposits repaid	•	(100,000)	117,523
Other payments	(2,503,000)	(3,013,942)	(283,877)
GST	0	0	152,903
Net cash provided by/(used in) operating activities	21,497,000	6,079,108	(5,076,622)
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(28,138,000)	(18,260,488)	(3,013,717)
Proceeds from sale of property, infrastructure, plant and equipment	340,000	43,704	43,704
Proceeds from investments	040,000	40,704	+0,704
Loans and advances made	0	0	0
Payments of loans and advances	0	0	0
Net cash provided by/(used in) investing activities	(27,798,000)	(18,216,784)	(2,970,013)
Net cash provided by/(used iii) investing activities	(21,190,000)	(10,210,704)	(2,370,013)
Cash flows from financing activities			
Finance costs	0	(17,098)	0
Proceeds from borrowings	7,000,000	7,000,000	0
Repayment of borrowings	(452,400)	(452,400)	0
Interest paid - Lease liabilities	(17,400)	(17,570)	(2,618)
Repayment of lease liabilities	(194,200)	(193,844)	(64,198)
Net cash provided by/(used in) financing activities	6,336,000	6,319,088	(66,816)
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Net increase (decrease) in cash and cash equivalents	36,000	(5,818,588)	(8,113,450)
Cash and cash equivalents at the beginning of the financial year	5,608,000	13,280,000	13,280,000
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Cash and cash equivalents	5,644,000	7,461,412	5,166,550

Glenelg Shire Council Monthly Finance Report

Statement of Capital Works

For the Period ended August 2023

	2023/2024 20 Adopted Budget	23/2024 Forecast Budget	August 2023 YTD Actual
Property			
Buildings	375.000	6,540,523	52,167
Land	0	0,0.10,020	02,101
Total Property	375,000	6,540,523	52,167
Plant and Equipment			
Cultural Collection Acquisitions	10,000	30,000	0
IT Equipment	0	0	0
Plant, machinery and equipment	1,135,000	1,436,203	56,681
Fixtures, fittings and furniture	10,000	10,000	0
Library Resources	95,000	95,000	9,963
Total Plant and Equipment	1,250,000	1,571,203	66,644
Infrastructure			
Roads	2,905,000	8,056,330	11,257
Bridges	200,000	1,067,478	0
Footpaths and Street Furniture	100,000	100,000	0
Drainage	100,000	2,573,704	1,755
Recreational, Leisure and Community facilities	200,000	215,000	25,044
Waste Management	20,000	20,000	3,511
Parks, Open Space and Streetscapes	160,000	4,633,993	2,614,992
Aerodrome	50,000	147,080	0
Off Street Carparks	50,000	50,000	0
Other Infrastructure - LRCI	3,585,000	5,247,011	73,183
Other Infrastructure - Other	3,000,000	3,397,001	5,715
Total Infrastructure	10,370,000	25,507,597	2,735,457
Total Capital Works Expenditure	11,995,000	33,619,323	2,854,267
Capital Works represented by: New asset expenditure	5,274,000	22.422.846	2,702,699
Asset renewal expenditure	6,721,000	8,692,773	2,702,699
Asset upgrade expenditure	0,721,000	2,503,704	17.599
Total Capital Works	11,995,000	33,619,323	2,854,267

Notes The Forecast Budget 2023/2024 has been adjusted for expenditure carried forward from the 2022/2023 financial years. We expect that \$15.4M of the 2023/2024 Forecast Budget to be a carry forward for the 2024/2025 Financial Year, therefore estimated value of works to be completed for 2023/2024 is \$18.2M.

Category	Variance Notes			
Property	The Budget for "Property" Capital Works has increased by \$6.2M and is now \$6.6M. This increase includes \$5.9M for the Foreshore Multipurpose Building and \$300k for Building Renewal works uncompleted at 30 June 2023. YTD \$44k has been spent on Building Renewals and \$8k on the Foreshore Multipurpose Building. It is estimated that \$5.1M of Property Capital works will not be completed at 30 June 2024 due to phasing of projects over financial years.			
Plant and equipment	The Budget for "Plant and Equipment" Capital Works has increased by \$300k and is now \$1.6M. This increase includes \$200k for Light Fleet and \$80k for Backup Generator works uncompleted at 30 June 2023. YTD \$44k has been spent on Light Fleet.			
Infrastructure	The Budget for "Infrastructure" Capital Works has increased by \$15.1M and is now \$25.5M. This increase includes \$4.6M for Local Freight Roads, \$2.5M for the Portland North Employment Precinct, \$2.2M for Alexandra Park Construction, \$2M for Local Roads and Community Infrastructure projects (LRCI), \$1.3M for Roads, Bridges and Drainage works, \$900k for Ceremonial Space works, and \$900k for Bridgewater works uncompleted at 30 June 2023. Of the \$2.7M spend YTD, \$2.5M has been spent on Alexandra Park and \$100k on Bridgewater works. It is estimated that \$10.3M of Infrastructure Capital works will be uncompleted at 30 June 2024 due to phasing of projects over financial years.			

Glenelg Shire Council Monthly Finance Report

14.4. AUDITED FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT AS AT 30 JUNE 2023

Director: David Hol, Director Corporate Services

Executive Summary

The audit of Glenelg Shire Council's Annual Financial Report and Performance Statement for the year ended 30 June 2023 has been completed by RSD Chartered Accountants (RSD), the Victorian Auditor General's (VAGO) audit contractor.

Recommendation

- 1. That Council approve in principle the Audited Financial Report and Performance Statement (including Governance and Management Checklist) for the year ended 30 June 2023; and
- 2. That Councillors ______ and _____ be authorised to certify the Financial Report and Performance Statement; for the year ended 30 June 2023, in their final form after any changes recommended or agreed by the auditor have been made.

Background/Key Information:

The Annual Financial Report is a statutory report and indicates the financial situation at the 30 June 2023. A draft was presented to the Audit and Risk Committee for consideration and discussion at its meeting on 14 September 2023.

The Local Government Performance Reporting Framework (LGPRF) was introduced by the State Government in 2014 to ensure that all Councils are measuring and reporting on their performance in a consistent way.

The 2022/23 draft Performance Statement and LGPRF Reports (including the Governance and Management Checklist) accompanying this report reflect the results and outcomes for the financial year.

The LGPRF Framework consists of four indicator sets (Service Performance; Financial Performance; Sustainability; and Governance and Management) and is mandatory for inclusion in the annual report. Mandatory service reporting includes a variety of measures and data for the following services:

- Aquatic facilities
- Animal management
- Food safety
- Governance
- Libraries
- Maternal Child Health (MCH)
- Roads
- Statutory planning
- Waste collection.

These reports have been given 'in-principle' support from the External Auditors (RSD Audit) who are currently finalising the audit documents. They have advised that they don't anticipate any material changes to the accounts.

By giving 'in principle' approval to these Statements, Council is acknowledging that 'in principle' the information presented has been reviewed by it and recommended to it by the Audit and Risk Committee. Following certification by VAGO these Statements form part of Council's Annual Report which is then formally adopted by Council.

If the Financial Report for the year ended 30 June 2023 is substantially changed after being approved 'in principle' by Council, the amended Statements will be returned to Council for re-approval.

a. Council Plan and Policy Linkage

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Education, Employment and Industry - Adapting and growing a diverse economy to embrace employment of the future and educational opportunities.

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well. Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

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

LGPRF reporting is mandatory for all Council's in Victoria under the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

c. <u>Consultation and/or communication processes implemented or proposed</u>

The draft Financial Report and Performance Statement was presented at the Audit and Risk Committee 14 September 2023.

The Financial Report and Performance Statement (including the Governance and Management Checklist) will be included in the Annual Report. In accordance with the *Local Government Act 2020*, the Annual Report must be presented to a Council Meeting (open to the public) before 31 October 2023.

The LGPRF template will also be submitted to Local Government Victoria (LGV) electronically within the nominated timelines. Once the review is complete, Council will email the approved template to LGV.

Councils are encouraged to consider media releases ahead of the public release of their data. The LGPRF provides an opportunity for Council's to improve the transparency and accountability of council performance to ratepayers.

d. Financial Implications and Collaboration

The Financial Report provides commentary on all material variances (Greater than 10% or \$500K) to the adopted 2022/23 budget.

The LGPRF provides the Council with an ability to measure performance in various service areas and to compare results to other Council's. Financial resources administration time is provided for in the adopted budget.

e. <u>Governance Principles</u>

The ongoing financial viability of the Council is to be ensured.

Attachment List

- 1. DRAFT Glenelg Shire Council LGMFR 2022-23 [14.4.1 53 pages]
- 2. LGPRF Performance Statement V 21 Sep 23 [14.4.2 14 pages]
- 3. 2022 23 LGPRF Governance Check List 21 Sep 23 [**14.4.3** 3 pages]

Gleneig Shire Council ANNUAL FINANCIAL REPORT

For the Year Ended 30 June 2023

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Certification of the Financial Statements

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

Lauren Easson CPA Principal Accounting Officer

Dated : 1 September 2023 Portland

In our opinion the accompanying financial statements present fairly the financial transactions of Glenelg Shire Council for the year ended 30 June 2023 and the financial position of the Council as at that date.

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

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

Cr xxxx Councillor

Dated : 1 September 2023 Portland

Cr xxxx Councillor

Councillor

Dated : 1 September 2023 Portland

Paul Phelan Chief Executive Officer

Dated : 1 September 2023 Portland

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Comprehensive Income Statement For the Year Ended 30 June 2023

	Note	2023 \$'000	2022 \$'000
Income / Revenue		Ç ÖÖÜ	Ŷ ÜÜÜ
Rates and charges	3.1	31,559	27,526
Statutory fees and fines	3.2	917	1,015
User fees	3.3	3,312	3,333
Grants - operating	3.4	19,955	18,012
Grants - capital	3.4	7,135	9,244
Contributions - monetary	3.5	196	136
Other income	3.7	1,854	1,021
Total income / revenue		64,928	60,287
Expenses			
Employee costs	4.1	(26,068)	(24,771)
Materials and services	4.2	(19,687)	(18,031)
Depreciation	4.3	(10,954)	(12,605)
Amortisation - right of use assets	4.4	(221)	(198)
Bad and doubtful debts	4.5	(9)	(7)
Borrowing costs	4.6	(2)	(1)
Finance costs - leases	4.7	(18)	(23)
Net loss on disposal of property, infrastructure, plant and equipment	3.6	(1,871)	(2,449)
Other expenses - Landfill provision adjustment	5.5	(1,051)	(1,597)
Other expenses	4.8	(2,324)	(3,273)
Total expenses		(62,205)	(62,955)
Surplus/(deficit) for the year		2,723	(2,668)
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods	9		
Net asset revaluation increment	9.1	11,209	10,081
Total comprehensive result		13,933	7,413

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

Balance Sheet As at 30 June 2023

	Note	2023 \$'000	2022 \$'000
Assets		\$ 000	\$ 000
Current assets			
Cash and cash equivalents	5.1	13,280	16,571
Trade and other receivables	5.1	2,659	2,439
Inventories	5.2	214	192
Prepayments	5.2	543	356
Other assets	5.2	195	37
Total current assets		16,891	19,595
Non-current assets			
Property, infrastructure, plant and equipment	6.1	471,897	460,081
Right of use assets	5.8	393	442
Total non-current assets		472,290	460,523
Total assets		489,181	480,117
Liabilities			
Current liabilities			
Trade and other payables	5.3	2,917	4,166
Trust funds and deposits	5.3	1,169	1,767
Unearned income	5.3	7,444	10,852
Provisions	5.5	5,794	5,518
Interest-bearing liabilities	5.4	396	557
Lease liabilities	5.8	223	194
Total current liabilities		17,943	23,054
Non-current liabilities			
Provisions	5.5	10,706	9,966
Interest-bearing liabilities	5.4	282	711
Lease liabilities	5.8	196	264
Total non-current liabilities		11,184	10,941
Total liabilities		29,127	33,995
Net assets		460,054	446,121
Equity			
Accumulated surplus		127,895	125,171
Reserves	9.1	332,159	320,950
Total Equity		460,054	446,121

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

Statement of Changes in Equity For the Year Ended 30 June 2023

2023	Note	Total \$'000	Accumulated Surplus/(Deficit) \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Balance at beginning of the financial year		446,122	125,172	320,493	457
Surplus/(deficit) for the year		2,723	2,723	-	-
Net asset revaluation increment	9.1	11,209	-	11,209	-
Balance at end of the financial year		460,054	127,895	331,702	457

2022		Total \$'000	Accumulated Surplus/(Deficit) \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Balance at beginning of the financial year		438,709	127,840	310,412	457
Surplus/(deficit) for the year		(2,668)	(2,668)	-	-
Transfer to Other Reserve		-	-	-	-
Net asset revaluation increment	9.1	10,081	-	10,081	-
Balance at end of the financial year		446,121	125,172	320,493	457

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

Statement of Cash Flows For the Year Ended 30 June 2023

	Note	2023 Inflows/ (Outflows) \$'000	2022 Inflows/ (Outflows) \$'000
Cash flows from operating activities		<i>Q</i> U U U	ţ coo
		24 000	
Rates and charges		31,208 917	27,633
Statutory fees and fines		3,463	1,015
User fees			3,208
Grants - operating		20,159	18,585
Grants - capital		3,902	8,225
Contributions - monetary		196	136
Other receipts		1,667	1,021
Net GST refund		(22)	513
Employee costs		(25,980)	(25,346)
Materials and services		(21,604)	(13,842)
Other payments	_	(2,707)	(6,482)
Net cash provided by operating activities	9.2	11,199	14,666
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.1	(13,884)	(15,144)
Payments for landfill rehabilitation works	••••	(268)	(3,885)
Proceeds from sale of property, infrastructure, plant and equipment		476	710
Net cash used in investing activities	_	(13,676)	(18,319)
Cash flows from financing activities			
Finance costs		(2)	(1)
Repayment of borrowings		(590)	(7,565)
Interest paid - lease liability		19	(.,)
Repayment of Lease Liabiliites		(240)	-
Net cash used in financing activities	—	(813)	(7,566)
		(2.22.1)	
Net (decrease) in cash and cash equivalents		(3,291)	(11,219)
Cash and cash equivalents at the beginning of the financial year		16,571	27,790
Cash and cash equivalents at the end of the financial year	5.1	13,280	16,571

Financing arrangements

5.6

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

Statement of Capital Works For the Year Ended 30 June 2023

Note	2023 \$'000	2022 \$'000
Property		
Buildings	659	1,000
Land	4	-
Total buildings	663	1,000
Total property	663	1,000
Plant and equipment	· ·	
Plant, machinery and equipment	2,590	1,292
Library books	89	94
Total plant and equipment	2,679	1,386
Infrastructure		
Roads	2,644	3,044
Bridges	332	-
Footpaths and street furniture	270	410
Drainage	58	26
Recreational, leisure and community facilities	604	1,800
Aerodrome	308	491
Waste management	13	-
Parks, open space and streetscapes	5,827	6,988
Other infrastructure	486	-
Total infrastructure	10,542	12,759
Total capital works expenditure	13,884	15,145
Represented by:		
New asset expenditure	7,753	8,725
Asset renewal expenditure	5,737	4,863
Asset upgrade expenditure	394	1,556
Total capital works expenditure	13,884	15,145

The above statement of capital works should be read in conjunction with the accompanying notes. Page 8 $\,$

> Notes to the Financial Report For the Year Ended 30 June 2023

Note 1 OVERVIEW

Introduction

The Glenelg Shire Council was established by an Order of the Governor in Council on 23 September 1994 and is a body corporate. The Council's main office is located at 71 Cliff Street, Portland.

Statement of compliance

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

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

Significant accounting policies

(a) Basis of accounting

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

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

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

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.

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.

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

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- determining 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)
- 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.

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

> Notes to the Financial Report For the Year Ended 30 June 2023

Note 2 ANALYSIS OF OUR RESULTS

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 greater than 10 percent and \$500,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 28 June 2022. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

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

2.1.1 Income / Revenue and expenditure

	Budget 2023	Actual 2023	Variance	Variance	
	\$'000	\$'000	\$'000	%	Ref
Income / Revenue					
Rates and charges	31,393	31,559	166	1%	
Statutory fees and fines	932	917	(15)	-2%	
User fees	3,153	3,312	159	5%	
Grants - operating	14,784	19,955	5,171	35%	1
Grants - capital	8,248	7,135	(1,113)	-13%	2
Contributions - monetary	115	196	81	71%	
Other income	575	1,854	1,279	222%	3
Total income / revenue	59,200	64,928	5,728	10%	
Expenses					
Employee costs	(26,340)	(26,068)	272	-1%	
Materials and services	(18,826)	(19,687)	(861)	5%	
Depreciation	(12,529)	(10,954)	1,575	-13%	4
Amortisation - Right of use assets	(223)	(221)	2	-1%	
Bad and doubtful debts - allowance for impairment losses	-	(9)	(9)	100%	
Borrowing costs	(146)	(2)	144	-99%	
Finance Costs - Leases	(20)	(18)	2	-8%	
Net loss on disposal of property, infrastructure, plant and equipment	-	(1,871)	(1,871)	100%	5
Other expenses - Landfill provision adjustment	-	(1,051)	(1,051)	100%	6
Other expenses	(1,056)	(2,324)	(1,268)	120%	7
Total expenses	(59,138)	(62,205)	(3,067)	5%	
Surplus for the year	62	2,723	2,661	4327%	

Notes to the Financial Report For the Year Ended 30 June 2023

	variations	
Variance Ref	Item	Explanation
1	Grants - operating	Operating Grants were \$5M higher than our Adopted Budget for 22/23. Th was partly due to an additional \$4M of 23/24 Commonwealth Grant funding being received in advance in June 2023 (earlier than expected). Other amounts were - \$500k received for Municipal Emergency events and an additional \$308k of Kindergarten funding due to free kinder for 2023.
2	Grants - capital	Capital Grant income was lower than our Adopted Budget by \$1M due to the following - \$5.2M - Funding included in our Adopted Budget that Council did not receive - \$3M of Building Better regions funding as the project did not progress & \$2.2M of Roads to Recovery funding as this income has been deferred to 23/24. \$1.4M - Funding included in our Adopted Budget that Council received but had to carry forward per Accounting Standards - \$1.1M of Portland North Employment Precinct funding & \$335k of Local Freight Roads funding. \$5.5M - Funding received that was not included in our Adopted Budget - \$1.8M of Local Roads and Infrastructure LRCI (COVID stimulus) funding, STills Traffic improvement funding of \$322k and \$2.5M of Alexandra Park funding, \$250 of Bridgewater Bay funding and \$253k of Portland Foreshore Multipurpose funding in line with project deliverables.
3	Other income	Other income was \$1.3M higher for 22/23 due to \$200k of additional intere income received due to higher interest rates, \$130k of higher Workcover reimbursement income, \$460k of additional insurance payouts, \$85k of additional Visitor Information Centre income and \$374k as a result of Asse Recognition standards.
4	Depreciation	The depreciation amount has reduced from 2021/22 and is largely impacte by new valuations recognised for land and buildings. Council uses independent valuations and recognises that condition assessments and en of life should be considered in 2023/24 for future planning of renewal programs.
5	Net loss on disposal of property, infrastructure, plant and equipment	The accounting cost for the disposal and write off of assets at 30 June is n budgeted. This cost is made up significantly by the writeoff of road renewa and in 22/23 the demolished building at Alexandra Park. Other asset categories that impacted this amount include light and heavy fleet.
6	Other expenses - Landfill provision adjustment	The adjustment to the Landfill provision is not budgetd due to the complex nature of the landfill rehabilitation works. The expenditure amount recognised is the movement in the current provision.
7	Other expenses	Other Expenses were higher than Adopted budget due to factors related to Internal Cost Allocations. Favourable Internal Cost allocations of \$540k fo 22/23 were offset against Materials and Services costs instead of Other Expenses due to the nature of these expenses. As a result, Other expense expenditure is higher than budget. The additional reason Other expenses higher than budget is because we had budgeted favourable Internal Cost allocations of \$1M and \$0 has been applied against Other expenses for 22/23.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 2.1 Performance against budget (continued)

2.1.2 Capital works

	Budget 2023	Actual 2023	Variance	Variance	
	\$'000	\$'000	\$'000	%	Ref
Property					
Buildings	5,375	659	(4,716)	-88%	1
Land	-	4	4	0%	
Total property	5,375	663	(4,712)	-88%	
Plant and equipment					
Plant, machinery and equipment	1,135	2,590	1,455	128%	2
Fixtures, fittings and furniture	10	-	(10)	-100%	
Heritage plant and equipment	10	-	(10)	-100%	
Library books	95	89	(6)	-7%	
Total plant and equipment	1,250	2,679	1,429	-78%	
Infrastructure					
Roads	2,905	2,644	(261)	-9%	
Bridges	200	332	132	66%	
Footpaths and cycle ways	50	270	220	440%	
Drainage	50	58	8	16%	
Recreational, leisure and community facilities	200	604	404	202%	
Waste management	280	13	(267)	-96%	
Parks, open space and streetscapes	260	5,827	5,567	2141%	3
Off street car parks	50	-	(50)	-100%	
Aerodrome	50	308	258	517%	
Other infrastructure	250	486	236	95%	
Total infrastructure	4,295	10,542	6,247	145%	
Total capital works expenditure	10,920	13,884	2,964	27%	
Represented by:					
New asset expenditure	5,350	7,753	2,403	45%	
Asset renewal expenditure	5,310	5,737	427	8%	
Asset upgrade expenditure	260	394	134	51%	
Total capital works expenditure	10,920	13,884	2,964	27%	

Notes to the Financial Report For the Year Ended 30 June 2023

Note 2.1 Performance against budget (continued)

(i) Explanation of material variations

Variance Ref	ltem	Explanation
1	Buildings	The Adopted Budget for Buildings for 22-23 comprised the Building Better regions projects for \$5M, the Building Renewals budget of \$300k and \$75k of other Building works. Actuals were \$4.8M lower than budget as the Building Better regions project did not progress. \$250k was spent on the Portland Foreshore Multipurpose and \$400k on Building renewals and other works. Uncompleted Building works for 22/23 to be carried forward to 23/24 are estimated at \$6.2M and consists mainly of \$5.9M of the Foreshore Multipurpose project costs.
2	Plant, machinery and equipment	Actual spend for Plant, Machinery & Equipment is \$1.4M higher than the Adopted Budget. This is partially due to a Budget increase applied as a result of a \$839k underspend from 21/22 due to manufacturer delays on delivering Light Fleet. \$778k is due to capitalising items purchased in Operational budgets for Services that are capital in nature. Uncompleted Plant, Machinery and Equipment additions for 22/23 to be carried forward to 23/24 are estimated at \$321k. These are largely due to supply issues.
3	Parks, open space and streetscapes	Although the Adopted Budget for Parks, Open Space and Streetscapes was only \$260k, a Forecast Budget increase was applied to these Budgets due to unused budgets from 21/22 of \$9.9M. This resulted in a \$5.8M spend in 22/23 and includes - \$4.5M for the Alexandra Park project, \$784k for the Foreshore Masterplan project, \$115k for the Bridgewater pathways and \$244k has been spent on replacing the Air Condenser in the Cliff St building. Uncompleted Parks, Open Space and Streetscape works for 22/23 to be carried forward to 23/24 are estimated at \$4.5M and consists largely of Alexandra Park project costs of \$2.2M, Portland Foreshore project costs of \$873k, Bridgewater Masterplan project costs of \$883k and Local Port works of \$397k.

Notes to the Financial Report For the Year Ended 30 June 2023

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Note 2.2 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

2.2 (a) Chief Executive Department

The CEO provides high level strategic advice to the Mayor and Councillors and oversees the administrative function of Council ensuring good governance and financial practices. Assisted by the Directors and the Organisational Development Manager, the CEO is responsible for implementing the policies and decisions of Council and the day to day operations of the organisation. With a focus on development and innovation, the CEO works with the Council and its staff to bring about positive change and growth for the benefit of the Glenelg Shire community. Teams within the CEO's department are Economy & Investment, Tourism & Events, Communications & Media, Organisational Development and Council Support.

Glenelg Futures

Glenelg Futures comprises Digital Glenelg, Information Technology and Information and Data Management. The Chief Information Officer is accountable for the leadership and management of a multi-disciplinary team implementing initatives that will transform the quality of services delivered to the community, as well as complying with records and information management systems, standards and procedures.

Corporate Services

The Corporate Services Director is accountable for the leadership and management of a multi-disciplinary team providing efficient operation in accordance with the value, objectives and goals of the organisation. This team includes Corporate Governance, Finance and Rates, Contracts and Procurement, Information Technology, Emergency and OHS Management, Town Planning, Building Services, Local Laws and Environmental Health, Customer Service and Facilities Maintenance.

Community Services

Community Services delivers a range of services for the community and provides support to projects which promote community capacity building and enhance community wellbeing. The key service units include Community Wellbeing, Children's Services, Library and Information services, Aged and Disability, Community Grants, Visitor Information Centres and Arts and Culture.

Assets

The Assets Department comprises Engineering, Works, Asset Management, Waste Management, Operations, Project Planning and Facilities service areas. The Director Assets also supports the Executive Team in undertaking policy development, financial management, community engagement, providing customer service and overall business management to ensure that Council objectives can be achieved.

Other

Includes costs associated with salary on cost allocations for the organisation and Capital Grant income.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 2.2 Analysis of Council results by program (continued)

2.2 (b) Summary of income / revenue, expenses, assets and capital expenses by program

	Income / Revenue	Expense	s Surplus/ (Deficit)	Grants included in income / revenue	Total assets
2023	\$'00	0 \$'	00 \$'00	0 \$'000	\$'000
Chief Executive Department	1	50 3	445 (3,29	5) 78	826
Corporate Services	38,8	49 10	071 28,7	8,049	3,975
Glenelg Futures		99 3	596 (3,49	7) -	859
Community Services	7,3	29 11	581 (4,25	2) 5,566	6,403
Assets	5,6	28 21	523 (15,89	5) 13,397	477,118
Other	12,8	73 11	989 88	- 34	-
	64,9	28 62	205 2,72	23 27,090	489,181

	Income / Revenue	Expenses	Surplus/ (Deficit)	Grants included in income / revenue	Total assets
2022	\$'00	0 \$'000	\$'000	\$'000	\$'000
Chief Executive Department	32	24 3,399	(3,075)	206	843
Corporate Services	33,70	63 10,745	23,018	7,225	4,529
Glenelg Futures		- 3,257	(3,257)	-	995
Community Services	7,20	6 11,248	(3,982)	5,442	7,104
Assets	18,93	35,475	(16,541)	14,383	466,646
Other	-	(1,169)	1,169	-	-
	60,28	62,955	(2,668)	27,256	480,117

Notes to the Financial Report For the Year Ended 30 June 2023

Note 3 Funding for the delivery of our services

3.1 Rates and charges

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is its imputed market value.

The valuation base used to calculate general rates for 2022/23 was \$8.127 billion (2021/22 \$6.175 billion).

	2023 \$'000	2022 \$'000
General rates	12,602	10,481
Waste Charges	2,554	2,482
Special rates and charges - Industrial Agreement	4,874	5,041
Service rates and charges - Commercial/Industrial Land	1,728	1,494
Service rates and charges - Primary Production Land	9,774	8,000
Interest on rates and charges	-	4
Service rates and charges - Cultural and Recreation Land	27	24
Total rates and charges	31,559	27,526

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2023, and the valuation will be first applied in the rating year commencing 1 July 2023. Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines	2023 \$'000	2022 \$'000
Infringements and costs	15	33
Town planning fees	695	768
Permits	207	214
Total statutory fees and fines	917	1,015

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	2023 \$'000	2022 \$'000
Waste management services	1,236	1,193
Aged and health services	756	812
Child care / children's programs	612	667
Caravan Park Income	188	186
Council Owned Local Port	167	159
Other fees and charges	353	316
Total user fees	3,312	3,333
User fees by timing of revenue recognition		
User fees recognised at a point in time	3,312	3,333
Total user fees	3,312	3,333

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

	nancial Report Notes to the Financial Report	t	
	For the Year Ended 30 June 20		
Note 3 Fur	iding for the delivery of our services (continued)		
3.4 Fur	iding from other levels of government		
		2023	2022
Gra	nts were received in respect of the following :	\$'000	\$'000
Sur	nmary of Grants		
Cor	nmonwealth funded grants	18,921	18,835
Stat	te funded grants	8,169	8,421
	al Grants received	27,090	27,256
(-)	On anothing Constants	2022	2022
(a)	Operating Grants	2023	2022
	Recurrent - Commonwealth Government	\$'000	\$'000
	Financial Assistance Grants	13,205	11,832
	Aged & Disability Services	1,248	1,224
	Recurrent - State Government	007	050
	Aged & Disability Services	367	358
	Childrens Services	934	773
	Library Services	210	7
	Maternal & Child Health	462	471
	Emergency Response (MECC)	120	146
	Youth Services	110	116
		186	186
	Environmental Health	13	26
	Total Recurrent Operating Grants	16,855	15,139
	Non-Recurrent - Commonwealth Government		
	Childrens Services	1,217	1,189
	Planning	55	1
	Aged & Disability Services	45	29
	Non-Recurrent - State Government		
	Aged & Disability Services	10	9
	Arts & Culture	106	91
	Buildings	-	5
	Childrens Services	716	805
	Community Wellbeing	66	37
	Economy & Investment *	(154)	200
	Emergency Response (MECC)	· · · · · · · · · · · · · · · · · · ·	63
	Environmental Planning	234	116
	Library Services	16	228
	Local Laws	2	20
	Local Port Better Boating	84	82
	Maternal & Child Health	-	5
	Organisational Development	8	-
	School Crossing Supervisors	74	62
	Special Projects	569	6
	Youth Services	52	51
	Other *	-	(126)
		2 400	(120)

* Note - \$154k refund due to unexpended grant funding recognised in 21/22 returned to Grantor in 22/23

Total Non-Recurrent Operating Grants

Total Operating Grants

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2,873

18,012

3,100

19,955

Glenelg Shire Council 2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023

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

3.4 Funding from other levels of government (continued)

Tunding nom other levels of government (continued)		
	2023	2022
(b) Capital Grants	\$'000	\$'000
Recurrent - Commonwealth Government		
Roads to recovery	-	2,217
Total recurrent capital grants	<u> </u>	2,217
Non-recurrent - Commonwealth Government		
Airports	243	50
Infrastructure	74	-
Recreational & Community Facilities	2,834	2,293
Non-recurrent - State Government		
Roads	487	177
Infrastructure	365	4,328
Recreational & Community Facilities	3,132	179
Total Non-Recurrent Capital Grants	7,135	7,027
Total Capital Grants	7,135	9,244

(c) Recognition of grant income

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

- identifies each performance obligation relating to revenue under the contract/agreement

- determines the transaction price

- recognises a contract liability for its obligations under the agreement

- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

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

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

Income recognised under AASB 1058 Income of Not-for-Profit Entities	2023 \$'000	2022 \$'000
General purpose	14,255	12,686
Specific purpose grants to acquire non-financial assets	7,135	9,244
Other Specific Purpose Grants	3,149	3,214
Revenue recognised under AASB 15 Revenue from Contracts with Customers		
Specific purpose grants	2,551	2,112
	27,090	27,256

(d) Unspent grants received on condition that they be spent in a specific manner:

Operating

Balance at start of year	986	412
Received during the financial year and remained unspent at balance date	901	814
Received in prior years and spent during the financial year	(595)	(241)
Balance at year end	1,292	986

2023

2022

Glenelg Shire Council 2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023		
Note 3 Funding for the delivery of our services (continued)		
	2023	2022
	\$'000	\$'000
3.4 Capital		
Balance at start of year	9,761	10,780
Received during the financial year and remained unspent at balance date	1,964	2,940
Received in prior years and spent during the financial year	(5,698)	(3,959)
Balance at year end	6,027	9,761
Unspent grants are determined and disclosed on a cash basis.		
3.5 Contributions		
Monetary	196	136
Non-monetary	-	-
Total contributions	196	136
Monetary and non monetary contributions are recognised as revenue when Council obtains contro were no non monetary contributions received in 2022/2023.	ol over the contributed as	set. There
3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment	2023 \$'000	2022 \$'000
Proceeds of sale	476	710
Written down value of assets disposed and written off	(2,347)	(3,159)
Total net loss on disposal of property, infrastructure, plant and equipment	(1,871)	(2,449)
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The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer or the asset is written off.

3.7 Other income

	\$'000	\$'000
Interest	255	46
Reimbursements	388	383
Sales and Commission	382	329
Other miscellaneous	829	263
Total other income	1,854	1,021

Interest is recognised as it is earned.

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

Notes to the Financial Report
For the Year Ended 30 June 2023

Note 4 The cost of delivering services

4.1 (a) Employee costs	2023 \$'000	2022 \$'000
Wages and salaries	20,730	20,684
WorkCover	399	393
Superannuation	2,297	2,182
Fringe benefits tax	172	138
Other employee costs	2,642	1,611
Salary expenses capitalised	(172)	(237)
Total employee costs	26,068	24,771

(b) Superannuation

Council made contributions to the following funds:

Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	86	113
	86	113
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	1,160	1,132
Employer contributions - Ausuper	172	154
Employer contributions - Hostplus	114	121
Employer contributions - CBUS	99	81
Employer contributions - Rest	55	51
Employer contributions - other funds	527	444
	2,127	1,983
Employer contributions payable at reporting date	84	80

Contributions made include amounts accrued at balance date. Refer to note 9.3 for further information relating to Council's superannuation obligations.

4.2 Materials and services	2023	2022
	\$'000	\$'000
Contract payments	13,371	11,197
Material expenses - general	2,994	3,672
Utilities	1,530	1,243
Office administration	196	165
Information technology	757	883
Insurance	839	871
Total materials and services	19,687	18,031

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

4.3 Depreciation	2023 \$'000	2022 \$'000
Property	2,148	3,014
Plant and equipment	948	1,131
Infrastructure	7,858	8,460
Total depreciation	10,954	12,605

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

Notes to the Financial Report For the Year Ended 30 June 2023		
Note 4 The cost of delivering services (continued)		
4.4 Amortisation - Right of use assets	2023 \$'000	2022 \$'000
Plant and equipment	221	198
Total Amortisation - Right of use assets	221	198
4.5 Bad and doubtful debts - allowance for impairment losses	2023 \$'000	2022 \$'000
Other debtors	9	7
Total bad and doubtful debts - allowance for impairment losses	9	7
Movement in allowance for impairment losses in respect of debtors		
Balance at the beginning of the year	48	9
New provisions recognised during the year	6	48
Amounts already provided for and written off as uncollectible	-	(3)
Amounts provided for but recovered during the year	(48)	(6)
Balance at end of year	6	48

An allowance for impairment losses in respect of debtors 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	2023	2022
	\$'000	\$'000
Interest - Borrowings	2	1
Total borrowing costs	2	1

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	2023	2022
	\$'000	\$'000
Interest - Lease Liabilities	18	23
Total finance costs	18	23
4.8 Other expenses	2023	2022
	\$'000	\$'000
VAGO Audit Fees - audit of the financial & performance statements and grant acquittals	47	42
Councillors' allowances	290	279
Seminars and training course fees	268	350
Memberships	373	284
Communication expenses	313	321
Advertising	159	213
Travel and accomodation	63	43
Statutory expenses	315	304
Bank fees	48	60
Other expenses	(12)	181
MAV WorkCare Scheme Liability	-	685
Contributions and donations	478	511
Total other expenses	2,342	3,273

Notes to the Financial Report For the Year Ended 30 June 2023

Note 5 Our financial position		
5.1 Financial assets	2023 \$'000	2022 \$'000
(a) Cash and cash equivalents		
Cash on hand	8	8
Cash at bank	13,272	16,563
Total cash and cash equivalents	13,280	16,571

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

(b) Trade and other receivables	2023 \$'000	2022 \$'000
Current		
Statutory receivables		
Rates debtors	1,386	1,035
Net GST Receivable	553	531
Non Statutory receivables		
Other debtors	711	908
Provision for doubtful debts - other debtors	(6)	(48)
Other assets	4	4
Total current trade and other receivables	2,648	2,430
Non-current		
Statutory receivables		
Special rate scheme	11	9
Total non-current trade and other receivables	11	9
Total trade and other receivables	2,659	2,439

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.

(c) Ageing of Receivables	2023 \$'000	2022 \$'000
The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired	was:	
Current (not yet due)	502	731
Past due by up to 30 days	47	34
Past due between 31 and 180 days	9	32
Past due between 181 and 365 days	33	84
Past due by more than 1 year	120	27
Total trade and other receivables	711	908

(d) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$48k (2021: \$9k) were impaired. The amount of the provision raised against these debtors was \$48k (2021:\$9). 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:	2023 \$'000	2022 \$'000
Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	6	48
Past due by more than 1 year	-	-
Total trade & other receivables	6	48

2022/2023 Financial Report

For the Year Ended 30 June 2023		
Note 5 Our financial position (continued)		
5.2 Non-financial assets	2023 \$'000	2022 \$'000
(a) Inventories		
Inventories held for distribution	214	192
Total inventories	214	192

Notes to the Einspeiel Depart

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		
Prepayments	543	356
Accrued income	195	37
Total other assets	738	393
5.3 Payables, trust funds and deposits and unearned income/revenue	2023	2022
(a) Trade and other payables	\$'000	\$'000
Non-statutory payables		
Current		
Trade payables	2,338	3,361
Accrued expenses	322	464
Statutory payables		
Fire Service Levy	208	167
Net GST payable	49	174
Total current trade and other payables	2,917	4,166
(b) Unearned income/revenue		
Current		
Grants received in advance - operating	1,292	986
Grants received in advance - capital	6,027	9,761
Other	125	105
Total current unearned income/revenue	7,444	10,852
(c) Trust funds and deposits		
Refundable deposits	746	1,263
Contract retentions	423	504
Total trust funds and deposits	1,169	1,767

Unearned income/revenue represents contract liabilities and reflects consideration for grants received in advance from customers. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.4(c).

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

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

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.

Contract 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.

Note

2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023		
lote 5 Our financial position (continued)		
5.4 Interest-bearing liabilities	2023 \$'000	2022 \$'000
Current		
Borrowings - secured (current)	396	557
	396	557
Non-current		
Borrowings - secured (non current)	282	711
	282	711
Total	678	1,268
Borrowings are secured by a charge over Council's Rate Revenue.		
The maturity profile for Council's borrowings is:		
Not later than one year	396	557
Later than one year and not later than five years	282	711
Later than five years	-	-
Total	678	1,268

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. At present, all Council's borrowings are classified at amortised cash.

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5.5 Provisions

	Employee	Landfill restoration	Gravel Pit restoration	Total
2023	\$ '000	\$ '000	\$ '000	\$ '000
Balance at beginning of the financial year	5,513	9,663	308	15,484
Additional provisions	1,963	-	83	2,046
Amounts used	(1,933)	(268)	(60)	(2,261)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	59	1,051	121	1,231
Balance at the end of the financial year	5,602	10,446	452	16,500
Provisions - current	5,082	260	452	5,794
Provisions - non-current	520	10,186	-	10,706
2022				
Balance at beginning of the financial year	6,088	11,951	310	18,349
Additional provisions	1,575	(826)	-	749
Amounts used	(2,251)	(3,885)	(63)	(6,199)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	101	2,423	61	2,585
Balance at the end of the financial year	5,513	9,663	308	15,484
Provisions - current	4,950	260	308	5,518
Provisions - non-current	563	9,403	-	9,966

Notes to the Financial Report For the Year Ended 30 June 2023		
Note 5 Our financial position (continued)		
5.5 Provisions (continued)		
	2023	2022
(a) Employee provisions	\$'000	\$'000
Current provisions expected to be wholly settled within 12 months		
Annual leave	1,529	1,418
Long service leave	332	248
	1,861	1,666
Current provisions expected to be wholly settled after 12 months		
Annual leave	877	852
Employee gratuity scheme	1	29
Long service leave	2,343	2,403
	3,221	3,284
Total current employee provisions	5,082	4,950
Non-current		
Long service leave	520	563
Total non-current employee provisions	520	563
Aggregate carrying amount of employee provisions:		
Current	5,082	4,950
Non-current	520	563
Total aggregate carrying amount of employee provisions	5,602	5,513

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.

	2023	2022
Key assumptions:		
- discount rate	4.06%	3.85%
- index rate	4.35%	3.69%

> Notes to the Financial Report For the Year Ended 30 June 2023

Note 5 Our financial position (continued)

5.5 Provisions (continued)		
	2023	2022
(b) Landfill restoration	\$'000	\$'000
Current provision - landfill	260	260
Non current provision - landfill	10,186	9,403
	10,446	9,663

Council is obligated to restore the Portland Landfill site to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs. Council reviews the landfill restoration provision on an annual basis, including the key assumptions listed below.

	2023	2022
Key assumptions:		
- discount rate	4.06%	3.69%
- index rate	6.80%	5.09%
	2023	2022
(c) Gravel pit restoration	\$'000	\$'000
Current Provision - Gravel/Limestone Pits	452	308
	452	308

Council is obligated to restore quarry sites to a particular standard. The forecast life of the sites is based on current estimates of remaining capacity. The provision for the gravel and limestone pits held by Council has been calculated based on the present value of the expected cost of works to be undertaken. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast life of the sites and other related costs.

	2023	2022
Key assumptions:		
- discount rate	4.06%	3.69%
- index rate	7.02%	5.09%
5.6 Financing arrangements	2023	2022
	\$'000	\$'000
The Council has the following funding arrangements in place as at 30 June 2023.		
Bank overdraft	4,000	4,000
Loan facilities	678	1,268
Credit card facilities	200	200
Total lease liabilities	1,000	1,000
Total facilities	5,878	6,468
Used facilities	(1,139)	(1,758)
Unused facilities	4,739	4,710

2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023

Note 5 Our financial position (continued)

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.

		Later than 1	Later than 2		
	Not later than 1	year and not later than 2	years and not	Later than 5	
2023		later than 2 years	later than 5 years		Total
	year			years	
Operating	\$'000	\$'000	\$'000	\$'000	\$'000
Aquatic Facilities	767	255	-	-	1,022
Cleaning/Other Contracts	103	-	-	-	103
Consultancies	178	56	-	-	234
IT	97	32	-	-	129
Leases	365	131	70	-	566
Maintenance Contracts	2,430	197	87	-	2,714
Maternal Child Health	354	-	-	-	354
Other	308	308	77	-	693
Security Services	5	-	-	-	5
Tourism & Evemts	167	-	-	-	167
Waste Management	260	260	780	444	1,744
Aged Services	700	-	-	-	700
Total	5,734	1,239	1,014	444	7,731
Capital					
Airport Infrastructure	50	27	-	-	77
Alexandra Park Master Plan	2,764	-	-	-	2,764
Backup Generators	48	-	-	-	48
Bridgewater Bay Infrastructure	802	-	-	-	802
Light Fleet	196	-	-	-	196
Local Freight Roads	2,582	2,068	-	-	4,650
Local Roads & Infrastructure (LRCI) - Phase 2	17	-	-	-	17
Local Roads & Infrastructure (LRCI) - Phase 3	2,198	-	-	-	2,198
Other - Building Infrastructure	76	-	-	-	76
Roads	1,203	83	7	-	1,293
Portland North Precinct	-	2,528	-	-	2,528
Port of Portland Bay Infrastructure	404		-	_	404
Total	10,340	4,706	7		15,053
i otai	10,340	4,700	1	-	13,033

2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023

Note 5 Our financial position (continued)

5.7 Commitments (continued)

2022	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
Operating	\$'000	\$'000	\$'000	\$'000	\$'000
Aquatic Facilities	781	767	510	-	2,058
Cleaning/Other Contracts	331	4	-	-	335
Consultancies	826	-	-	-	826
Home Care Services	32	-	-	-	32
IT	74	-	-	-	74
Maintenance Contracts	3,828	2,178	-	-	6,006
Maternal Child Health	624	-	-	-	624
Meals on Wheels	149	-	-	-	149
Roads	309	20	-	-	329
Security Services	2	-	-	-	2
Waste Management	2,433	-	-	-	2,433
Total	9,389	2,969	510	•	12,868
Capital					
Airport Infrastructure	13	-	-	-	13
Bridge Infrastructure	464	-	-	-	464
Bridgewater Bay Infrastructure	998	-	-	-	998
Buildings	3,621	3,301	-	-	6,922
Community Infrastructure	61	-	-	-	61
Infrastructure - Henty Employment & North Portland Precincts	897	1,868	-	-	2,765
Parks & Gardens Infrastructure	148	-	-	-	148
Port of Portland Bay Infrastructure	437	-	-	-	437
Portland Foreshore Infrastructure	66	-	-	-	66
Sport & Recreation Infrastructure	254	-	-	-	254
Local Roads and Infrastructure (LRCI)	6,391	-	-	-	6,391
Total	13,350	5,169		-	18,519

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-ofuse 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.

2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023

Note 5 Our financial position (continued)

5.8 Leases (continued)

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;
- \cdot 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.

Right-of-Use Assets	Plant & Equipment	Total
	\$'000	\$'000
Balance at 1 July 2021	451	451
Additions	189	189
Amortisation charge	(198)	(198)
Balance at 30 June 2022	442	442
Balance at 1 July 2022	442	442
Additions	173	173
Amortisation charge	(221)	(221)
Balance at 30 June 2023	394	394
Lease Liabilities	2023	2022
Maturity analysis - contractual undiscounted cash flows		
Less than one year	226	211
One to five years	201	277
More than five years	-	-
Total undiscounted lease liabilities as at 30 June:	427	488
Lease liabilities included in the Balance Sheet at 30 June:		
Current	223	194
Non-current	196	264
Total lease liabilities	419	458

Short-term and low value leases

Council does not have any Short-term or low value leases

Notes to the Financial Report For the Year Ended 30 June 2023

6.1 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	Carrying Amount 30 June 2022	Additions	Revaluation	Depreciation	Disposal	Write-off	Transfers	Recognitions	WIP Expensed & NCA Adjustment	Carrying Amount 30 June 2023
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property	80,994	-	10,714	(2,148)	-	(1,312)	1,325	65	-	89,638
Plant and equipment	10,450	-	-	(948)	(331)	-	1,961	-	-	11,132
Infrastructure	363,623	-	255	(7,858)	-	(704)	9,587	310	-	365,213
Work in progress	5,014	13,884	-	-	-	-	(12,873)	-	(111)	5,914
	460,081	13,884	10,969	(10,954)	(331)	(2,016)	•	375	(111)	471,897

Summary of Work in Progress	Opening WIP	Additions	Expensed	Transfers	Closing WIP
	\$'000	\$'000	\$'000	\$'000	\$'000
Property	42	663	-	(1,325)	(620)
Plant and equipment	758	2,679	-	(1,961)	1,476
Infrastructure	4,214	10,542	(111)	(9,587)	5,058
Total	5,014	13,884	(111)	(12,873)	5,914

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Attachment 14.4.1

Notes to the Financial Report For the Year Ended 30 June 2023

(a) Property

-									
	Land - specialised	Land - non specialised	Total Land & Land Improvements	Heritage buildings	Buildings - specialised	Buildings - non specialised	Total Buildings	Work In Progress	Total Property
	\$'000	\$'000	· \$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2022	18,697	12,237	30,934	12,916	97,878	12,819	123,613	42	154,589
Accumulated depreciation at 1 July 2022	-	-	-	(8,647)	(57,679)	(7,228)	(73,553)	-	(73,553)
	18,697	12,237	30,934	4,269	40,199	5,591	50,060	42	81,036
Movements in fair value									
Additions	-	-	-	-	-	-	-	663	663
Contributions	-	-	-	-	65	-	65	-	65
Revaluation	2,797	1,864	4,661	636	4,682	1,271	6,589	-	11,250
Disposal	-	-	-	-	-	-	-	-	-
Write-off	(363)	(2)	(365)	-	(1,777)	-	(1,777)	-	(2,142)
Transfers	4	-	4	54	515	752	1,321	(1,325)	-
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-
-	2,438	1,862	4,300	690	3,485	2,023	6,198	(662)	9,836
Movements in accumulated depreciation									
Depreciation	-	-	-	(245)	(1,763)	(140)	(2,148)	-	(2,148)
Accumulated depreciation of revaluation	-	-	-		(22)	(514)	(536)	-	(536)
Accumulated depreciation of writeoff	-	-	-	-	830	-	830	-	830
Transfers	-	-	-	-	(3)	-	(3)	-	(3)
-	-	-	-	(245)	(958)	(654)	(1,857)	-	(1,857)
-									
At fair value 30 June 2023	21,135	14,099	35,234	13,606	101,363	14,842	129,811	(620)	164,425
Accumulated depreciation at 30 June 2023	-	-	-	(8,891)	(58,637)	(7,882)	(75,410)	-	(75,410)
Carrying amount	21,135	14,099	35,234	4,715	42,726	6,960	54,401	(620)	89,015

Notes to the Financial Report For the Year Ended 30 June 2023

(b) Plant and Equipment						
	Heritage plant and equipment	Plant machinery and equipment	Fixtures fittings and furniture	Library books	Work In Progress	Total plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2022	3,225	17,545	2,160	1,807	758	25,495
Accumulated depreciation at 1 July 2022	-	(10,890)	(1,959)	(1,442)	-	(14,291)
	3,225	6,655	201	365	758	11,205
Movements in fair value						
Additions	-	-	-	-	2,678	2,678
Contributions	-	-	-	-		-
Revaluation	-	-	-	-	-	-
Disposal	-	(1,270)	-	-	-	(1,270)
Write-off	-	-	-	-	-	-
Transfers	-	1,852	26	89	(1,967)	-
Impairment losses recognised in operating result	-	-	-	-	-	-
		582	26	89	711	1,408
Movements in accumulated depreciation						
Depreciation	-	(772)	(51)	(125)	-	(948)
Accumulated depreciation of disposals	-	938	-	-	-	938
Impairment losses recognised in operating result	-	-	-	-	-	-
Transfers		-	-	-	-	-
		166	(51)	(125)		(10)
At fair value 30 June 2023	3,225	18,126	2,186	1,896	1,469	26,902
Accumulated depreciation at 30 June 2023	-	(10,724)	(2,010)	(1,567)		(14,301)
Carrying amount	3,225	7,402	176	329	1,469	12,601

(b) Plant and Equipment

Notes to the Financial Report For the Year Ended 30 June 2023

(c) Infrastructure

(o) million dottal o											
	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community	Waste Management	Parks open spaces and streetscapes	Aerodromes	Off street car parks	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2022	326,041	45,819	33,314	79,334	52,161	3,918	549	18,580	1,856	4,214	565,786
Accumulated depreciation at 1 July 2022	(88,187)	(21,620)	(19,606)	(38,230)	(21,203)	(1,131)	(266)	(6,911)	(793)	-	(197,947)
—	237,854	24,199	13,708	41,104	30,958	2,787	283	11,669	1,063	4,214	367,839
Movements in fair value											
Additions	-	-	-	-	-	-	-	-	-	10,542	10,542
Contributions	20	333	(49)	69	-	-	(64)	-	-	-	309
Revaluation	-	-	-	-	-	51	-	204	-	-	255
Disposal	-	-	-	-	-	-	-	-	-	-	-
Write-off	(2,212)	-	(620)	-	(100)	-	-	(6)	-	(111)	(3,049)
Transfers	2,181	283	4,244	282	2,056	-	-	536	-	(9,581)	1
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-	-	-
	(11)	616	3,575	351	1,956	51	(64)	734	-	850	8,058
Movements in accumulated depreciation											
Depreciation	(3,946)	(562)	(639)	(1,018)	(1,226)	(107)	(22)	(287)	(51)	-	(7,858)
Accumulated depreciation of revaluation	-	-	-	-	-	-	-	-	-	-	-
Accumulated depreciation of writeoffs	1,704	-	429	-	99	-	-	3	-	-	2,235
Transfers	-	-	2	(2)	-	-	3	-	-	-	3
	(2,242)	(562)	(208)	(1,020)	(1,127)	(107)	(19)	(284)	(51)	-	(5,620)
At fair value 30 June 2023	326,031	46,434	36,889	79,685	54,117	3,969	485	19,314	1,856	5,064	573,844
Accumulated depreciation at 30 June 2023	(90,429)	(22,182)	(19,814)	(39,250)	(22,330)	(1,238)	(285)	(7,195)	(844)	, -	(203,567)
Carrying amount	235,602	24,252	17,075	40,435	31,787	2,731	200	12,119	1,012	5,064	370,277

Notes to the Financial Report For the Year Ended 30 June 2023

6.1 Property, infrastructure, plant and equipment (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.

	Depreciation Period	Threshold Limit
Asset recognition thresholds and depreciation periods		\$'000
Land & land improvements		
land	-	1
Buildings		
buildings	50-100 years	1
Plant and Equipment		
heritage plant and equipment	100 years	1
plant, machinery and equipment	3-20 years	1
others (fixtures, fittings and furniture	5-20 years	1
Infrastructure		
roads	25-100 years	10
bridges	70-100 years	10
footpaths & street furniture	15-60 years	1
drainage	50-100 years	10
recreational, Leisure and Community	50-100 years	1
waste management	5-20 years	10
parks, open spaces and streetscapes	10-100 years	10
aerodromes	10-100 years	10
off street car parks	10-100 years	10

Land under roads

Council recognises land under roads acquired since 2008 at fair value.

Depreciation

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.

Notes to the Financial Report For the Year Ended 30 June 2023

6.1 Property, infrastructure, plant and equipment (continued)

Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer (Preston Rowe Paterson). 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 date and type 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 2023 are as follows:

	Level 1 \$'000	Level2 \$'000	Level 3 \$'000	Date of Valuation	Type of Valuation
Land - Non specialised	-	14,099	-	Jun-23	Independent
Specialised land	-	-	21,135	Jun-23	Independent
Heritage Buildings	-	-	4,715	Jun-23	Independent
Buildings	-	6,960	42,726	Jun-23	Independent
Total	-	21,059	68,576		

Valuation of infrastructure

Valuation of infrastructure assets has been determined in accordance with valuation undertaken by Ricky Luke (Bachelor of Civil Engineering) at Glenelg Shire Council.

The date and type 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 2023 are as follows:

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation	Type of Valuation
Roads	-	-	235,602	Jun-20	Indexation
Bridges	-	-	24,252	Jun-20	Indexation
Footpaths and cycle ways	-	-	17,075	Jun-20	Indexation
Drainage	-	-	40,435	Jun-20	Indexation
Recreational, leisure and community facilities	-	-	31,787	Jun-20	Indexation
Waste management	-	-	2,731	Jun-20	Indexation
Parks, open space and streetscapes	-	-	200	Jun-20	Indexation
Aerodromes	-	-	12,119	Jun-20	Indexation
Other infrastructure	-	-	1,012	Jun-20	Indexation
Total	-	•	365,213		

Notes to the Financial Report For the Year Ended 30 June 2023

6.1 Property, infrastructure, plant and equipment (continued)

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 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$2.07 and \$5,400 per square.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$305 to \$5,400 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 50 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 current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 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 infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2023	2022
Reconciliation of specialised land	\$'000	\$'000
Land under roads	63	14
Parks and reserves	21,072	18,683
Total specialised land	21,135	18,697

> Notes to the Financial Report For the Year Ended 30 June 2023

Note 7 People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Parent entity

Glenelg Shire Council is the parent entity.

Related entity

Local Port of Portland Bay is a Related entity.

Subsidiaries and Associates

Glenelg Shire Council has no 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 Glenelg Shire Council. The Councillors, Chief Executive Officer and Executive Team are deemed KMP. Details of KMP at any time during the year are:

		2023 No.	2022 No.
Councillors	Councillor Scott Martin	1	1
	Councillor Anita Rank	1	1
	Councillor Chrissy Hawker	1	1
	Councillor Karen Stephens	1	1
	Councillor Gilbert Wilson	1	1
	Councillor Michael Carr	1	1
	Councillor Jayden Smith	1	1
Executive	Paul Phelan (CEO from 13 Jan 2023), Director - Community and Director - Assets)	1	1
	Greg Burgoyne (Chief Executive Officer ceased 13 Jan 2023)	1	1
	David Hol (Director Corporate Services)	1	1
	Ann Kirkham (Chief Information Officer & Acting Manager of Organisational Development (OD))	1	1
	Jayne Miller (Director Community - Commenced May 2023)	1	-
	Stuart Husband (Director - Assets - Commenced May 2023)	1	-
	Edith Farrell (Director - Assets - Ceased September 2021)	-	1
	Chris Saunders (Acting Director - Assets - Ceased May 2023)	1	1
	Melanie Bennett (Director Community - Commenced December 2022)	1	-
	Symonne Robinson (Manager - Organisational Development (OD) - Ceased September 2022)	1	1
Summary: Total Number of Coun	cillare	7	7
		<i>'</i>	7
	ve Officer and other Key Management Personnel	<u> </u>	14
Total Number of Key	Management Personnel	10	14

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Other long-term employee benefits include long service leave, other long service benefits or deferred compensation.

Post-employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Termination benefits include termination of employment payments, such as severance packages.

7.1

Notes to the Financial Repor For the Year Ended 30 June 20		
1 People and relationships (continued)		
(c) Remuneration of Key Management Personnel (continued)	2023	2022
	2023	2022
Total remuneration of key management personnel was as follows:	\$'000	\$'000
Short-term benefits	1,441	1,485
Other Long-term benefits	19	-
Post-employment benefits	112	111
Termination benefits	190	49
Total	1,762	1,645
	No.	No.
The numbers of key management personnel whose total remuneration from Council and any re	lated entities, fall within the following bands	:
Income Range:		
\$20,000 - \$29,999	2	5
\$30,000 - \$39,999	2	-
\$40,000 - \$49,999	3	1
\$50,000 - \$59,999	1	-
\$80,000 - \$89,999	1	-
\$90,000 - \$99,999	1	1
\$100,000 - \$109,999	-	1
\$130,000 - \$139,999	-	1
\$140,000 - \$149,999	1	-
\$180,000 - \$189,999	1	1
\$190,000 - \$199,999	-	1
\$200,000 - \$209,999	1	1
\$210,000 - \$219,999	1	1
\$260,000 - \$269,999	1	-
\$290,000 - \$299,999	1	1
	16	14
(d) Remuneration of other senior staff:		
Other senior staff are officers of Council, other than Key Management Personnel, whose total r member of the KMP. *	emuneration exceeds \$160,000 and who rep	port directly to a
	\$	\$
Total remuneration of other senior staff was as follows:		
Short-term employee benefits	452	955
Other long-term employee benefits	11	-
Post-employment benefits	47	85
Termination benefits	<u> </u>	-
Total	510	1,040
The number of Senior Officers are shown below in their relevant income bands:	2023	2022
Income Range:	No.	No.
\$80,000 - \$89,999	-	1

Total remuneration for the reporting year for other senior staff included above, amounted to:

* Due to a definitional change the comparative figures in this note may not align with the previous year's annual report, which included disclosure of senior officers as defined in the Local Government Act 1989.

\$150,000 - \$159,999

\$160,000 - \$169,999

\$170,000 - \$179,999

5

-

1

7

1,040

-

1

2

3

510

(a) Transactions with related parties \$'000 \$'000 During the period Council entered into the following transactions with related parties - Transactions between Council and KMP - There were no transactions between Council and KMP's other than the remuneration disclosed in note 7.1 & 7.2 and reimbursement of expenses Transactions between Council and close Family Members of KMP - There were no material transactions between Council and close Family Members of KMP's Transactions between Council and Entities controlled or jointly controlled by KMP or Close Family Members - 21 Councillor Scott Martin - SL & DA Martin controlled by Scott & close Family Member 21 21 Councillor Karen Stephens - A close family member was a KMP at Casterton Memorial Hospital 118 2 Councillor Gilbert Wilson - Hollands Picture Framing controlled by close Family Member 1,310 2,407 · Non Contract Payments 1,310 2,407 · Non Contract Payments 37 35 All dealings are in the normal course of business and are on normal commercial terms and conditions. 37 35	2 Related party disclosure	2023	2022
Transactions between Council and KMP- Transactions between Council and KMP- There were no transactions between Council and KMP- Transactions between Council and close Family Members of KMP- There were no material transactions between Council and close Family Members of KMP's Transactions between Council and Lose Family Members of KMP's Transactions between Council and Entities controlled or jointly controlled by KMP or Close Family Members - 21 Councillor Scott Martin - SL & DA Martin controlled by Scott & dose Family Member 21 - Councillor Karen Stephens - A close family member was a KMP at Costerton Memorial Hospital - 116 Councillor Karen Stephens - A close family member was a KMP at Costerton Memorial Hospital - 117 Councillor Karen Stephens - A close family member was a KMP at Costerton Memorial Hospital - 116 Councillor Karen Stephens - A close family member was a KMP at Costeron Memorial Hospital - 17 - Optical Contract Payments 1,310 2,400 - - Non Contract Payments 1,310 2,400 - - 2023 2022 2023 2022 2023 2022 2023 2022 2023 2022 2023 2023 2023 2023 2023			\$'000
There were no transactions between Council and KMP's other than the remuneration disclosed in note 7.1 & 7.2 and reimbursement of expenses Transactions between Council and close Family Members of KMP's Transactions between Council and Entities controlled or jointly controlled by KMP or Close Family Members - Councillor Scott Martin - SL & DA Martin controlled by Scott & close Family Member 21 Councillor Gilbert Wilson - Hollands Picture Framing controlled by dose Family Member 1 22 Councillor Michael Carr - G R Carr Pty Ltd controlled by a close Family Member 1.310 2.4001 - Councillor Michael Carr - G R Carr Pty Ltd controlled by Family Member 1.310 2.4001 - Non Contract Payments 1.7 56 KMP Ann Kirkham - Molityre Clan Investments Pty Ltd is controlled by Family Members 37 35 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 2022 (b) Outstanding balances with related parties 2023 2022 5000 5000 Councillor Michael Carr - G R Carr Pty Ltd - Amount payable by Council 1 - 2 Councillor Karen Stephene - Casterton Memorial Hospital - 2 2023 2022 Councillor Michael Carr - G R Carr Pty Ltd - Amount payable by Council 9			
Transactions between Council and close Family Members of KMPs Transactions between Council and Entities controlled or jointly controlled by KMP or Close Family Members . Councillor Scott Martin - SL & DA Martin controlled by Scott & close Family Member 21 Councillor Karen Stephens - A close family member was a KMP at Casterton Memorial Hospital 116 Councillor Michael Carr - G R Carr Pty Ltd controlled by a close Family Member 1 2400 - Councillor Michael Carr - G R Carr Pty Ltd is controlled by Gase Family Member 1,310 2400 - Non Contract Payments 1,71 540 KMP Ann Kirkham - McIntyre Clan Investments Pty Ltd is controlled by Family Members 37 350 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 2022 (b) Outstanding balances with related parties 2023 2022 2020 Councillor Scott Martin - SL & DA Martin - Balance owed to Council 1 2023 2022 (c) Loans to/from related parties 2023 2022 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 2020 <t< td=""><td>Transactions between Council and KMP -</td><td></td><td></td></t<>	Transactions between Council and KMP -		
There were no material transactions between Council and close Family Members of KMP's Transactions between Council and Entities controlled or jointly controlled by KMP or Close Family Members . Councillor Scott Martin - SL & DA Martin controlled by Scott & close Family Member 21 Councillor Karen Stephens - A close family member was a KMP at Casterton Memorial Hospital - 116 Councillor Gibert Wilson - Hollands Picture Framing controlled by dose Family Member 1 2.407 - Capital Contract Payments 1.310 2.407 - Non Contract Payments 1.71 546 KMP Ann Kirkham - McIntyre Clan Investments Pty Ltd is controlled by Family Members 37 352 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 20223 (b) Outstanding balances with related parties 5000 \$000 \$000 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 22 2023 2022 (councillor Karen Stephens - Casterton Memorial Hospital - 22 200 5000 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 22 2022 \$000 \$000 500	There were no transactions between Council and KMP's other than the remuneration disclosed in note 7.1 & 7	2 and reimbursement of exp	enses
Transactions between Council and Entities controlled or jointy controlled by KMP or Close Family Members 21 Councillor Scott Martin - SL & DA Martin controlled by Scott & close Family Member 21 Councillor Karen Stephens - A close family member was a KMP at Casterton Memorial Hospital 1 Councillor Gibert Wilson - Hollands Picture Framing controlled by close Family Member 1 2400 - Capital Contract Payments 1,310 2,400 - Non Contract Payments 17 540 KMP Ann Kirkham - McInityre Clan Investments Pty Ltd is controlled by Family Members 37 350 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 2022 (b) Outstanding balances with related parties 5000 5000 5000 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 2 2023 2022 Councillor Michael Carr - G R Carr Pty Ltd - Amount payable by Council 1 2 2 Councillor Michael parties 2 2023 2022 5000 5000 The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows - 2 2023 2022	Transactions between Council and close Family Members of KMP -		
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Councillor Michael Carr - G R Carr Pty Ltd controlled by a close Family Member 1,310 2,407 - Capital Contract Payments 17 54 KMP Ann Kirkham - McIntyre Clan Investments Pty Ltd is controlled by Family Members 37 35 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 2022 (b) Outstanding balances with related parties \$'0000 \$'0000 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - Councillor Scott Martin - SL & DA Martin - Balance owed to Council 1 - Councillor Karen Stephens - Casterton Memorial Hospital - 222 2023 2022 (c) Loans to/from related parties - 22 Councillor Karen Stephens - Casterton Memorial Hospital - 22 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: - There were no loans in existence at balance date toffrom related parties 2023 2022 2000 \$'000 (d) Commitments to/from related parties - - 63 2023 2022 \$'000 \$'000 The aggregate amount of commitments in existence at balance date	Councillor Karen Stephens - A close family member was a KMP at Casterton Memorial Hospital	-	118
- Capital Contract Payments 1,310 2,407 - Non Contract Payments 17 56 KMP Ann Kirkham - McIntyre Clan Investments Pty Ltd is controlled by Family Members 37 35 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 2022 (b) Outstanding balances with related parties 2023 2022 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 2023 2022 Councillor Scott Martin - SL & DA Martin - Balance owed to Council 1 - 22 Councillor Karen Stephens - Casterton Memorial Hospital - 22 2000 576 (c) Loans toffrom related parties - 223 2022 5000 5000 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: - - 2023 2022 5000 \$0000 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 - - - 2023 2022 \$000 \$0000 \$0000 \$0000 \$0000 \$0000 \$0000 <	Councillor Gilbert Wilson - Hollands Picture Framing controlled by close Family Member	1	2
- Non Contract Payments 17 54 KMP Ann Kirkham - McIntyre Clan Investments Pty Ltd is controlled by Family Members 37 35 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 2022 (b) Outstanding balances with related parties 2023 2022 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 1 22 Councillor Scott Martin - SL & DA Martin - Balance owed to Council 1 22 2000 2000 Councillor Karen Stephens - Casterton Memorial Hospital - 22 20 2023 2022 (c) Loans to/from related parties - 22 20 2000 2000 2000 2000 <td< td=""><td>Councillor Michael Carr - G R Carr Pty Ltd controlled by a close Family Member</td><td></td><td></td></td<>	Councillor Michael Carr - G R Carr Pty Ltd controlled by a close Family Member		
KMP Ann Kirkham - McIntyre Clan Investments Pty Ltd is controlled by Family Members 37 37 All dealings are in the normal course of business and are on normal commercial terms and conditions. 2023 20223 20223 (b) Outstanding balances with related parties \$000 \$000 \$000 \$000 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 1 222 Councillor Scott Martin - SL & DA Martin - Balance owed to Council 1 222 2000 222 Councillor Karen Stephens - Casterton Memorial Hospital - 222 2000 </td <td></td> <td>,</td> <td>2,407</td>		,	2,407
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(b) Outstanding balances with related parties \$'000 \$'000 The following balances are outstanding at the end of the reporting period in relation to transactions with related parties - 1 - Councillor Scott Martin - SL & DA Martin - Balance owed to Council 1 - 22 Councillor Karen Stephens - Casterton Memorial Hospital - 22 Councillor Michael Carr - G R Carr Pty Ltd - Amount payable by Council 9 576 (c) Loans to/from related parties - 222 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: - (d) Commitments to/from related parties 2023 20222 (d) Commitments to/from related parties 2023 2022 (follows - - - Councillor Karen Stephens - Casterton Memorial Hospital - - Contract CT 2017-18-28 1 Year Commitment - 63 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 63 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 63 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 1,091 <td>All dealings are in the normal course of business and are on normal commercial terms and conditions.</td> <td></td> <td></td>	All dealings are in the normal course of business and are on normal commercial terms and conditions.		
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Councillor Karen Stephens - Casterton Memorial Hospital - 22 Councillor Michael Carr - G R Carr Pty Ltd - Amount payable by Council 9 576 (c) Loans to/from related parties - - 22 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: - <td>The following balances are outstanding at the end of the reporting period in relation to transactions with related</td> <td>l parties -</td> <td></td>	The following balances are outstanding at the end of the reporting period in relation to transactions with related	l parties -	
Councillor Michael Carr - G R Carr Pty Ltd - Amount payable by Council 9 576 (c) Loans to/from related parties 576 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: 576 There were no loans in existence at balance date to/from related parties 2023 2022 (d) Commitments to/from related parties 2023 2022 (f) Commitments to/from related parties 2023 2022 (h) Commitments to/from related parties 2023 2022 (f) Commitments to/from related parties 2023 2022 (h) Commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows - 5000 Councillor Karen Stephens - Casterton Memorial Hospital - 63 Contract CT 2018-19-02 6mth Commitment - 27 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member -	Councillor Scott Martin - SL & DA Martin - Balance owed to Council	1	
(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: There were no loans in existence at balance date to/from related parties (d) Commitments to/from related parties (d) Commitments to/from related parties 2023 \$2023 \$'000 \$'000 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 - Councillor Karen Stephens - Casterton Memorial Hospital Contract CT 2017-18-28 1 Year Commitment - 63 Contract CT 2018-19-02 6mth Commitment - 27 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 1,091 Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091		-	
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: There were no loans in existence at balance date to/from related parties (d) Commitments to/from related parties (d) Commitments to/from related parties 2023 2023 \$`000 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 - Councillor Karen Stephens - Casterton Memorial Hospital Contract CT 2017-18-28 1 Year Commitment - 63 Contract CT 2018-19-02 6mth Commitment - 27 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 1,091 Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091	Councilior Michael Carr - G R Carr Pty Lto - Amount payable by Council	9	5/6
There were no loans in existence at balance date to/from related parties (d) Commitments to/from related parties (d) Commitments to/from related parties 2023 \$2022 \$'000 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 - Councillor Karen Stephens - Casterton Memorial Hospital Contract CT 2017-18-28 1 Year Commitment - 63 Contract CT 2018-19-02 6mth Commitment - 27 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 1,091	(c) Loans to/from related parties		
(d) Commitments to/from related parties 2023 \$'000 2022 \$'000 2022 \$'000 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 - Councillor Karen Stephens - Casterton Memorial Hospital Contract CT 2017-18-28 1 Year Commitment - 63 Contract CT 2018-19-02 6mth Commitment - 63 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 27 Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091	The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the	he council to a related party	as follows:
\$'000 \$'000 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 - Councillor Karen Stephens - Casterton Memorial Hospital Contract CT 2017-18-28 1 Year Commitment - 63 Contract CT 2018-19-02 6mth Commitment - 63 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 27 Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091	There were no loans in existence at balance date to/from related parties		
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Contract CT 2017-18-28 1 Year Commitment - 63 Contract CT 2018-19-02 6mth Commitment - 27 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 1,091 Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091		red by the council to a relate	ed party are as
Contract CT 2018-19-02 6mth Commitment - 27 Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member - 1,091 Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091			
Councillor Michael Carr - G R Carr Pty Ltd controlled by close Family Member Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091		-	
Contract CT 2021-22-02 - Portland Foreshore Connecting Pathways - 1,091		-	21
		-	,

Notes to the Financial Report For the Year Ended 30 June 2023

7.3 Local Port of Portland Bay

The Glenelg Shire Council is the Committee of Management for the Local Port of Portland Bay. The assets and liabilities of the Local Port of Portland Bay have been included in the GSC Financial Statements and are summarised below:

Assets	2023 \$'000	2022 \$'000
Current Assets		
Cash and Cash Equivalents	-	-
Trade and Other Receivables	23	23
Total Current Assets	23	23
Non-Current assets		
Property, infrastructure, plant and equipment	948	948
Total Non-Current Assets	948	948
Total Assets	971	971
Liabilities	<u> </u>	<u> </u>
Net Assets	971	971
Represented by:		
Accumulated Surplus	971	971
Equity	971	971

The Operation of the Local Port of Portland Bay (Trawler Wharf) is an agreement between the Glenelg Shire Council and the Department of Transport and Planning (DTP). Any assets are returnable on cessation of the agreement. The current agreement is due to expire at 30 September 2023, with expectations that a further agreement will be offered prior to 30 September 2023.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 8 Managing uncertainties

8.1 Contingent assets and liabilities

(a) Contingent assets

Council has no contingent assets as at 30 June 2023.

(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.

Landfill

Council operates a landfill. Council will have to carry out site rehabilitation works in the future. At balance date Council is able to assess the financial implications of such works which is recognised as a provision in Note 5.5.

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.

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

The amount disclosed for financial guarantee in this note is the nominal amount of the underlying loan that is guaranteed by the Council, not the fair value of the financial guarantee.

Council has a Commonwealth Bank security deposit guarantee (\$508,480) for the Victorian Environmental Protection Agency in association with the operation of the Portland Landfill site.

Council has security deposit guarantees (\$121,000) for the Ministry for Energy & Resources in association with the operation of 5 quarry sites.

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.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 8 Managing uncertainties (continued)

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2023 reporting period. Council assesses the impact of these new standards. As at 30 June 2023 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2024 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. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

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

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

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

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

(c) Credit risk

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

- council have a policy for establishing credit limits for the entities council deal with;

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

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

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

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

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

Notes to the Financial Report For the Year Ended 30 June 2023

Note 8 Managing uncertainties (continued)

8.3 Financial instruments (continued)

(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.

(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 + .5% and -.5% in market interest rates (AUD) from year-end rates of 4.35%.

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.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 8 Managing uncertainties (continued)

8.4 Fair value measurement (continued)

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. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). 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 assets 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. The following table sets out the frequency of revaluations by asset class.

Asset class	Revaluation frequency
Land	1-2 years
Buildings	1-2 years
Roads	3 years
Bridges	3 years
Footpaths and cycleways	3 years
Drainage	4 years
Recreational, leisure and community facilities	3 years
Waste management	3 years
Parks, open space and streetscapes	3 to 6 years
Aerodromes	3 years
Other infrastructure	6 years

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 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. COVID-19 environment may influence impairment assessments.

8.5 Events occurring after balance date

EPA Licence

A letter has been received by Council dated 18 August 2023 advising that the Environment Protection Act 2017 Authority has approved the release of all Financial Assurance. The Bank guarantee in the name of EPA Victoria for \$508,840 is no longer required and will be returned to Council.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 9 Other matters

9.1 Reserves

(a) Asset revaluation reserves	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
2023			
Property			
Land and land improvements	27,744	4,661	32,405
Buildings	47,496	6,308	53,804
ů –	75,240	10,969	86,209
Infrastructure			
Roads	165,892	240	166,132
Bridges	6,217	-	6,217
Footpaths and cycle ways	4,555	-	4,555
Drainage	49,567	-	49,567
Recreational, leisure and community facilities	10,515	-	10,515
Waste management	659	-	659
Parks, open space and streetscapes	6,258	-	6,258
Aerodromes	1,590	-	1,590
	245,253	240	245,493
Total asset revaluation reserves	320,493	11,209	331,702
2022			
Property			
Land and land improvements	18,190	9,554	27,744
Buildings	46,878	618	47,496
C C	65,068	10,172	75,240
Infrastructure			
Roads	165,791	101	165,892
Bridges	6,217	-	6,217
Footpaths and cycle ways	4,517	38	4,555
Drainage	49,507	60	49,567
Recreational, leisure and community facilities	10,510	5	10,515
Waste management	682	(23)	659
Parks, open space and streetscapes	6,258	-	6,258
Aerodromes	1,862	(272)	1,590
	245,344	(91)	245,253
Total asset revaluation reserves	310,412	10,081	320,493
The asset revaluation reserve is used to record the increased (net) value	e of Council's assets over time.		
(b) Public Open Space Reserve	\$'000	\$'000	\$'000
2023			
Public Open Space Reserve	457	-	457
	457	-	457
2022			
Public Open Space Reserve	457	-	457
	457	-	457

The collection of public open space through land or payment via fee is governed under Section 18 of the Subdivision Act 1988. Any collection of monies under this must in turn be spent on public open space, either improving existing or buying land for that purpose.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 9 Other matters (continued)

	2023	2022
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	\$'000	\$'000
Surplus/(deficit) for the year	2,723	(2,668)
Depreciation and amortisation	11,175	12,803
Net loss on disposal of property, infrastructure, plant and equipment	1,871	2,447
Reserve adjustment	(72)	-
Landfill provision adjustment	1,051	1,597
Finance costs	20	23
Change in assets and liabilities:		
(Increase)/decrease in trade and other receivables	(222)	496
(Increase)/decrease in prepayments	(158)	553
(Increase)/decrease in inventories	(22)	316
(Decrease)/increase in trade and other payables	(1,250)	43
(Decrease)/increase in unearned income /revenue	(3,408)	(447)
(Decrease)/increase in other liabilities	(600)	75
Increase/(decrease) in provisions - employee	89	(574)
Net cash provided by/(used in) operating activities	11,199	14,664

Notes to the Financial Report For the Year Ended 30 June 2023

Note 9 Other matters (continued)

9.3 Superannuation

Glenelg Shire 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 2023, this was 10.5% as required under Superannuation Guarantee (SG) legislation (2022: 10.0%)).

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.

A triennial actuarial investigation is currently underway for the Defined Benefit category which is expected to be completed by 31 December 2023. Council was notified of the 30 June 2023 VBI during August 2023 (2022: August 2022). The financial assumptions used to calculate the 30 June 2023 VBI were:

Net investment returns	5.7%	ра
Salary information	3.5%	ра
Price inflation (CPI)	2.8%	ра

As at 30 June 2022, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 102.2%. The financial assumptions used to calculate the 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

Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). Vision Super has advised that the estimated VBI at June 2023 was 104.1%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2022 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 9 Other matters (continued)

9.3 Superannuation (continued)

Employer contributions -

A. Regular contributions

On the basis of the results of the 2022 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 2023, this rate was 10.5% of members' salaries (10.0% in 2021/22). 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 2022 interim 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 Glenelg Shire 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 2022 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 2022 and the last full investigation was conducted as at 30 June 2020.

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

	2022	2021	
	(Interim)	(Interim)	
	\$m	\$m	
- A VBI Surplus	44.6	214.7	
- A total service liability surplus	105.8	270.3	
- A discounted accrued benefits surplus	111.9	285.2	

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 2022.

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 2022.

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 2022.

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Notes to the Financial Report For the Year Ended 30 June 2023

Note 9 Other matters (continued)

9.3 Superannuation (continued)

The 2023 interim actuarial investigation

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2023. It is anticipated that this actuarial investigation will be completed by 31 December 2023. The financial assumptions for the purposes of this investigation are:

	2023 Triennial investigation	2020 Triennial investigation
Net Investment return	5.7% pa	5.6% pa
Salary Inflation	3.5% pa	2.5% pa, for the first two years and 2.75% thereafter
Price Inflation	2.8% pa	2.0% pa

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2023 are detailed below:

			2023	2022
Scheme	Type of Scheme	Rate	\$,000	\$,000
Vision super	Defined benefits	10.5%(2022:10.0%)	86	113
Vision super	Accumulation	10.5%(2022:10.0%)	1,160	1,132

[In addition to the above contributions, Council has paid unfunded liability payments to Vision Super totalling \$967,000 (2021/22 \$851,000).

There were \$83,000 contributions outstanding and no loans issued from or to the above schemes as at 30 June 2023.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2024 is \$74,000.

Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2022-23 year.

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Glenelg Shire Council 2022/2023 Financial Report

Notes to the Financial Report For the Year Ended 30 June 2023

Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2022/23 year.

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Performance Statement

For the year ended 30 June 2023

Performance Statement

For the year ended 30 June 2023

Glenelg Shire Council

Encompassing an area of 6,212 square kilometres, the Glenelg Shire includes Portland, Heywood and Casterton and many other small townships and localities.

Rolling hills and rich agricultural land to the north give way to a scenic and secluded river region to the west. Pine and blue gum plantations line the roads through the hinterland, while a huge expanse of coastal beaches and rugged cliffs form the southern perimeter, making the Glenelg Shire a thriving tourist destination.

PERFORMANCE STATEMENT (ANNUAL REPORT INSERT)

Sustainable Capacity Indicators

For the year ended 30 June 2023

	Indicator / measure [formula]	2020	2021	2022	2023	- Comment
	Population					
C1	Expenses per head of municipal population	\$2,820.65	\$2,820.70	\$3,218.72	\$3,101.55	
	[Total expenses / Municipal population]					
C2	Infrastructure per head of municipal population	\$23,048.31	\$21,857.40	\$23,522.73	\$21,772.19	
	[Value of infrastructure / Municipal population]					
C3	Population density per length of road	7.47	7.45	7.43	7.62	
	[Municipal population / Kilometres of local roads]					
	Own-source revenue					
C4	Own-source revenue per head of municipal population	\$1,614.59	\$1,605.02	\$1,681.83	\$1,876.84	Own resource revenue reflects an increase due to asset recognitions and funds received from an insurance claim during the Financial year.
	[Own-source revenue / Municipal population]					
	Recurrent grants					
C5	Recurrent grants per head of municipal population	\$670.12	\$762.24	\$887.37	\$840.40	
	[Recurrent grants / Municipal population]					
	Disadvantage					
C6	Relative Socio-Economic Disadvantage	2.00	2.00	2.00	2.00	

Glenelg - LG-Model-Sector-Performance-Report-template-2022-23 V21Sep23

Output 2-Performance Statement OFFICIAL

1

	[Index of Relative Socio-Economic Disadvantage by decile]				
	Workforce turnover				
C7	Percentage of staff turnover	15.9%	7.1%	11.6%	11.8%
	[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100				

Glenelg - LG-Model-Sector-Performance-Report-template-2022-23 V21Sep23

Output 2-Performance Statement OFFICIAL

2

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

For the year ended 30 June 2023

	Service/indicator /measure [formula]	2020	2021	2022	2023	Comment
AF6	Aquatic Facilities Utilisation Utilisation of aquatic facilities [Number of visits to aquatic facilities / Municipal population]	2.38	2.16	2.10	3.73	Increased numbers have been due to additional programs, growth in memberships and school programs and comparison to previous year with COVID/Staffing related closures.
AM7	Animal Management Health and safety Animal management prosecutions [Number of successful animal management prosecutions / Number of animal management prosecutions] x 100	13%	100%	100%	100%	
FS4	Food Safety Health and safety Critical and major non-compliance outcome notifications [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100	75.00%	25.00%	60.87%	100.00%	During the 2022, an additional resource was available and allowed us to complete all our assessments. In addition to timing of the inspections that fell within the same calendar year.
G5	Governance Satisfaction Satisfaction with council decisions [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]	58	57	58	44	The decline in survey results is intrinsically linked to the move from a rebate to differential rating system in the 2022/23 budget. This decision attracted long standing community opposition and questioning of several Council decisions throughout the survey year.
LB4	Libraries Participation Active library borrowers in municipality [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	14.57%	14.74%	13.14%	10.74%	Due to a disruption of our Shared Services between all Libraries Victoria (October 2022 to May 2023), users had access to limited resources during this time.
MC4	Maternal and Child Health (MCH) Participation Participation in the MCH service [Number of children who attend the MCH service a tleast once (in the year) / Number of children enrolled in the MCH service] x100	81.68%	50.86%	87.18%	87.60%	
MC5	Participation Participation in the MCH service by Aboriginal children [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	75.20%	48.70%	84.68%	81.58%	
R5	Roads Satisfaction Satisfaction with sealed local roads [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	41	44	42	32	Poor weather in the Shire has caused an increase in defects, which has led to a decrease in customer satisfaction.

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Output 2-Performance Statement

3

	PERFORMANCE STATEMENT (ANNUAL REPORT INSERT)										
	Statutory Planning										
	Decision making										
SP4	Council planning decisions upheld at VCAT	0.00%	0.00%	66.67%	100.00%	Only two VCAT applications determined. The small number means even a minor change results in large % variance.					
	[Number of VCAT decisions that did not set aside councils decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100					even a minor change results in range <i>i</i> e variance.					
	Waste Collection										
	Waste diversion										
WC5	Kerbside collection waste diverted from landfill	32.27%	32.17%	32.33%	30.40%						
	[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100										

Glenelg - LG-Model-Sector-Performance-Report-template-2022-23 V21Sep23

Output 2-Performance Statement OFFICIAL

4

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

PERFORMANCE STATEMENT (ANNUAL REPORT INSERT)

Financial Performance Indicators

For the year ended 30 June 2023

			Res	sults		Forecasts				
	Dimension/indicator /measure	2020	2021	2022	2023	2024	2025	2026	2027	Material Variations and Comments
E2	Efficiency Expenditure level Expenses per property assessment [Total expenses / Number of property assessments] Revenue level	\$3,962.00	\$3,834.88	\$4,533.38	\$4,440.01	\$4,246.97	\$4,119.56	\$4,142.70	\$4,156.89	
E4	Average rate per property assessment	\$1,398.57	\$1,361.00	\$1,438.40	\$1,720.49	\$1,795.43	\$1,849.61	\$1,881.80	\$1,914.56	Prior year calculations had taken into account a rebate provided to the primary production rate category, and didn't reflect total rate income raised in those years.
	[Total rate revenue (general rates and municipal charges) / Number of property assessments]									
L1	Liquidity Working capital Current assets compared to current liabilities [Current assets / Current liabilities] x100 Unrestricted cash	136.65%	118.87%	85.00%	94.14%	106.00%	126.98%	157.86%	196.88%	Although cash at 30 June 2023 was lower than previous year, the reduction in liabilities was greater as a result of lower trade payables and unearned income. Unearned income is directly driven by the various operational and capital grants Council has received to deliver services.
L2	Unrestricted cash compared to current liabilities	107.74%	54.33%	71.88%	25.27%	50.20%	69.89%	101.27%	140.98%	Although cash at 30 June 2023 was lower than previous year, this is due to some cash being restricted by some of the work in progress for some capital works that cross over the two Financial Years.
	Obligations									
02	Loans and borrowings Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	42.66%	40.04%	5.64%	2.54%	26.20%	23.55%	21.95%	20.35%	Prior year calculations had taken into account a rebate provided to the primary production rate category, and didn't reflect total rate income raised in those years. The existing loan amount naturally reduced as a result of principal repayments made in 2022/23.

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Output 2-Performance Statement OFFICIAL

1

	PERFORMANCE STATEMENT (ANNUAL REF	PORT INSERT)								
O3	Loans and borrowings repayments compared to rates	2.36%	2.47%	33.65%	2.22%	1.63%	2.07%	1.19%	1.23%	This indicator fluctuated in 2021/22 as a result of recognising the reversal treatment of a loan facility that had not been used by Council as at 30 June 2022 of \$7M. The result in 2022/23 accurately reflects Council's performance and highlights it's low financing obligation to loan borrowings.
	[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100 Indebtedness									
04	Non-current liabilities compared to own source revenue	63.73%	55.28%	33.26%	29.71%	39.52%	37.39%	35.16%	32.96%	The reduction in liabilities was greater as a result of lower trade payables and unearned income. Unearned income is directly driven by the various operational and capital grants Council has received to deliver services.
	[Non-current liabilities / Own source revenue] x100									
O5	Asset renewal and upgrade Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade expense / Asset depreciation] x100	55.31%	65.90%	50.92%	55.97%	53.68%	41.71%	41.35%	41.04%	
	Operating position									
	Adjusted underlying result									
OP1	Adjusted underlying surplus (or deficit)	-14.04%	-8.65%	-18.20%	-7.63%	-8.18%	-8.91%	-7.70%	-6.26%	This improved result is largely attributed to prior year calculations taking into account a rebate provided to the primary production rate category, and therefore didn't reflect total rate income raised in those years. Total expenditure for 2022/23 was similar overall to the 2021/22 result.
	[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100									
	Stability									
	Rates concentration									
S1	Rates compared to adjusted underlying revenue	45.18%	43.31%	42.22%	46.17%	50.38%	53.47%	53.49%	53.52%	Prior year calculations had taken into account a rebate provided to the primary production rate category, and didn't reflect total rate income raised in those years. Rate income now reflects a larger portion of total revenue from operations.
	[Rate revenue / Adjusted underlying revenue] x100 Rates effort									
S2	Rates compared to property values	0.41%	0.39%	0.40%	0.33%	0.35%	0.36%	0.36%	0.37%	Prior year calculations had taken into account a rebate provided to the primary production rate category, and didn't reflect total rate income raised in those years. As a result a larger rate base is now used for this indicator. This was offset slightly by an increase in property values in 2022/23 of approximately 30.1%.
	[Rate revenue / Capital improved value of rateable properties in the municipality] x100									

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Output 2-Performance Statement OFFICIAL

Attachment 14.4.2

2

Definitions

"adjusted underlying revenue" means total income other than:

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

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

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

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

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

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

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

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

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

"population "means the resident population estimated by 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.

Other Information

For the year ended 30 June 2023

1. Basis of preparation

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

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

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

The forecast figures included in the performance statement are those adopted by council in its financial plan on 27 June 2023 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.

Lauren Easson - CPA

Principal Accounting Officer

Dated: (Date)

In our opinion, the accompanying performance statement of the *Glenelg Shire Council* for the year ended 30 June 2023 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.

(Councillor 1 Name)

Councillor Dated: (Date) (*Councillor 2 Name*) Councillor Dated: (*Date*)

Paul Phelan

Chief Executive Officer

Dated: (Date)

DATA II	NPUT 5 - GOVERNANCE AND MANAGEMENT CHECKLIS	т	1	2	3
	Governance and Management Item	Status	YES NO	Date Applicable (single item date)	Supporting comments (multiple items/dates)
GC1	Community engagement policy (policy outlining Council's commitment to engaging with the community on matters of public interest)	Adopted in accordance with section 55 of the Act	YES	23/02/2021	
GC2	Community engagement guidelines (guidelines to assist staff to determine when and how to engage with the community)	Current guidelines in operation	YES	1/01/2022	
GC3	Financial Plan (plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next 10 financial years)	Adopted in accordance with section 91 of the Act	YES	26/10/2021	
GC4	Asset Plan (plan that sets out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	Adopted in accordance with section 92 of the Act	YES	22/06/2022	
GC5	Revenue and Rating Plan (plan setting out the rating structure of Council to levy rates and charges)	Adopted in accordance with section 93 of the Act	YES	22/06/2021	
GC6	Annual budget (plan setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required)	Budget adopted in accordance with section 94 of the Act	YES	27/06/2023	
GC7	Risk policy (policy outlining Council's commitment and approach to minimising the risks to Council's operations)	Current policy in operation	YES	1/09/2020	
GC8	Fraud policy (policy outlining Council's commitment and approach to minimising the risk of fraud)	Current policy in operation	YES	25/06/2019	
GC9	Municipal emergency management plan (plan under section 20 of the Emergency Management Act 1986 for emergency prevention, response and recovery)	Prepared and maintained in accordance with section 20 of the Emergency Management Act 1986	YES	24/06/2022	

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Input 5 OFFICIAL

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DATA II	DATA INPUT 5 - GOVERNANCE AND MANAGEMENT CHECKLIST			2	3
	Governance and Management Item	Status	YES NO	Date Applicable (single item date)	Supporting comments (multiple items/dates)
GC10	Procurement policy (policy outlining the principles, processes and procedures that will apply to all purchases of goods and services by the Council)	Adopted in accordance with section 108 of the Act	YES	14/12/2021	
GC11	Business continuity plan (plan setting out the actions that will be taken to ensure that key services continue to operate in the event of a disaster)	Current plan in operation	YES	19/10/2022	
GC12	Disaster recovery plan (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Current plan in operation	YES	19/10/2022	
GC13	Risk management framework (framework outlining Council's approach to managing risks to the Council's operations)	Current framework in operation	YES	1/09/2020	The Risk Strategy has been developed to incorporate all the risk management framework, policies, and processes.
GC14	Audit and Risk Committee (advisory committee of Council under section 53 and 54 of the Act)	Established in accordance with section 53 of the Act	YES	25/08/2022	
GC15	Internal audit (independent accounting professionals engaged by the Council to provide analyses and recommendations aimed at improving Council's governance, risk and management controls)	Internal auditor engaged	YES	26/08/2022	
GC16	Performance reporting framework (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Act)	Current framework in operation	YES	7/04/2015	Last Amendment to Framework - 24/10/2020
GC17	Council Plan report (report reviewing the performance of the Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Current report	YES		28 March 2023 23 May 2023 22 August 2023
GC18	Quarterly budget reports (quarterly reports to Council under section 97 of the Act, comparing actual and budgeted results and an explanation of any material variations)	Quarterly reports presented to Council in accordance with section 97(1) of the Act	YES		September 2022 Report - 25/10/2022 December 2022 Report - 24/01/2023 March 2023 Report - 26/04/2023

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Input 5 OFFICIAL

DATA I	DATA INPUT 5 - GOVERNANCE AND MANAGEMENT CHECKLIST		1	2	3
	Governance and Management Item	Status	YES NO	Date Applicable (single item date)	Supporting comments (multiple items/dates)
GC19	Risk reporting (six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Risk reports prepared and presented	YES		31/01/2023, 02/05/2023
GC20	Performance reporting (six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 98 of the Act)	Performance reports prepared	YES		Financial Indicators are reported in the Quarterly Budget Report and Non Financial Indicators are reported Annually. For FY21/22 - 22/09/2022-25/10/2022
GC21	Annual report (annual report under sections 98 and 99 of the Act containing a report of operations and audited financial and performance statements)	Annual report presented at a meeting of Council in accordance with section 100 of the Act	YES	25/10/2022	
GC22	Councillor Code of Conduct (Code setting out the standards of conduct to be followed by Councillors and other matters.)	Code of conduct reviewed and adopted in accordance with section 139 of the Act	YES	23/02/2021	
GC23	Delegations (documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff)	Delegations reviewed in accordance with section 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the Act	YES	28/02/2023	
GC24	Meeting procedures (Governance Rules governing the conduct of meetings of Council and delegated committees)	Governance Rules adopted in accordance with section 60 of the Act	YES	27/09/2022	
				Enter single item date as: [dd/mm/yyyy] e.g. 21/07/2011	Enter multiple items/dates as: [name of item][dd/mm/yyyy] e.g. Road Management Plan 24/07/2013 e.g. Quarterly Statement No.1 23/07/2014

14.5. DELEGATIONS UPDATE SEPTEMBER 2023

Director: David Hol, Director Corporate Services

Executive Summary

In accordance with the principles of good governance, continuous improvement and statutory compliance, the review of the Delegations and Authorisations has been undertaken. In accordance with Section 11(7) of the *Local Government Act 2020,* Council review delegations twice a year or in accordance with changes to various Acts.

The review includes the following Council Instruments of Delegations:

- Instrument of Delegation from Council to Members of staff (S6)
- Instrument of Delegation Waterway Manager
- Instrument of Delegation from the Port Manager to Members of Staff
- Instrument of Delegation Committee of Management Crown Land (Reserves) Act 1978
- S18 Instrument of Sub Delegation under the *Environment Protection Act 2017*

In addition, the following Instruments have been amended and will come into force when signed by the Chief Executive Officer on Wednesday 27 September 2023:

- Instrument of Sub-Delegation from the Chief Executive Officer to Council Staff (S7)
- Instrument of Delegation of CEO powers, duties and functions (S13)
- Instrument of Sub-Delegation by CEO under *Marine Safety Act 2010*
- Instrument of Delegation by CEO for VicSmart Applications under the *Planning* and Environment Act 1987 (S14)

Recommendation

- 1. That Glenelg Shire Council approves the following Instruments which come into force upon this resolution being made and signed by the Council's Chief Executive Officer and the Mayor;
 - a. Instrument of Delegation from Council to Members of staff (S6)
 - b. Instrument of Delegation from the Port Manager to Members of Staff
 - c. Instrument of Delegation Waterway Manager
 - d. Instrument of Delegation Committee of Management Crown Land (Reserves) Act 1978

e. S18 Instrument of Sub Delegation under the *Environment Protection Act* 2017

2. That upon coming into force of the above instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.

Background/Key Information:

Section 11(1) of the *Local Government Act 2020* enables Councils to delegate to Council Committees and Staff a diverse range of powers, duties or functions to facilitate the effective and efficient management and operation of municipalities.

The Glenelg Shire Council, together with a number of other Victorian municipalities, subscribes to the Maddock's Lawyers Delegations and Authorisations update service. This review is based on the Maddock's proforma documents with appropriate alterations identified by each Director and their staff. Updates are provided to Council staff via email and updates to each provision and Instruments are outlined, a copy of the update is provided as an attachment to this report.

The objectives of delegation and authorisation reviews are to:

- Achieve good governance;
- Ensure statutory compliance by incorporating recent legislative changes;
- Facilitate responsive and efficient customer service;
- Deliver continuous improvement in service delivery and decision making; and
- Make minor wording enhancements, where necessary, to improve the quality of the documents.
- a. <u>Council Plan and Policy Linkage</u>

Leading Glenelg - Create shared visions within the Community, ensuring agreed outcomes

b. Legislative, Legal and Risk Management Considerations

Section 47 of the *Local Government Act 2020* provides that the Chief Executive Officer a Council may by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.

c. <u>Consultation and/or communication processes implemented or proposed</u>

Council staff listed in the schedule contained in the various Instruments of Delegation were provided with a copy of the draft delegations and authorisations and invited to provide comment prior to finalisation.

Documents are available for staff and Councillors who can view the Delegations prior to being adopted at the Council Meeting.

d. Financial Implications and Collaboration

Resources for preparation and coordination of regular delegation reviews are allowed for within the Corporate Services department.

e. <u>Governance Principles</u>

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

- 1. S 6 Instrument of Delegation- Members of Staff [**14.5.1** 150 pages]
- 2. Instrument of Delegation from Port Manager to Members of Staff [**14.5.2** 23 pages]
- 3. Waterway Manager for Local Port of Portland Bay [14.5.3 14 pages]
- 4. Committee of Management under the Crown Land (Reserves) Act 1978 (Vic) 26 September 2023 [**14.5.4** - 12 pages]
- 5. S 18 Instrument of Sub- Delegation_under the Environment Protection Act 2017 [**14.5.5** 6 pages]
- 6. Explanation of New and Changed provisions from Maddocks [14.5.6 3 pages]



GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

26 SEPTEMBER 2023

Preamble

Instrument of Delegation

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

 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;

Abbreviation	Position
ВІ	Building Inspector
CFO	Chief Finance Officer
CDE	Civil Design Engineer
DRA	Director Assets
DRCS	Director Corporate Services
ЕНО	Environmental Health Officer
GCE	Graduate Civil Engineer
IDE	Infrastructure Development Engineer
LLO	Local Laws Officer
LLTL	Local Laws Team Leader
МЕН	Manager Environmental Health

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

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Abbreviation	Position
MLL	Manager Local Laws
MBS	Municipal Building Surveyor
Not Delegated	Not Delegated
ОМ	Operations Manager
PlanAO	Planning Administration Officer
PPFM	Project Planning and Facilities Manager
RUSO	Rate Unit Support Officer
RSM	Regulatory Services Manager
StP	Statutory Planner
SP	Strategic Planner
TLDA	Team Leader Design/Assets
WM	Works Manager

3. declares that:

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on Tuesday 26 September 2023 and
- 3.2 the delegation:

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

3.2.2 remains in force until varied or revoked;

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

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

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

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

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

(a) policy; 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.

Signed by the Chief Executive Officer of Council

in the presence of:

)

.....

Witness

Date:

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Delegation Sources

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

Abbreviation	Position
ВІ	Building Inspector
CFO	Chief Finance Officer
CDE	Civil Design Engineer
DRA	Director Assets
DRCS	Director Corporate Services
ЕНО	Environmental Health Officer
GCE	Graduate Civil Engineer
IDE	Infrastructure Development Engineer
LLO	Local Laws Officer
LLTL	Local Laws Team Leader

Positions

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Abbreviation	Position
MEH	Manager Environmental Health
MLL	Manager Local Laws
MBS	Municipal Building Surveyor
Not Delegated	Not Delegated
ОМ	Operations Manager
PlanAO	Planning Administration Officer
PPFM	Project Planning and Facilities Manager
RUSO	Rate Unit Support Officer
RSM	Regulatory Services Manager
StP	Statutory Planner
SP	Strategic Planner
TLDA	Team Leader Design/Assets
WM	Works Manager

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S6 Instrument of Delegation - Members of Staff

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

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Glenelg Shire Council

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

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

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 18D	Power to determine procedure of governance committee	Not Delegated	Where Council is a Class A cemetery trust		
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Not Delegated	Where Council is a Class A cemetery trust		
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not Delegated	Where Council is a Class A cemetery trust		
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not Delegated	Where Council is a Class A cemetery trust		
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Not Delegated	Where Council is a Class A cemetery trust		

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Glenelg	Shire	Council
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Cemeteries and Crematoria Act 2003					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not Delegated	Where Council is a Class A cemetery trust		
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not Delegated	Where Council is a Class A cemetery trust		
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not Delegated	Where Council is a Class A cemetery trust		
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2)	Not Delegated	Where Council is a Class A cemetery trust		
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not Delegated	Where Council is a Class A cemetery trust		

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

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Glenelg Shire Council

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

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 20(1)	Duty to set aside areas for the interment of human remains	Not Delegated			
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	Not Delegated			
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	Not Delegated			
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Not Delegated			
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Not Delegated	Subject to the approval of the Minister		
s 37	Power to grant leases over land in a public cemetery in accordance	Not	Subject to the Minister approving the purpose		

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	with s 37	Delegated			
s 40	Duty to notify Secretary of fees and charges fixed under s 39	Not Delegated			
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not Delegated	Provided the street was constructed pursuant to the Local Government Act 1989		
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DRCS			
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Not Delegated	Report must contain the particulars listed in s 57(2)		
s 59	Duty to keep records for each public cemetery	Not			

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	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		Delegated			
s 60(1)	Duty to make information in records available to the public for historical or research purposes	Not Delegated			
s 60(2)	Power to charge fees for providing information	Not Delegated			
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Not Delegated			
s 64B(d)	Power to permit interments at a reopened cemetery	Not Delegated			
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not Delegated	The application must include the requirements listed in s 66(2)(a)-(d)		

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Glenelg Shire Council	

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	Not Delegated			
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	Not Delegated			
s 70(2)	Duty to make plans of existing place of interment available to the public	Not Delegated			
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	Not Delegated			
s 71(2)	Power to dispose of any memorial or other structure removed	Not			

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	Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
		Delegated		
s 72(2)	Duty to comply with request received under s 72	Not Delegated		
s 73(1)	Power to grant a right of interment	Not Delegated		
s 73(2)	Power to impose conditions on the right of interment	Not Delegated		
s 74(3)	Duty to offer a perpetual right of interment	Not Delegated		
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	Not Delegated		

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	Not Delegated			
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Not Delegated			
s 80(1)	Function of receiving notification and payment of transfer of right of interment	Not Delegated			
s 80(2)	Function of recording transfer of right of interment	Not Delegated			
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not Delegated			

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not Delegated			
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	Not Delegated			
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	Not Delegated			
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	Not Delegated			
s 84H(4)	Power to exercise the rights of a holder of a right of interment	Not			

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Glenelg Shire Council

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

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
	right at least 12 months before expiry	Delegated	deceased veteran.			
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re- establish at new or equivalent location.	Not Delegated	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment			
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not Delegated				
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	Not Delegated				

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not Delegated			
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not Delegated			
s.86(4)	power to take action under s.86(4) relating to removing and re- interring cremated human remains	Not Delegated			
s.86(5)	duty to provide notification before taking action under s.86(4)	Not Delegated			
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	Not Delegated			
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Not Delegated			

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	Not Delegated		
s 91(1)	Power to cancel a right of interment in accordance with s 91	Not Delegated		
s 91(3)	Duty to publish notice of intention to cancel right of interment	Not Delegated		
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Not Delegated		
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	Not Delegated		

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	Not Delegated			
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Not Delegated			
s 100(1)	Power to require a person to remove memorials or places of interment	Not Delegated			
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	Not Delegated			
s 100(3)	Power to recover costs of taking action under s 100(2)	Not Delegated			

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	Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Not Delegated		
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not Delegated		
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Not Delegated		
s 103(1)	Power to require a person to remove a building for ceremonies	Not Delegated		
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	Not Delegated		

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 103(3)	Power to recover costs of taking action under s 103(2)	Not Delegated			
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	Not Delegated			
s 106(2)	Power to require the holder of the right of interment to provide for an examination	Not Delegated			
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	Not Delegated			
s 106(4)	Power to repair or - with the approval of the Secretary - take down,	Not			

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	Delegated			
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Not Delegated			
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	Not Delegated			
s 108	Power to recover costs and expenses	Not Delegated			
s 109(1)(a)	Power to open, examine and repair a place of interment	Not Delegated	Where the holder of right of interment or responsible person cannot be found		

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 109(1)(b)	Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Not Delegated	Where the holder of right of interment or responsible person cannot be found		
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Not Delegated	Where the holder of right of interment or responsible person cannot be found		
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	Not Delegated			
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	Not Delegated			
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with	Not Delegated			

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Glenelg Shire Council

	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	consent of the Secretary				
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not Delegated			
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Not Delegated			
s 112	Power to sell and supply memorials	Not Delegated			
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	Not Delegated			
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	Not Delegated			

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	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Not Delegated			
s 119	Power to set terms and conditions for interment authorisations	Not Delegated			
s 131	Function of receiving an application for cremation authorisation	Not Delegated			
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not Delegated	Subject to s 133(2)		
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	Not Delegated			

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	Cemeteries and Crematoria Act 2003				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not Delegated	Subject to the approval of the Secretary		
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Not Delegated			
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	Not Delegated			
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Not Delegated			
s 151	Function of receiving applications to inter or cremate body parts	Not			

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Glenelg Shire Council

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

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

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

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

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	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	MEH, DRCS	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	MEH, DRCS	If s 19(1) applies		
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	MEH, DRCS	If s 19(1) applies Only in relation to temporary food premises or mobile food premises If s 19(1) applies		
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	MEH, DRCS	If s 19(1) applies		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	MEH, DRCS	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	MEH, DRCS	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).	MEH, DRCS	Where Council is the registration authority Where Council is the registration authority and s19AA(1) applies		
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	MEH, DRCS	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		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
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	MEH, DRCS	Where Council is the registration authority		
s 19CB(4)(b)	Power to request copy of records	MEH, DRCS, EHO	Where Council is the registration authority		
s 19E(1)(d)	Power to request a copy of the food safety program	MEH, DRCS, EHO	Where Council is the registration authority		
s 19EA(3)	Function of receiving copy of revised food safety program	MEH, EHO	Where Council is the registration authority		
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	MEH, DRCS, EHO	Where Council is the registration authority		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s19IA(1)	Power to form opinion that the food safety requirements or program are non- compliant.	MEH, EHO	Where Council is the registration authority		
s 19IA(2)	Duty to give written notice to the proprietor of the premises	MEH, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))		
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	MEH, EHO	Where Council is the registration authority		
s 19N(2)	Function of receiving notice from the auditor	MEH, EHO	Where Council is the registration authority		
s 19NA(1)	Power to request food safety audit reports	MEH, DRCS, EHO	Where Council is the registration authority		
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special	MEH,			

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	circumstances	DRCS			
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	MEH, DRCS	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	MEH, DRCS, EHO	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	MEH, DRCS, EHO	Where Council is the registration authority		
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	MEH, DRCS, EHO	Where Council is the registration authority		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	Power to register or renew the registration of a food premises	MEH, DRCS	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO		
			(see s 58A(2))		
s 36A	Power to accept an application for registration or notification using online portal	MEH, DRCS, EHO	Where Council is the registration authority		
s 36B	Duty to pay the charge for use of online portal	MEH, DRCS	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	MEH, EHO	Where Council is the registration authority		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	MEH, DRCS	Where Council is the registration authority		
s 38A(4)	Power to request a copy of a completed food safety program template	MEH, DRCS, EHO	Where Council is the registration authority		
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	MEH, EHO	Where Council is the registration authority		
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	MEH, DRCS, EHO	Where Council is the registration authority		
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	МЕН	Where Council is the registration authority		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	MEH	Where Council is the registration authority		
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	MEH	Where Council is the registration authority		
s 38D(3)	Power to request copies of any audit reports	MEH, DRCS, EHO	Where Council is the registration authority		
s 38E(2)	Power to register the food premises on a conditional basis	MEH, DRCS	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	MEH, DRCS	Where Council is the registration authority		

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

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
			Only if satisfied of matters in s 39A(2)(a)-(c)		
s 39A (6)	Duty to comply with a direction of the Secretary	MEH, DRCS			
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	MEH	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	MEH, DRCS			
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	MEH, DRCS	Where Council is the registration authority		
s 40D(1)	Power to suspend or revoke the registration of food premises	MEH, DRCS	Where Council is the registration authority		

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	Food Act 1984				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 40E	Duty to comply with direction of the Secretary	MEH, DRCS			
s 40F	Power to cancel registration of food premises	MEH, DRCS	Where Council is the registration authority		
s 43	Duty to maintain records of registration	MEH	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	MEH, DRCS, EHO	Where Council is the registration authority		
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	MEH, DRCS	Where Council is the registration authority		
s 45AC	Power to bring proceedings	MEH,			

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DRCS	
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	MEH, DRCS	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	Not Delegated	Must first obtain Executive Director's written consent	
			Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation	

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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	DRCS		

	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	RSM, DRCS, SP	If authorised by the Minister	
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	RSM, DRCS, PlanAO, SP		
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	RSM, DRCS, PlanAO, SP, StP		

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Glenelg Shire Council

Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	RSM, DRCS, PlanAO, SP		
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	RSM, DRCS, SP		
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	RSM, DRCS, SP		
s 8A(5)	Function of receiving notice of the Minister's decision	RSM, DRCS, PlanAO, SP		
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	RSM, DRCS, SP		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	RSM, DRCS, SP		
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	RSM, DRCS, SP		
s 12B(1)	Duty to review planning scheme	RSM, DRCS, SP		
s 12B(2)	Duty to review planning scheme at direction of Minister	RSM, DRCS, SP		
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	RSM, DRCS, SP		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	RSM, DRCS, SP, StP		
s 17(1)	Duty of giving copy amendment to the planning scheme	RSM, DRCS, PlanAO, SP, StP		
s 17(2)	Duty of giving copy s 173 agreement	RSM, DRCS, PlanAO, SP, StP		
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	RSM, DRCS, PlanAO, SP, StP		
s 18	Duty to make amendment etc. available in accordance with public availability requirements	RSM, DRCS, PlanAO, SP, StP	Until the proposed amendment is approved or lapsed	

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Glenelg Shire Council

	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	RSM, DRCS, SP			
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	RSM, DRCS, PlanAO, SP	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	RSM, DRCS, SP	Where Council is a planning authority		
s 21(2)	Duty to make submissions available in accordance with public availability requirements	RSM, DRCS, PlanAO, SP, StP	Until the end of 2 months after the amendment comes into operation or lapses		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 21A(4)	Duty to publish notice	RSM, DRCS, PlanAO, SP		
s 22(1)	Duty to consider all submissions received before the date specified in the notice	RSM, DRCS, SP	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	RSM, DRCS, SP		
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	RSM, DRCS, PlanAO, SP		
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	RSM, DRCS, PlanAO, SP		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	RSM, DRCS, SP		
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	RSM, DRCS		
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	RSM, DRCS, PlanAO, SP	During the inspection period	
s 27(2)	Power to apply for exemption if panel's report not received	RSM, DRCS, SP		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 28(1)	Duty to notify the Minister if abandoning an amendment	RSM, DRCS, PlanAO, SP	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	RSM, DRCS, PlanAO, SP		
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	RSM, DRCS, PlanAO, SP		
s 30(4)(a)	Duty to say if amendment has lapsed	RSM, DRCS, SP		
s 30(4)(b)	Duty to provide information in writing upon request	RSM, DRCS, SP		
s 32(2)	Duty to give more notice if required	RSM, DRCS, PlanAO, SP		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 33(1)	Duty to give more notice of changes to an amendment	RSM, DRCS, PlanAO, SP		
s 36(2)	Duty to give notice of approval of amendment	RSM, DRCS, PlanAO, SP		
s 38(5)	Duty to give notice of revocation of an amendment	RSM, DRCS, PlanAO, SP		
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	RSM, DRCS, SP		
s 40(1)	Function of lodging copy of approved amendment	RSM, DRCS, PlanAO, SP		
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	RSM, DRCS, PlanAO, SP		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
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	RSM, DRCS, PlanAO, SP		
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	RSM, DRCS, PlanAO, SP, StP		
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	Not Delegated	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	

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 46AW	Function of being consulted by the Minister	RSM, DRCS, SP	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	RSM, DRCS	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	RSM, DRCS	Where Council is a responsible public entity		
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	RSM, DRCS	Where Council is a responsible public entity		
S	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	RSM, DRCS	Where Council is the planning authority, the municipal Council of the municipal district in which the land is		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
46GI(2)(b)(i)	Minister's direction		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	Not Delegated			
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Not Delegated			
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Not Delegated			
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Not Delegated			
s 46GP	Function of receiving a notice under s 46GO	Not Delegated	Where Council is the collecting agency		

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Not Delegated		
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Not Delegated		
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Not Delegated		
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	RSM, DRCS		
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	Not Delegated		

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Glenelg Shire Council

	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	Not Delegated			
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	Not Delegated			
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Not Delegated			
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	Not Delegated			
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution	Not Delegated	Where Council is the collecting agency		
	Power to specify the manner in which the payment is to be made				

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Not Delegated	Where Council is the collecting agency		
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	RSM, DRCS	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)	Not Delegated	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	Not Delegated			
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	Not Delegated	Where Council is the collecting agency		
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of	RSM, DRCS	Where Council is the collecting agency		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	the monetary component of an infrastructure contribution payable				
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	RSM, DRCS	Where Council is the collecting agency		
s 46GY(1)	Duty to keep proper and separate accounts and records	Not Delegated	Where Council is the collecting agency		
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Not Delegated	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	Not Delegated	Where Council is the collecting agency under an approved infrastructure contributions plan		
			This duty does not apply where Council is that planning authority		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 46GZ(2)(a)	Function of receiving the monetary component	Not Delegated	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 that is specified in the plan, as responsible for those works, services or	Not Delegated	Where Council is the collecting agency under an approved infrastructure contributions plan		
	facilities		This provision does not apply where Council is also the relevant development agency		
s 46GZ(2)(b)	Function of receiving the monetary component	Not	Where Council is the development agency under an		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		Delegated	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)	Not Delegated	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 specified in the approved infrastructure contributions plan to that development agency	DRCS	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Not Delegated	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	Not Delegated	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	DRCS	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)		
			Where Council is the collecting agency under an approved infrastructure contributions plan		

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	Not Delegated	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	Not Delegated	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	DRCS	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Not Delegated	Where Council is a development agency under an approved infrastructure contributions plan

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
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	RSM, DRCS	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)	Not Delegated	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)	Not Delegated	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)	DRCS	Where Council is the collecting agency under an approved infrastructure contributions plan		
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land	DRCS	Where Council is the development agency under an approved infrastructure contributions plan		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	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		This duty does not apply where Council is also the collecting agency		
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Not Delegated	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)	Not Delegated	Where Council is the collecting agency under an approved infrastructure contributions plan		
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land	Not Delegated	Where Council is the development agency under an approved infrastructure contributions plan		

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Glenelg Shire Council

	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)	Not Delegated	Where Council is the development agency under an approved infrastructure contributions plan		
s 46GZF(3)	Function of receiving proceeds of sale	Not Delegated	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)	Not Delegated	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)	Not Delegated	Where Council is the collecting agency under an approved infrastructure contributions plan		

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Glenelg Shire Council

	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	Not Delegated	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	RSM, DRCS	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	Not Delegated	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)	RSM, DRCS			
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	RSM, DRCS			

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Glenelg Shire Council

	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	RSM, DRCS			
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	RSM, DRCS			
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	RSM, DRCS			
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	RSM, DRCS			
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	RSM, DRCS			
s 46Q(1)	Duty to keep proper accounts of levies paid	CFO, DRCS			
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	RSM, DRCS			
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	RSM, DRCS			
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	RSM, DRCS	Only applies when levy is paid to Council as a 'development agency'		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	RSM, DRCS	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister		
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	RSM, DRCS	Must be done in accordance with Part 3		
s46Q(4)(e)	Duty to expend that amount on other works etc.	RSM, DRCS	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	DRCS			

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Glenelg Shire Council

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

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Glenelg Shire Council

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

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	public availability requirements	PlanAO, SP, StP			
s 50(4)	Duty to amend application	RSM, DRCS, SP, StP			
s 50(5)	Power to refuse to amend application	RSM, DRCS, StP			
s 50(6)	Duty to make note of amendment to application in register	DRCS, PlanAO, SP, StP			
s 50A(1)	Power to make amendment to application	RSM, DRCS, SP, StP			
s 50A(3)	Power to require applicant to notify owner and make a declaration that	RSM, DRCS,			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	notice has been given	SP, StP			
s 50A(4)	Duty to note amendment to application in register	RSM, DRCS, PlanAO, SP, StP			
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	RSM, DRCS, PlanAO, SP, StP			
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	RSM, DRCS, SP, StP			
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	RSM, DRCS, SP, StP			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	RSM, DRCS, SP, StP			
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	RSM, DRCS, SP, StP			
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	RSM, DRCS, SP, StP			
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	RSM, DRCS, SP, StP			
s.52(1AA)	Duty to give notice of an application to remove or vary a registered	RSM, DRCS,			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	restrictive covenant	SP, StP			
s 52(3)	Power to give any further notice of an application where appropriate	RSM, DRCS, SP, StP			
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	RSM, DRCS, SP, StP			
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	RSM, DRCS, SP, StP			
s 54(1)	Power to require the applicant to provide more information	RSM, DRCS, PlanAO, SP, StP			
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	RSM, DRCS, PlanAO, SP, StP			

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Glenelg Shire Council

	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	RSM, DRCS, SP, StP			
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	RSM, DRCS, SP, StP			
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	RSM, DRCS, SP, StP			
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	RSM, DRCS, PlanAO, SP, StP			
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	RSM, DRCS			

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Glenelg Shire Council

	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	RSM, DRCS, PlanAO, SP, StP			
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	RSM, DRCS, SP, StP			
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	RSM, DRCS, SP, StP			
s 57A(5)	Power to refuse to amend application	RSM, DRCS			
s 57A(6)	Duty to note amendments to application in register	RSM, DRCS, SP, StP			

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Glenelg Shire Council

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

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 60(1A)	Duty to consider certain matters	RSM, DRCS, SP, StP			
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	RSM, DRCS, SP, StP			
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	RSM, DRCS, SP, StP	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006		
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	RSM, DRCS, SP, StP			
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending	RSM, DRCS			

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Glenelg Shire Council

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

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	RSM, DRCS, SP, StP			
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	RSM, DRCS			
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	RSM, DRCS			
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	RSM, DRCS			
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)	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
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)	RSM, DRCS			
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	RSM, DRCS, SP, StP			
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	RSM, DRCS, SP, StP	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	RSM, DRCS, SP, StP	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	RSM, DRCS,	This provision applies also to a decision to grant an		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		SP, StP	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	RSM, DRCS, SP, StP	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	RSM, DRCS, SP, StP			
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	RSM, DRCS, PlanAO, SP, StP			
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	RSM, DRCS, PlanAO, SP, StP	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		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
			by the recommending referral authority		
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	RSM, DRCS, PlanAO, SP, StP	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	RSM, DRCS, PlanAO, SP, StP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit		
s 69(1)	Function of receiving application for extension of time of permit	RSM, DRCS, PlanAO, SP, StP			
s 69(1A)	Function of receiving application for extension of time to complete development	RSM, DRCS, PlanAO, SP, StP			

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 69(2)	Power to extend time	RSM, DRCS		
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	RSM, DRCS, SP, StP		
s 71(1)	Power to correct certain mistakes	RSM, DRCS, SP, StP		
s 71(2)	Duty to note corrections in register	RSM, DRCS, SP, StP		
s 73	Power to decide to grant amendment subject to conditions	RSM, DRCS		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 74	Duty to issue amended permit to applicant if no objectors	RSM, DRCS, SP, StP			
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	RSM, DRCS, SP, StP			
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	RSM, DRCS, PlanAO, SP, StP			
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	RSM, DRCS, PlanAO, SP, StP	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	RSM, DRCS, PlanAO, SP, StP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
			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	RSM, DRCS, PlanAO, SP, StP	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	RSM, DRCS			
s 83	Function of being respondent to an appeal	RSM, DRCS, SP, StP			
s 83B	Duty to give or publish notice of application for review	RSM, DRCS, SP, StP			
s 84(1)	Power to decide on an application at any time after an appeal is lodged	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	against failure to grant a permit				
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	RSM, DRCS			
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	RSM, DRCS, SP, StP			
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	RSM, DRCS, SP, StP			
s 84AB	Power to agree to confining a review by the Tribunal	RSM, DRCS, StP			
s 86	Duty to issue a permit at order of Tribunal within 3 business days	RSM, DRCS, SP, StP			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	RSM, DRCS			
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	RSM, DRCS, SP, StP			
s 91(2)	Duty to comply with the directions of VCAT	RSM, DRCS, SP, StP			
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	RSM, DRCS, SP, StP			
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	RSM, DRCS, SP, StP			
s 93(2)	Duty to give notice of VCAT order to stop development	RSM, DRCS,			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		SP, StP			
s 95(3)	Function of referring certain applications to the Minister	RSM, DRCS, SP, StP			
s 95(4)	Duty to comply with an order or direction	RSM, DRCS			
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	RSM, DRCS			
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	RSM, DRCS			
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	RSM, DRCS			
s 96F	Duty to consider the panel's report under s 96E	RSM, DRCS, SP, StP			
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	RSM, DRCS			
s 96H(3)	Power to give notice in compliance with Minister's direction	RSM, DRCS, SP, StP			
s 96J	Duty to issue permit as directed by the Minister	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	RSM, DRCS		
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	RSM, DRCS		
s 97C	Power to request Minister to decide the application	RSM, DRCS		
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	RSM, DRCS, SP, StP		
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	RSM, DRCS, SP, StP		
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	RSM, DRCS, SP, StP		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 97L	Duty to include Ministerial decisions in a register kept under s 49	RSM, DRCS, SP, StP			
s 97MH	Duty to provide information or assistance to the Planning Application Committee	RSM, DRCS, SP, StP			
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	RSM, DRCS			
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	RSM, DRCS, SP, StP			
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	RSM, DRCS, SP, StP			
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	RSM, DRCS, SP, StP			
s 97Q(4)	Duty to comply with directions of VCAT	RSM, DRCS,			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		SP, StP			
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	RSM, DRCS, SP, StP			
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	RSM, DRCS			
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	RSM, DRCS			
s 101	Function of receiving claim for expenses in conjunction with claim	RSM, DRCS			
s 103	Power to reject a claim for compensation in certain circumstances	RSM, DRCS			
s.107(1)	function of receiving claim for compensation	RSM, DRCS			
s 107(3)	Power to agree to extend time for making claim	RSM, DRCS			
s 113(2)	Power to request a declaration for land to be proposed to be reserved for	DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	public purposes				
s 114(1)	Power to apply to the VCAT for an enforcement order	RSM, DRCS, SP, StP			
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	RSM, DRCS, SP, StP			
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	RSM, DRCS, SP, StP			
s 123(1)	Power to carry out work required by enforcement order and recover costs	RSM, DRCS			
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	RSM, DRCS	Except Crown Land		
s 129	Function of recovering penalties	RSM, DRCS			
s 130(5)	Power to allow person served with an infringement notice further time	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 149A(1)	Power to refer a matter to the VCAT for determination	RSM, DRCS, SP, StP			
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	RSM, DRCS, SP, StP			
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	RSM, DRCS	Where Council is the relevant planning authority		
s 171(2)(f)	Power to carry out studies and commission reports	RSM, DRCS			
s 171(2)(g)	Power to grant and reserve easements	RSM, DRCS			
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	RSM, DRCS	Where Council is a development agency specified in an approved infrastructure contributions plan		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	RSM, DRCS	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)	RSM, DRCS	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	RSM, DRCS			
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	RSM, DRCS	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	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	Responsible Authority				
	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	RSM, DRCS			
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	RSM, DRCS			
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	RSM, DRCS			
s 178A(1)	Function of receiving application to amend or end an agreement	RSM, DRCS, PlanAO, SP, StP			
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the	RSM, DRCS,			

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Glenelg Shire Council

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

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Glenelg Shire Council

	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	RSM, DRCS, SP, StP			
s 178C(4)	Function of determining how to give notice under s 178C(2)	RSM, DRCS, SP, StP			
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	RSM, DRCS, SP, StP			
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	RSM, DRCS	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	RSM, DRCS	If no objections are made under s 178D		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
			Must consider matters in s 178B		
s 178E(2)(c)	Power to refuse to amend or end the agreement	RSM, DRCS	If no objections are made under s 178D		
			Must consider matters in s 178B		
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	RSM, DRCS	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	RSM, DRCS	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	RSM, DRCS, SP, StP	After considering objections, submissions and matters in s.178B		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 178E(3)(d)	Power to refuse to amend or end the agreement	RSM, DRCS	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)	RSM, DRCS, StP			
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	RSM, DRCS, SP, StP			
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	RSM, DRCS, SP, StP			
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	RSM, DRCS, SP, StP			

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Glenelg Shire Council

	Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
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	RSM, DRCS, SP, StP		
s 178l(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	RSM, DRCS, SP, StP		
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	RSM, DRCS, SP, StP		
s 181	Duty to apply to the Registrar of Titles to record the agreement	RSM, DRCS, SP, StP		
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	RSM, DRCS, SP, StP		

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	RSM, DRCS, SP, StP			
s 182	Power to enforce an agreement	RSM, DRCS			
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	RSM, DRCS, SP, StP			
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	RSM, DRCS			
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	RSM, DRCS			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
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	RSM, DRCS			
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	RSM, DRCS			
s 184G(2)	Duty to comply with a direction of the Tribunal	RSM, DRCS			
s 184G(3)	Duty to give notice as directed by the Tribunal	RSM, DRCS, SP, StP			
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	RSM, DRCS, PlanAO, SP, StP			

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Glenelg Shire Council

	Planning and Environment Act 1987				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 198(1)	Function to receive application for planning certificate	Not Delegated			
s 199(1)	Duty to give planning certificate to applicant	Not Delegated			
s 201(1)	Function of receiving application for declaration of underlying zoning	RSM, DRCS, PlanAO, RUSO, SP, StP			
s 201(3)	Duty to make declaration	RSM, DRCS			
	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	RSM, DRCS, SP, StP			

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Glenelg Shire Council

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

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Glenelg Shire Council

	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	RSM, DRCS			

	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	MEH, DRCS			
s 522(1)	Power to give a compliance notice to a person	MEH, DRCS			
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	MEH, DRCS			

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	Glenelg Shire Council			
	Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 525(4)	Duty to issue identity card to authorised officers	MEH, DRCS		
s 526(5)	Duty to keep record of entry by authorised officer under s 526	MEH, DRCS, EHO		
s 526A(3)	Function of receiving report of inspection	MEH, DRCS, EHO		
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	MEH, DRCS		

Road Management Act 2004				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	

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Glenelg Shire Council

	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	DRA	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	DRA, DRCS			
s 11(9)(b)	Duty to advise Registrar	DRA, DRCS			
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DRA, DRCS	Subject to s 11(10A)		
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DRA, DRCS	Where Council is the coordinating road authority		

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	Road Management Act 2004					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
s 12(2)	Power to discontinue road or part of a road	DRA	Where Council is the coordinating road authority			
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	DRA	Power of coordinating road authority where it is the discontinuing body			
			Unless s 12(11) applies			
s 12(5)	Duty to consider written submissions received within 28 days of notice	DRA	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	DRA	Function of coordinating road authority where it is the discontinuing body			
			Unless s 12(11) applies			

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	Road Management Act 2004					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DRA	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	DRA	Duty of coordinating road authority where it is the discontinuing body			
			Does not apply where an exemption is specified by the regulations or given by the Minister			
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DRA	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	IDE, DRA, WM, OM, TLDA				

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Glenelg Shire Council

Road Management Act 2004					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	IDE, DRA, WM, OM, TLDA			
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	Not Delegated			
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Not Delegated			
s 15(2)	Duty to include details of arrangement in public roads register	IDE, DRA, WM, OM, TLDA			
s 16(7)	Power to enter into an arrangement under s 15	IDE, DRA, WM, OM, TLDA			

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Glenelg Shire Council

Road Management Act 2004					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 16(8)	Duty to enter details of determination in public roads register	DRA			
s 17(2)	Duty to register public road in public roads register	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority		
s 17(3)	Power to decide that a road is reasonably required for general public use	DRA	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	IDE, DRA, WM, OM, TLDA	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	DRA	Where Council is the coordinating road authority		
s 17(4)	Duty to remove road no longer reasonably required for general public use	IDE, DRA, WM,	Where Council is the coordinating road authority		

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Glenelg Shire Council

Road Management Act 2004					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	from public roads register	OM, TLDA			
s 18(1)	Power to designate ancillary area	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA			
s 19(4)	Duty to specify details of discontinuance in public roads register	ide, dra, wm, om, tlda			

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Glenelg Shire Council

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

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Glenelg Shire Council

	Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	IDE, DRA, WM, OM, TLDA		
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	IDE, DRA, WM, OM, TLDA		
s 42(1)	Power to declare a public road as a controlled access road	IDE, DRA, WM, OM, TLDA	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	DRA	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	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority	
			If road is a municipal road or part thereof	

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Glenelg Shire Council

	Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority	
			If road is a municipal road or part thereof and where road is to be specified a freight road	
s 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)	IDE, DRA, WM, OM, TLDA	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	DRA		
s 49	Power to develop and publish a road management plan	DRA		
s 51	Power to determine standards by incorporating the standards in a road	IDE, DRA, WM,		

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	Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
	management plan	OM, TLDA		
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DRA		
s 54(2)	Duty to give notice of proposal to make a road management plan	IDE, DRA, WM, OM, TLDA		
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DRA		
s 54(6)	Power to amend road management plan	IDE, DRA, WM, OM, TLDA		
s 54(7)	Duty to incorporate the amendments into the road management plan	IDE, DRA, WM, OM, TLDA		

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	Road Management Act 2004				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	IDE, DRA, WM, OM, TLDA			
s 63(1)	Power to consent to conduct of works on road	IDE, DRA, DRCS, WM, OM, TLDA, GCE	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	IDE, DRA, WM, OM, TLDA	Where Council is the infrastructure manager		
s 64(1)	Duty to comply with cl 13 of sch 7	IDE, DRA, WM, OM, TLDA	Where Council is the infrastructure manager or works manager		
s 66(1)	Power to consent to structure etc	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority		

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Glenelg Shire Council

	Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority	
s 67(3)	Power to request information	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority	
s 68(2)	Power to request information	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority	
s 71(3)	Power to appoint an authorised officer	IDE, DRA, WM, OM, TLDA		
s 72	Duty to issue an identity card to each authorised officer	IDE, DRA, WM, OM, TLDA		
s 85	Function of receiving report from authorised officer	IDE, DRA, WM, OM, TLDA		

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Glenelg	Shire	Council
Cherrorg	OT IN C	Counton

	Road Management Act 2004			
Provision	Power and Functions Delegated	Conditions and Limitations		
s 86	Duty to keep register re s 85 matters	IDE, DRA, WM, OM, TLDA		
s 87(1)	Function of receiving complaints	IDE, DRA, WM, OM, TLDA		
s 87(2)	Duty to investigate complaint and provide report	IDE, DRA, WM, OM, TLDA		
s 96	Power to authorise a person for the purpose of instituting legal proceedings	DRA, DRCS		
s 112(2)	Power to recover damages in court	DRA		
s 116	Power to cause or carry out inspection	IDE, DRA, WM,		

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	Road Management Act 2004			
Provision	Power and Functions Delegated	Conditions and Limitations		
		OM, TLDA		
s 119(2)	Function of consulting with the Head, Transport for Victoria	IDE, DRA, WM, OM, TLDA		
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	IDE, DRA, WM, OM, TLDA		
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)	IDE, DRA, WM, OM, TLDA		
s 121(1)	Power to enter into an agreement in respect of works	IDE, DRA, WM, OM, TLDA		
s 122(1)	Power to charge and recover fees	DRA, DRCS		

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Glenelg	Shire	Council
Oleneig	Onne	Council

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

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	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	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA	Where Council is the infrastructure manager or works manager		
sch 7 cla 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	IDE, DRA, WM, OM, TLDA	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure		
sch 7 cl	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location	IDE, DRA, WM,	Where Council is the infrastructure manager or		

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Glenelg Shire Council

	Road Management Act 2004				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
9(2)	shown on records, appear to be in an unsafe condition or appear to need maintenance	OM, TLDA	works manager		
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority		
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority		
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DRA	Where Council is the coordinating road authority		

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	Road Management Act 2004						
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations				
sch 7 cl 12(5)	Power to recover costs	IDE, DRA, WM, OM, TLDA	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)	IDE, DRA, WM, OM, TLDA	Where Council is the works manager				
sch 7 cl 13(2)	Power to vary notice period	IDE, DRA, WM, OM, TLDA	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)	IDE, DRA, WM, OM, TLDA	Where Council is the infrastructure manager				
sch 7 cl 16(1)	Power to consent to proposed works	THC, CDE, IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority				

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	Road Management Act 2004					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
sch 7 cl 16(4)	Duty to consult	THC, CDE, IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority, responsible authority or infrastructure manager			
sch 7 cl 16(5)	Power to consent to proposed works	THC, CDE, IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority			
sch 7 cl 16(6)	Power to set reasonable conditions on consent	THC, CDE, IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority			
sch 7 cl 16(8)	Power to include consents and conditions	THC, CDE, IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority			

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	Road Management Act 2004						
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations				
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	THC, CDE, IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority				
sch 7 cl18(1)	Power to enter into an agreement	IDE, DRA, WM, OM, TLDA, GCE	Where Council is the coordinating road authority				
sch7 cl 19(1)	Power to give notice requiring rectification of works	IDE, DRA, WM, OM, TLDA, GCE	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	IDE, DRA, WM, OM, TLDA, GCE	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	IDE, DRA, WM, OM, TLDA,	Where Council is the coordinating road authority				

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	Road Management Act 2004						
Provision	Power and Functions Delegated	Conditions and Limitations					
		GCE					
sch 7A cl 2	Power to cause street lights to be installed on roads	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)				

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

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Glenelg Shire Council

	Cemeteries and Crematoria Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
r 30(2)	Power to release cremated human remains to certain persons	Not Delegated	Subject to any order of a court		
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not Delegated			
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not Delegated			
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not Delegated			
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not Delegated			
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not Delegated			
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with	Not			

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Glenelg Shire Council

	Cemeteries and Crematoria Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	paragraphs (a)-(c)	Delegated			
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not Delegated			
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	Not Delegated			
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Not Delegated			
r 40	Power to approve a person to play sport within a public cemetery	Not Delegated			
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not Delegated			
r 42(1)	Power to approve hunting within a public cemetery	Not Delegated			

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	Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
r 43	Power to approve camping within a public cemetery	Not Delegated		
r 45(1)	Power to approve the removal of plants within a public cemetery	Not Delegated		
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Not Delegated		
r 47(3)	Power to approve the use of fire in a public cemetery	Not Delegated		
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Not Delegated		
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Not Delegated		

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Glenelg Shire Council

	Cemeteries and Crematoria Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	Not Delegated	See note above regarding model rules		
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	Not Delegated	See note above regarding model rules		
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Not Delegated	See note above regarding model rules		
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	Not Delegated	See note above regarding model rules		
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	Not Delegated	See note above regarding model rules		
sch 2 cl 8	Power to approve certain mementos on a memorial	Not Delegated	See note above regarding model rules		
sch 2 cl	Power to remove objects from a memorial or place of interment	Not	See note above regarding model		

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Glenelg Shire Council

	Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
11(1)		Delegated	rules	
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Not Delegated	See note above regarding model rules	
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Not Delegated	See note above regarding model rules	
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	Not Delegated	See note above regarding model rules	
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	Not Delegated	See note above regarding model rules	
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	Not Delegated	See note above regarding model rules	
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	Not Delegated	See note above regarding model rules	

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	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	RSM, DRCS, SP, StP	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	RSM, DRCS, SP, StP				
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	RSM, DRCS, PlanAO, SP, StP	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 in accordance with the public availability requirements	RSM, DRCS, PlanAO, SP, StP	where Council is not the responsible authority but the relevant land is within Council's municipal district			

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	Planning and Environment Regulations 2015					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
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	RSM, DRCS, SP, StP	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.			

	Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	RSM, DRCS		
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	RSM, DRCS		

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	Planning and Environment (Fees) Regulations 2016				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
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	RSM, DRCS			

	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	MEH, DRCS			
r 10	Function of receiving application for registration	MEH, EHO			
r 11	Function of receiving application for renewal of registration	MEH, EHO			
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	MEH			
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these	MEH			

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

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Glenelg Shire Council

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020				
Provision	Power and Functions Delegated		Conditions and Limitations	
r 15(1)	Duty to transfer registration to new caravan park owner	MEH		
r 15(2)	Duty to issue a certificate of transfer of registration	MEH, DRCS		
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MEH, DRCS, EHO		
r 17	Duty to keep register of caravan parks	MEH, DRCS		
r 18(4)	Power to determine where the emergency contact person's details are displayed	MEH, DRCS, EHO		
r 18(6)	Power to determine where certain information is displayed	MEH, DRCS, EHO		
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MEH, DRCS		
r 22(2)	Duty to consult with relevant emergency services agencies	MEH, DRCS,		

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	Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020				
Provision	Power and Functions Delegated		Conditions and Limitations		
		EHO			
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MEH, DRCS, EHO			
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MEH, DRCS, EHO			
r 25(3)	Duty to consult with relevant floodplain management authority	MEH, DRCS, EHO			
r 26	Duty to have regard to any report of the relevant fire authority	MEH, DRCS, EHO			
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MEH, DRCS, EHO			

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Glenelg Shire Council

	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	MEH, DRCS, EHO			
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MEH, DRCS, EHO			
r 41(4)	Function of receiving installation certificate	MEH, DRCS, EHO			
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	BI, DRCS, MBS			
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	BI, DRCS, MBS			

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Glenelg Shire Council

	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	IDE, DRA, WM, OM, TLDA			
r 9(2)	Duty to produce written report of review of road management plan and make report available	IDE, DRA, WM, OM, TLDA			
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)	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA			
r 13(1)	Duty to publish notice of amendments to road management plan	IDE, DRA, WM, OM, TLDA	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	IDE, DRA, WM, OM, TLDA			

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Glenelg Shire Council

	Road Management (General) Regulations 2016					
Provision	Power and Functions Delegated	Conditions and Limitations				
r 16(3)	Power to issue permit	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority			
r 18(1)	Power to give written consent re damage to road	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority			
r 23(2)	Power to make submission to Tribunal	IDE, DRA, WM, OM, TLDA	Where Council is the coordinating road authority			
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DRA	Where Council is the coordinating road authority			
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	LLTL, DRA, DRCS, PPFM, LLO, WM, MLL	Where Council is the responsible road authority			

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	Road Management (General) Regulations 2016					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3)	LLTL, DRA, DRCS, PPFM, LLO, WM, MLL	Where Council is the responsible road authority			
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	LLTL, DRA, DRCS, LLO, WM, MLL				

	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	DRA, DRCS, WM, OM	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	DRA, DRCS, WM, OM, MLL	Where Council is the coordinating road authority			

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GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION FROM PORT MANAGER TO MEMBERS OF STAFF

26 SEPTEMBER 2023

Delegation Sources

- Port Management Act 1995
- Port Management (Local Ports) Regulations 2015

In exercise of the powers conferred by section 44C of the *Port Management Act 1995 (Vic)* Glenelg Shire Council as Port Manager for the Port of Portland Bay:

- Delegate each duty and/or function and /or power described in column 1 of the Schedule (and summarized in column 2 of Schedule) to the member of Council staff, or person engaged by Council under s 216(3) of the Marine Safety Act 2010 (Vic), 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;

Abbreviation	Position
DRA	Director Assets
LPPBM	Local Port of Portland Bay Manager
PO	Port Officer

AND declares that

- 3. this Instrument of Delegation is authorised by a Resolution of Council passed on Tuesday 26 September 2023;
- 4. the delegation
 - 4.1 comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor;
 - 4.2 is subject to any conditions and limitations set out in the Schedule;
 - 4.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 4.4 remains in force until Council resolves to vary or revoke it.

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Signed by the Chief Executive Officer of Council

in the presence of:

Witness: Date:

Signed by the Mayor in the presence of:

Witness: Date:

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Instrument of Delegation from Port Manager to Members of Staff

Port Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s.44B(1)	Power to do all things that are necessary or convenient to enable the Port Manager to carry out its functions under section 44A	PO, DRA, LPPBM		
s.44B(2)(a)	Power to enter into other contracts and agreements	DRA, LPPBM		
s.44B(2)(b)	Power to employ staff, or engage consultants, contractors or agents	DRA, LPPBM		
s.44B(2)(c)	Power to exercise the Port Manager's powers outside the port lands or waters of the port to carry out the functions of Port Manager of that port or to ensure the safe operation of the port	PO, DRA, LPPBM		
s.44D(1)	Power to impose a charge for the use of any facility in the port	DRA, LPPBM		
s.44D(4)	Power to make allowances and provide for exemptions when imposing	DRA,		

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Port Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
	charges in specified circumstances	LPPBM		
s.44D(5)	Duty to specify who is to be liable for paying the charge	DRA, LPPBM		
s.44D(6)	Duty to ensure that the Port Manager does not impose a charge on a person for using a facility without adequate notice	DRA, LPPBM		
s.44D(8)	Power to charge interest on a charge	DRA, LPPBM		
s.44E(a)	Power to alter, dredge, cleanse, scour, straighten and improve the bed and channel of any river or sea-bed in port waters	DRA, LPPBM		
s.44E(b)	Power to reduce or remove any banks or shoals within any such river or sea- bed	DRA, LPPBM		
s.44E(c)	Power to abate and remove impediments, obstructions and nuisances in, or on the banks and shores of, any such river or sea-bed that are injurious to the river or sea-bed or that obstruct, or that may tend to obstruct, navigation	DRA, LPPBM		

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Port Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s.44F	Power to: (a) change the natural or existing condition or topography of land (b) remove vegetation or topsoil (c) reclaim or decontaminate (d) construct, demolish, or substantially alter any structure in or on land (e) remove, decommission or make safe any existing facility	DRA, LPPBM	Subject to obtaining any permit, consent or other authority required by or under any other Act, in carrying out its functions in relation to the provision, development and maintenance of port facilities	
s.91C(1)(a) & (b)	Duty to ensure that a safety management plan and environment management plan is prepared in accordance with Part 6A	DRA, LPPBM	The safety management plan and environment management plan may be prepared as a single plan (s 91C(1AA)) The safety management plan and environment management plan may be prepared as a single plan	
s.91C(1A)(a)	Duty to ensure that safety management plan is audited n accordance with Part 6A	DRA, LPPBM	It's a SEMP one plan that covers safety and environment It's a SEMP one plan that covers safety and environment	

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	Port Management Act 1995						
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations				
s.91C(1A)(b)	Duty to ensure that environment management plan is audited n accordance with Part 6A	DRA, LPPBM	It's a SEMP one plan that covers safety and environment				
s.91C(2)	Duty to ensure that reasonable steps to implement measures and follow processes and procedures in s.91C(2) are taken	DRA, LPPBM					
s.91C(3)	Duty to comply with written direction of the Minister under s.91H	DRA, LPPBM					
s.91C(4)	Duty to ensure that copies of certain documents are kept at the office of the port manager	PO, DRA, LPPBM					
s.91C(5)	Duty to ensure that copies of the documents are made available for inspection by authorised person	PO, DRA, LPPBM					
s.91F(1)	Duty to ensure that an audit of compliance is conducted within 6 months of the time fixed in a direction given to the port manager by the Minister, or within 3 years after the previous audit	DRA, LPPBM					

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	Port Management Act 1995						
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations				
s.91FA	Function of receiving a report regarding the outcome of the compliance audit	DRA, LPPBM					
s.91H(1)	Duty to comply with a direction from the Minister that a management plan must be prepared	DRA, LPPBM					
s.91H(4)	Duty to comply with a direction from the Minister to have a management plan for the port, or the part of the port, audited in accordance with section 91E, at times other than those required by section 91F	DRA, LPPBM					
s.91H(5)	Duty to comply with a direction from the Minister to amend a management plan for the port, or the part of the port, to implement any recommendation of the person who has conducted an audit of the management plan, to make changes to the plan so that it continues to adequately provide for the matters required by section 91D(1)	DRA, LPPBM					
s.91HA	Duty to comply with a direction from the Minister that an audit of a management plan must be published	DRA, LPPBM					
s.91HB	Duty to make an annual report to the Minister and any prescribed bodies	DRA,					

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	Port Management Act 1995						
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations				
		LPPBM					
s 88Q91)	Power to move any thing or cause any thing to be moved from a relevant port if the criteria in s 88Q(1)(a) to (b) is met	PO, LPPBM					
s 88Q(2)	Power to immediately remove a thing from a port if the criteria in s 88Q(2)(a) to (b) are met	PO, LPPBM					
s 88R(2)	Duty, when moving a thing under s 88Q(1) or (2), to move the thing to a place that the Port Manager reasonably believes is the nearest safe and convenient place	PO, LPPBM					
s 88S	Duty to make all reasonable enquiries to establish the identity or location of the owner of the property where the Port Manager has moved a thing under s 88Q(1) or (2)	LPPBM					
s 88T(1)	Power to dispose of the thing moved under s 88Q(1) or (2) either by gift, sale, destruction, or otherwise dealing with the thing	LPPBM					
s 88T(2)	Duty not to dispose of a thing under s 88T(1) unless the requirements in s	LPPBM					

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	Port Management Act 1995						
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations				
	88T(2)(a) and (b) have been met						
s 88T(4)	Duty to give the owner notice in writing that the Port Manager intends to dispose of the thing	DRA, LPPBM					
s 88T(5)	Power to dispose of the thing after the 28 days have expired, either by gift, sale, destruction, or otherwise dealing with the thing	DRA, LPPBM					
s 88U(1)	Power to recover costs incurred by the moving, storing or disposing of the thing	DRA, LPPBM					
s 88V(1)	Duty to pay to the owner, and any other person with an interest in the thing, an amount commensurate with the value of the person's interest in the thing less any amount payable under s 88U	DRA, LPPBM					
s 88W(a)	Power to recover the costs of moving and disposal of the thing from the proceeds of that disposal	DRA, LPPBM					
s 91H(3)(a)	Duty to comply with the directions from the Minister listed under s 91H(3)(a)-(c)	LPPBM					

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
r.10(1)(a)	Power to determine to set aside an area in which a specified activity is permitted	dra, Lppbm			
r.10(b)	Power to determine to set aside an area in which a specified activity is prohibited or restricted	DRA, LPPBM			
r.10(c)	Power to determine to set aside an area to which access is prohibited or restricted	DRA, LPPBM			
r.10(2)	Duty to have regard to the matters specified in (a)-(e) when making a determination under r.10(1)	dra, Lppbm			
r.11(1)	Power to determine to set aside an area in which access or the carrying out of an activity in that area is prohibited or restricted for not more than 90 days	dra, Lppbm			
r.11(2)	Duty to only make a determination under r.11(1):	DRA, LPPBM			
	- in the event of, or in anticipation of, any fire, flood, natural disaster or other emergency; or				

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	Port Management (Local Ports) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
	- if the delegate reasonably believes there is imminent risk of:			
	- harm or damage to health or safety, port facilities or natural environment; or			
	- significant interference with the safe, efficient and effective management of the port			
r.12(a)	Power to determine to set aside an area in which the mooring, berthing or anchoring of a vessel is permitted	DRA, LPPBM		
r.12(b)	Power to determine to set aside an area in which the mooring, berthing or anchoring of a vessel is prohibited	DRA, LPPBM		
r.12(c)	Power to determine to set aside an area in which the mooring, berthing or anchoring of a vessel is restricted	DRA, LPPBM		
r.13(a)	Power to determine to set aside an area in which the management of cargo is permitted	DRA, LPPBM		
r.13(b)	Power to determine to set aside an area in which the management of cargo is prohibited	DRA, LPPBM		

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	Port Management (Local Ports) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
r.13(c)	Power to determine to set aside an area in which the management of cargo is restricted	dra, Lppbm		
r.14	Power to include in a set aside determination any reasonable condition which applies to the activity or access the subject of the determination	dra, Lppbm		
r.15	Duty to keep a written record of any set aside determination, including any conditions that apply to it	DRA, LPPBM		
r.16(1)	Duty to display details of a set aside determination, including applicable conditions, in a place or manner to ensure that it is reasonably likely to be seen and understood by port users	PO, DRA, LPPBM		
r.16(2)(a)	Duty to publish details of a set aside determination in the Victoria Government Gazette and on Council's website	PO, DRA, LPPBM		
r.16(2)(b)	Power to publish details of a set aside determination in any other manner the delegate thinks fit	PO, DRA, LPPBM		
r.17(2)(a)	Power to issue permit in writing that authorises a person to berth, moor or anchor a vessel	PO, DRA,		

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		LPPBM			
r.17(2)(b)	Power to issue permit in writing that authorises a person to manage cargo	DRA, LPPBM			
r.17(2)(c)	Power to issue permit in writing that authorises a person to engage in an activity, or access an area, which would otherwise contravene the Regulations or a set aside determination	DRA, LPPBM			
r.17(3)	Duty to issue a permit under r.17(2)(c) unless satisfied that:	DRA, LPPBM			
	- engaging in the activity or accessing the area would:				
	- create a significant risk of harm or damage to health or safety, port facilities or other property or natural environment; or				
	- significantly interfere with any other permitted activity or access, provision of reasonable public access to the port or the safe, efficient and effective management of the port; and				
	- attaching one or more reasonable conditions to the permit would not cause the delegate to be satisfied				

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	of those matters				
r.17(4)	Power to refuse to issue a permit if reasonably believe that: - applicant has contravened a permit previously issued to the applicant or a condition attached to a permit or a condition of a lease or licence referred to in r.8(2); and - it is reasonably likely the applicant will contravene the permit to which the application relates (or a condition attached to a such permit) if it is issued	DRA, LPPBM			
r.17(5)	Power to attach any reasonable condition to a permit issued under r.17(2)	dra, Lppbm			
r.19	Duty not to issue a permit in respect of land that has been reserved under the Crown Land (Reserves) Act 1978 or to which the National Parks Act 1975 applies if the purpose of the permit is detrimental to the purpose for which the land is reserved	DRA, LPPBM			
r.20(1)	Power to suspend a permit if reasonably believe that: - because of changed circumstances the delegate could now refuse to issue a permit under r.17; or	DRA, LPPBM			

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	- the permit holder has not complied with a permit condition attached to the permit				
r.20(2)	Duty to issue any suspension under r.20(1) in writing:	DRA, LPPBM			
	- setting out the reasons for the suspension; and				
	- stating the period for which the permit is suspended (not exceeding 90 days)				
r.21(1)	Power to cancel or vary a permit if reasonably believe any of the circumstances in (a), (b) or (c) are present	DRA, LPPBM			
r.21(2)	Duty, before cancelling or varying a permit, to:	DRA, LPPBM			
	- give the permit holder written notice of reasons for cancellation or variation;				
	- inform the permit holder that they may make a written submission within a specified time (not less than				

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	Port Management (Local Ports) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
	7 days); and			
	? consider any such submission received within the specified time			
r.21(3)	Power to cancel or vary a permit at the request of the permit holder	PO, DRA, LPPBM		
r.24(1)	Duty to issue identity cards to each delegate	DRA		
r.39	Function of receiving notice of any incident involving a hazardous port activity	PO, DRA, LPPBM		
r.44(2)	Power to make guidelines in relation to leaving vessels, goods or other things unattended	DRA, LPPBM		
r.44(3)(a)	Duty to publish any guidelines made under r.44(2) in the Victoria Government Gazette and on Council's website	po, dra, lppbm		

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	Port Management (Local Ports) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
r.44(3)(b)	Power to publish any guidelines made under r.44(2) in any other manner the delegate thinks fit	po, dra, lppbm		
r.45(1)	Power to give a direction that a vessel, goods or other thing be removed from the local port, or moved to another place within the local port, if reasonably believe any of the matters listed in (a)-(e)	dra, Lppbm		
r.45(2)	Duty to give a direction under r.45(1) in writing to:	DRA, LPPBM		
	- in the case of a vessel, owner or master of vessel; or			
	- in the case of goods or any other thing, the owner of, or person responsible for, the goods or thing			
r.45(3)	Power to specify, in a direction given under r.45(1), the manner in, and time by, which the vessel, goods or other things is or are to be moved or removed	DRA, LPPBM		
r.46(1)	Power to move or dispose of a vessel, goods or other thing which may be the subject of a direction given under r.45(1) if:	po, dra, lppbm		

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	- the owner, master or person responsible has failed to comply with a direction given under r.45(1); or				
	- the owner, master or person responsible cannot be identified or located after reasonable inquiry				
r.46(2)	Power to move the vessel, goods or other thing to a place located within or outside the port for storage	po, dra, lppbm			
r.46(3)	Duty to maintain record of any action taken under r.46	po, dra, lppbm			
r.47(1)	Power to dispose of a vessel, goods or other thing by sale, destruction, appropriation or any other means if the:	po, dra, lppbm			
	- vessel, goods or other thing has or have been left unattended in the port for at least one month; and				
	- delegate is unable to identify or locate the master or owner after reasonable inquiry; and				

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	- delegate reasonably believes that the vessel, goods or other thing is or are of low value				
r.47(2)	Power to dispose of goods that are perishable and left in the port if the delegate:	PO, DRA, LPPBM			
	- is unable to identify or locate the owner of, or person responsible for, the goods; and				
	- reasonably believes that the goods have been abandoned and are perishable				
r.47(3)	Duty to maintain record of any action taken under r.47	PO, DRA, LPPBM			
r.55(2)	Power to make guidelines in relation to the organisation, or conduct, of organised activities in the port	dra, Lppbm			
r.55(3)(a)	Duty to publish any guidelines made under r.55(2) in the Victoria Government Gazette and on Council's	PO, DRA,			

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	website	LPPBM			
r.55(3)(b)	Power to publish any guidelines made under r.55(2) in any other manner the delegate thinks fit	PO, DRA, LPPBM			
r.66(1)(a)	Power to direct a person in a port to:	PO, DRA, LPPBM			
	- cease engaging in an activity; or				
	- leave a specified area in the port; or				
	leave the port				
r.66(1)(b)	Power to direct the master or owner of a vessel, or a person in charge of a vehicle, in a port to:	PO, DRA, LPPBM			
	- move the vessel or vehicle to another place within the port; or				

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	- remove the vessel or vehicle from the port				
r.66(2)	Duty to give a direction under r.66(1) in the following circumstances:	PO, DRA, LPPBM			
	- in the event of, or in anticipation of, any fire, flood, natural disaster or other emergency; or				
	- if the delegate reasonably believes the direction is required to prevent significant:				
	- harm or damage to health or safety, port facilities or natural environment; or				
	- interference with the carrying out of permitted activities or access in, reasonable public access to, or amenity of, the port; or				
	- interference with the safe, efficient and effective management of the port				

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	Port Management (Local Ports) Regulations 2015				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
r 17(1)	Power to approve the form in which a person may apply for a permit issued under r 17	PO, LPPBM			
r 23	Power to request the permit holder to produce their permit when engaging in an activity or accessing an area as authorised by the permit (or purports to do so)	PO, LPPBM			
r 29(1)(a)	Power to approve a structure to which a vessel can be moored	PO, LPPBM			
r 35(a)	Power to give a direction	PO, LPPBM			
r 50(1)	Power to erect or display a sign or notice with respect to jumping and diving on or near a wharf, natural asset or other infrastructure	PO, LPPBM			
r 51(1)	Power to erect or display a sign or notice with respect to swimming and other in water activities on or near a wharf	LPPBM			
r 61	Power to provide marine safety equipment or other safety equipment in a local port	LPPBM			

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GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION AS WATERWAY MANAGER FOR THE LOCAL PORT OF PORTLAND BAY

27 SEPTEMBER 2023

Delegation Sources

• Marine Safety Act 2010

Positions

Abbreviation	Position	Name
DRA	Director Assets	
LPPBM	Local Port of Portland Bay Manager	
PO	Port Officer	

In exercise of the powers conferred by section 217 of the *Marine Safety Act 2010 (Vic)* Glenelg Shire Council, as Waterway Manger for the Port of Portland Bay:

- Delegate each duty and/or function and /or power described in column 1 of the Schedule (and summarized in column 2 of Schedule) to the member of Council staff, or person engaged by Council under s 216(3) of the Marine Safety Act 2010 (Vic), 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;
 - DRA Director Assets

LPPBM Local Port of Portland Bay Manager

PO Port Officer

AND declares that

- this Instrument of Delegation is authorised by a Resolution of Council passed on Tuesday 25 October 2022;
- 4. the delegation comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor;
 - 4.1 is subject to any conditions and limitations set out in the Schedule;
 - 4.2 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 4.3 remains in force until Council resolves to vary or revoke it.

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Signed by the Chief Executive Officer of Council

In the presence of:

Witness

Date

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Instrument of Delegation as Waterway Manager for the Local Port of Portland Bay

	Marine Safety Act 2010			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 219D(2)	Duty to give notice about the disposal of the 'thing' in a newspaper and on Council's website	DRA, LPPBM		
s 187	Power to make submissions or comments in relation to a request to make a waterway rule under s 194	DRA, LPPBM		
s.193(1)	Duty to notify the Safety Director of the intention to make a request under s.194	PO, DRA, LPPBM		
s.193(3)(b)	Function of receiving notice from the Safety Director	PO, DRA, LPPBM		
s.193(5)	Function of receiving advice from the Safety Director	PO, DRA, LPPBM		
s.193(6)	Function of receiving advice from the Safety Director	PO, DRA, LPPBM		

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	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s.193(7)	Function of receiving advice from the Safety Director	PO, DRA, LPPBM			
s.194(1)	Power to request that the Safety Director makes waterway rules	PO, DRA, LPPBM	In relation to waters under its control		
s.196(1)	Duty to invite submissions and comments regarding proposed waterway rule	PO, DRA, LPPBM	Subject to Pt 5.1		
s.196(2)	Duty to publish notice in accordance with subsection (a) and make copies available in accordance with subsection (b)	PO, DRA, LPPBM			
s.196(5)	Duty to take into account every submission or comment received	PO, DRA, LPPBM			
s.200	Function of consulting with the Safety Director	DRA, LPPBM			
s.202	Duty to comply with a standard determined under s.199	PO, DRA,			

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Glenelg	Shire	Council
Oleneig	Onne	Council

	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
		LPPBM			
s.203(3)	Power to make a declaration in respect of the matters listed in ss.203(3)(a) – 203(3)(c)	DRA, LPPBM	Where Council is an applicable regulatory entity		
s.203(6)	Duty to publish declaration	DRA, LPPBM	Where Council is an applicable regulatory entity		
s.204(1)	Duty to give certain documents to the Safety Director	PO, DRA, LPPBM			
s.204(4)	Duty to comply with a direction by the Safety Director	PO, DRA, LPPBM			
s.208(2)	Power to prohibit a person, or class of person, or vessel, or class of vessel, from entering or remaining in a specified part of waters under Council's control	DRA, LPPBM	Subject to ss.208 and 209 By notice published in Government Gazette		
s.209(1)	Duty to give a copy of the draft notice to the Safety Director	DRA, LPPBM			

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	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s.209(4)	Duty to comply with a direction by the Safety Director	PO, DRA, LPPBM			
s.211(1)(a)	Power to give directions to masters of vessels in relation to the navigation and movement of those vessels	PO, DRA, LPPBM	Where Council is an applicable regulatory entity		
s.211(1)(b)	Power to publish notice in the Government Gazette prohibiting the navigation and movement of vessels, and or regulation the position and manner in which vessels may anchor or be secured	DRA, LPPBM	Where Council is an applicable regulatory entity Subject to s.212		
s.212(1)	Duty to give draft of the notice to the Safety Director	PO, DRA, LPPBM			
s.212(4)	Duty to comply with a direction of the Safety Director	PO, DRA, LPPBM			
s.215(1)	Function of determining that, due to an emergency, persons must not enter or remain in a part of waters	PO, LPPBM			

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	Marine Safety Act 2010					
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations			
s.215(2)	Power to direct a person not to enter or remain in waters	PO, DRA, LPPBM				
s.215(3)	Duty to make a written copy of oral direction as soon as possible and keep a copy for a period of 6 years after the date of the direction	PO, DRA, LPPBM				
s.216(1)(a)	Function of managing vessel activities on the water	PO, LPPBM	Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels			
s.216(1)(b)	Function of managing and allocating moorings and berths in water	PO, LPPBM	Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels			
s.216(1)(c)	Function of providing and maintaining navigation aids, including appropriate signage as to water levels, hazards and applicable marine laws	PO, LPPBM	In accordance with any standards developed by the Safety Director			
			Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the			

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Glenelg	Shire	Council
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	Marine Safety Act 2010				
Provision Power and Functions Delegated		Delegate	Conditions and Limitations		
			risk of environmental damage from the operation of vessels		
s.216(1)(d)	Function of controlling the navigation and vessel movement in the water	PO, LPPBM	Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels		
s.216(1)(e)	Function of designating areas in which anchorage of vessels is permitted and not permitted	PO, LPPBM	Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels		
s.216(1)(f)	Function of altering and dredging channels for navigation in water	PO, DRA, LPPBM	In accordance with any directions or determination of the Safety Director		
			Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels		

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	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s.216(1)(g)	Function of removing or marking obstructions in the water	PO, LPPBM	Council must carry out functions under s.216(1) in a manner that ensures the safe operation of vessels and minimises the risk of environmental damage from the operation of vessels		
s.216(3)(a)	Power to enter into contracts and agreements for the carrying out of Council's functions under s.216 of the Marine Safety Act 2010	PO, DRA, LPPBM			
s.216(3)(b)	Power to enter into contracts or agency agreements with persons to assist in the carrying out of Council's functions under the Marine Safety Act 2010	PO, DRA, LPPBM			
s.216(3)(c)	Power to charge the prescribed fees for any service provided	PO, LPPBM	Council must have regard to any relevant regulations made under s.311		
s.216(3)(d)	Power to do all things necessary to enable Council to carry out its functions under s.216 of the Marine Safety Act 2010	PO, DRA, LPPBM			
s.219A(1)	Power to move any 'thing' or cause any 'thing' to be moved from waters under its control in the circumstances provided in subsections (a) and (b)	PO, DRA, LPPBM	Subject to ss.219A(1)(a) and 219A(1)(b)		

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	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s.219A(2)	Power to immediately remove a 'thing' from waters under its control in the circumstances provided in subsections (a) and (b)	PO, DRA, LPPBM	Subject to ss.219A(2)(a) and 219A(2)(b)		
s.219B(1)	Power to enter the vehicle or vessel using reasonable force if necessary	PO, DRA, LPPBM	For the purpose of conveniently or expediently moving the vehicle or vessel		
s.219B(2)	Duty to move the 'thing' to the nearest safe and convenient place	PO, LPPBM			
s.219C	Duty to make all reasonable enquiries to establish the identity or location of the owner of the property	PO, DRA, LPPBM			
s.219D(1)	Power to dispose of a 'thing' either by gift, sale or destruction of the thing or by otherwise dealing with the thing	PO, DRA, LPPBM	Council must not to dispose of a 'thing' under s.219D(1) subject to ss.219D(2)(a) – (b) and 219D(3)		
s.219D(4)	Duty to give the owner of a 'thing' that has been moved notice, in writing, that Council intends to dispose of it	PO, DRA, LPPBM			
s.219D(5)	Power to dispose of the 'thing' after 28 days, either by gift, sale,	PO, DRA,	If notice in writing is given under s.219D(4) to the owner and		

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Glenelg Shire Council

	Marine Safety Act 2010				
Provision Power and Functions Delegated		Delegate	Conditions and Limitations		
	destruction, or by otherwise dealing with the 'thing'	LPPBM	the owner does not recover the 'thing'		
s.219E(1)	Power to recover costs from the owner of the 'thing' and if the thing has been disposed of, the cost of the disposal of the thing	PO, DRA, LPPBM	If a 'thing' has been moved under ss.219A(1) or 219A(2)		
s.219F(1)	Duty to pay to the owner, and any other person with an interest in the 'thing', an amount commensurate with the value of the person's interest in the 'thing', less any amount payable under s.219E	PO, DRA, LPPBM	If the owner of a 'thing' is unable to recover possession of the 'thing' because the thing has been disposed of under Pt 5.5 Div 2		
s.219G(a)	Power to recover the costs of moving and disposing of the 'thing'	PO, DRA, LPPBM	If the 'thing' has been disposed of under s.219D(1) and the identity or location of the owner has not been established		
s.220(5)	Duty to ensure that a licensed harbour master is engaged at all times	DRA	In respect of any part of waters in which the Safety Director has determined that a licensed harbour master is required to be engaged		
s.221(1)	Duty to issue an identity card to the harbour master	DRA			
s.227(2)	Function of consulting with the Safety Director	DRA, LPPBM			

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	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s.227(3)	Function of consulting with the Safety Director	DRA, LPPBM			
s.229(4)	Power to authorise, in writing, a person to act as an assistant harbour master	DRA, LPPBM	If a harbour master is engaged, the harbour master has been consulted and the Safety Director has given written approval		
s.232(5)	Function of keeping a written copy of a direction made by a harbour master engaged by Council at Council offices for a period of 6 years after the date of the direction	DRA, LPPBM			
s.236(3)	Power to recover, from master or owner of the vessel, reasonable charges and expenses incurred from a harbour master's actions under s.236(1)	DRA			
s.281	Function of consulting with the Safety Director regarding development and review of the Marine Enforcement Policy	LPPBM			
s 221(4)	Duty to warn the person to whom the direction is given that failure to comply with the direction may constitute an offence under s 237(1)	PO, LPPBM	If there is no harbour master for the Local Port of Portland Bay		

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Glenelg	Shire	Council
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	Marine Safety Act 2010				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s 203(1)	Function of receiving an application for an exemption or a modification	LPPBM	Where the Port Manager is the 'applicable regulatory entity'		
s 229(2)	Power to authorise an assistant harbour master	DRA	For the waters that have been so declared to be part of the port under s 5 of the Port Management Act 1995 (Vic)		
s 232	Power to give written and oral directions	PO, LPPBM	If there is no harbour master for the Local Port of Portland Bay Subject to ss 233 and 234		
s 235	Power to amend or revoke directions	LPPBM	If there is no harbour master for the Local Port of Portland Bay		
s 236(1)	Power to cause the vessel to be dealt with as required	LPPBM	If there is no harbour master for the Local Port of Portland Bay		
s 236(2)	Power to board a vessel and move, secure or otherwise operate the vessel	LPPBM	If there is no harbour master for the Local Port of Portland Bay		

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GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

COMMITTEE OF MANAGEMENT APPOINTED UNDER SECTION 14 OF THE CROWN LAND (RESERVES) ACT 1978 (VIC))

26 SEPTEMBER 2023

Preamble

Committee of Management appointed under section 14 of the Crown Land (Reserves) Act 1978 (Vic)) Glenelg Shire Council (as a Committee of Management) Instrument of Delegation from Council to staff

By this Instrument of Delegation, in exercise of the power conferred by s 47(2) of the Local Government Act 2020, I, as Chief Executive Officer of Glenelg Shire Council –

- delegate each duty and/or function and/or power respectively 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 respectively described in column 3 of the Schedule;
- 2. record that references in the Schedule are as below follows:
- 3. record that on the coming into force of this Instrument of Delegation each delegation under the Instrument of Delegation dated 1 March 2023 and executed by Paul Phelan is revoked;
- 4. declare that this Instrument of Delegation -
 - 4.1 comes into force immediately upon its execution;
 - 4.2 remains in force until varied or revoked; and
 - 4.3 is subject to any conditions and limitations set out in paragraph 5, and in the Schedule; and
- 5. declare that the delegate must not determine the issue, take the action or do the act or thing 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.

This Instrument of Delegation is dated Tuesday 26 September 2023 and is made by the Chief Executive Officer.

Signed by the Chief Executive Officer of Council

in the presence of:

Witness Date:

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Delegation Sources

• Crown Land (Reserves) Act 1978 (Vic)

Positions

Abbreviation	Position	Name
DRA	Director Assets	
DRC	Director Community Services	
DRCS	Director Corporate Services	
LLTL	Local Laws Team Leader	
MLL	Manager Local Laws	

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Committee of Management appointed under section 14 of the Crown Land (Reserves) Act 1978 (Vic))

	Crown Land (Reserves) Act 1978 (Vic)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 23(2)	Power to impose conditions, covenants, exceptions and reservation to a lease or agreement as the delegate thinks fit	DRA, DRCS		
s 21J(4)	Duty to notify licence holder of decision to cancel a tour operator licence	DRC, DRCS	Where Committee of Management is the land manager	
s 21E	Power to determine conditions to a tour operator licence	DRC, DRCS	Where Committee of Management is the land manager	
s 21C	Function of receiving application for tour operator licence	DRC, DRCS	Where Committee of Management is the land manager	
s 17AB(8)	Duty to notify the Department of Environment, Land, Water and Planning of any licence or lease entered into pursuant to a power conferred by an Order under s 17AB	DRA, DRCS		
s15(1)(a)	Duty to manage, improve, maintain and control the land, for the purposes for which it is reserved, and power to employ officers, servants and workmen for that purpose.	DRA		

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Glenelg Shire Council

	Crown Land (Reserves) Act 1978 (Vic)			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
S15(1)(b)	Power to do all things necessary for, or incidental to, carrying into effect and enforcing regulations made under section 13 in respect of the land.	DRA, DRC, DRCS		
s15(1)(c)	Power to carry out works and improvements on the land.	DRA	In accordance with s 15(1)(c). Approving internal requests to develop C.L	
s15(1)(d)	Power to commence legal proceedings.	DRCS		
s15(1)(e)	Power to expend any revenue from the land, or any other moneys, for any of the purposes mentioned in section 15.	DRCS		
s15(1)(f)	Duty to expend or apply any revenue for any other purpose, whether or not related to the land, as directed by the Minister.	DRCS		
s15(1)(g)(i)	Power to grant a permit to any person to enter and pasture land with cattle, sheep or other animals.	LLTL, DRCS, MLL	In accordance with s 15(1)(g).	

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	Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s15(1)(g)(ii)	Power to cultivate the land or grant a permit to any person to enter and cultivate land with plant and machinery (subject to s 15(1)(g)).	DRA, DRCS	In accordance with s 15(1)(g).		
s15(1)(h)	Power to impound livestock trespassing on the land.	LLTL, DRCS, MLL			
s15(1)(i)	Power to insure against any legal liability to members of the public which may arise out of the performance of its functions.	DRC, DRCS			
s15(7)	Duty to annually furnish a report of the Committee's operations, and a statement of its receipts and expenditure, to the trustees of the land and the Minister in such form they may require.	DRA, DRCS			
s16(6)	Power to determine covenants and conditions for any lease or licence granted by Council.	DRA, DRC, DRCS			
s17(2)(a)	Power to grant licences to enter and use, any portion of the land or building, consistent with the purpose of the reservation of the land, for a period not exceeding three years.	DRA, DRC, DRCS	Only in respect of land which the Minister has certified under s 17(1).		

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Glenelg Shire Council

	Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s17(2)(b)	Power to enter agreements to operate services and facilities, consistent with the purpose of the reservation, for a period not exceeding three years (subject to s 17(2)).	DRA, DRC, DRCS	Only in respect of land which the Minister has certified under s 17(1).		
s17(2)(c)	Power to enter tenancy agreements with persons to erect buildings, and other structures, for any purpose consistent with the purpose of the reservation of the land (subject to s 17(2)).	DRA, DRC, DRCS	Only in respect of land which the Minister has certified under s 17(1). Subject to s 17(2)(c)(ii) – s 17(2)(c)(iv)).		
s17(3)	Power to determine terms and conditions for a licence entered into under s 17(2)(a) or agreement under s 17(2)(b).	DRA, DRC, DRCS			
s17(5)	Duty to apply any moneys received from any licence or agreement in accordance with s 15(1)(e) and s 15(1)(f).	DRA, DRC, DRCS			
s17A(1)(d)	Power to grant a licence to the person or body to enter and use that portion of the land, or building, for a period not exceeding three years.	DRA, DRC, DRCS	Subject to s 17A(1) and (3).		
s17A(1)(e)	Power to enter into an agreement with the person or body to operate the service, or facility, on the land for a period not exceeding three years.	DRA, DRC, DRCS	Subject to s 17A(1) and (3).		

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Glenelg Shire Council

Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s17A(1)(f)	Power to enter into a tenancy agreement with the person, or body, who erected the building or structure.	DRA, DRC, DRCS	Subject to s 17A(1) and (3).	
s17B(1)(a)	Power to grant licences to enter, and use, any portion of the land or building, for a period not exceeding 10 years	DRA, DRC, DRCS	Subject to s 17B(1) and s 17BAA.	
s17B(1)(b)	Power to enter agreements to operate services and facilities consistent with the purpose of the reservation, for a period not exceeding 10 years.	DRA, DRC, DRCS	Subject to s 17B(1).	
s17B(1)(c)	Power to enter tenancy agreements with persons to erect buildings, and other structures.	DRA, DRC, DRCS	Subject to s 17B(1) and (2).	
s17BAA	Power to grant a licence for a greater term under s 17B(1) where the Minister has approved in writing and function of obtaining the Minister's approval.	DRA, DRC, DRCS		
s17C	Power to grant a lease for part of the reserved land (for the purpose for which the land has been habitually used) where the Minister approves in writing and function of obtaining the Minister's approval.	DRA, DRCS	Subject to s 17C.	

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Glenelg Shire Council

	Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s17CC(1)	Function of being consulted by the Minister regarding the grant of a lease of land under s 17CA(1).	DRA, DRC, DRCS			
s17CC(2)	Power to manage a lease of land granted by the Minister under s 17CA(1).	DRA, DRC, DRCS			
s17CC(4)	Duty to expend any money collected or retained under the lease, on the land in respect of which the money has been collected or retained.	DRA, DRC, DRCS			
s17D(1)	Power to lease any part of the land, for a specific term of not more than 21 years, subject to written approval of the Minister and function of obtaining the Minister's approval.	DRA, DRC, DRCS	In accordance with s 17D.		
s17D(1B)	Power to enter into an agreement to lease land, subject to written approval of the Minister and function of obtaining the Minister's approval.	DRA, DRC, DRCS	Subject to s 17D(1C) and s 17D(2).		
s17E	Power to make available any part of land for use as a car park, subject to written approval of the Minister and function of obtaining the Minister's approval.	DRA, DRCS	Where Committee of Management is 'land owner'		
s21B	power to grant a licence to conduct an organised tour or recreational activity for profit on	DRC,	Where the Committee of Management is		

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	Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
	certain land	DRCS	the relevant land manager. The licence may be granted subject to conditions (see s 21E).		
s21G	power to vary a licence or condition and give written notice of that decision	DRA, DRC, DRCS	Where the Committee of Management is the relevant land manager.		
s21H	power to suspend a tour operator licence and give written notice of that decision	DRA, DRCS	Where the Committee of Management is the relevant land manager.		
s21I(1)	function of receiving submission from the holder of a tour operator licence	DRA, DRCS	Where the Committee of Management is the relevant land manager.		
s21I(2) & (3)	duty to review the decision to suspend a licence on receipt of submissions and power to decide to continue, revoke or amend the suspension on review	DRA, DRCS	Where the Committee of Management is the relevant land manager.		
s21I(4)	duty to notify the licence holder of the decision on review.	DRA, DRCS	Where the Committee of Management is the relevant land manager.		

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	Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s21J(1)	power to cancel a tour operator licence	DRA, DRCS	Where the Committee of Management is the relevant land manager. Subject to s 21J(4).		
s21J(2)	duty to notify the licence holder that Council intends to cancel the licence and allow the licence holder to make submissions.	DRA, DRCS	Where the Committee of Management is the relevant land manager.		
s22(1)	Power to grant leases or licences of land for the purposes of horse racing or greyhound racing, or connected purposes.	DRCS	In accordance with s 22.		
s22(3)	Duty to apply the moneys received, by way of rent under a lease or licence granted under this section, towards the maintenance and improvement of the reserved land.	DRCS			
s23(1)(a)	Power to grant leases of land for certain purposes	DRA, DRC, DRCS	Subject to s 23(2) and (3).		

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	Crown Land (Reserves) Act 1978 (Vic)				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations		
s23(1)(b)	Power to enter agreements to operate services and facilities for a period not exceeding 10 years.	DRA, DRC, DRCS	Subject to s 23(2) and (3).		
s23(4)	Duty to apply the moneys, received under a lease or agreement under s 23 towards certain purposes.	DRA, DRCS			

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GLENELG SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S18 INSTRUMENT OF SUB-DELEGATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

26 SEPTEMBER 2023

Preamble

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

- 1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
- 2. record that references in the Schedule are as follows

Abbreviation	Position
DRCS	Director Corporate Services
ЕНО	Environmental Health Officer
MEH	Manager Environmental Health
MLL	Manager Local Laws

- 3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on Tuesday 26 September 2023 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
- 4. the delegation:
 - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 5. this Instrument of Sub-Delegation is subject to the following limitations:
 - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:

5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and

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5.1.2 noise from the construction, demolition or removal of residential premises;

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

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

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

- (a) policy; or
- (b) strategy

adopted by Council;

6.1.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

6.1.4 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.

Signed by the Chief Executive Officer of Council

in the presence of:

Witness:

Date:

Signed by the Mayor in the presence of:

Witness:

Date:

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Delegation Sources

• Environment Protection Act 2017

Page 4 of 6

S18 Instrument of Sub-Delegation under the Environment Protection Act 2017

	Environment Protection Act 2017			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	
s 271	Power to issue improvement notice	MEH, DRCS, MLL		
s 272	Power to issue prohibition notice	MEH, DRCS, MLL		
s 279	Power to amend a notice	MEH, DRCS, MLL		
s 358	Functions of the Environment Protection Authority	MEH, DRCS, EHO		
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	MEH, DRCS, MLL		
s 359(2)	Power to give advice to persons with duties or obligations	MEH, DRCS,		

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	Environment Protection Act 2017		
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MLL, EHO	

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DX 259 Melbourne

Email	Letter

From	Date 7 July 2023
Direct	Email
Partner	

Our Ref MSB:628721

Dear subscriber

Delegations and Authorisations Service Update Second Update for 2023

We are pleased to provide you with our second update to the Delegations and Authorisations Service for 2023. This takes into account legislative changes which were assented to, or made, on or after 20 January 2023, and some other miscellaneous changes, which affect councils' powers, duties and functions.

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

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 S3, S6, S7, S12, S13 and S14 Instruments. We outline some of the changes to each Instrument below. We have also introduced some new instruments, which are described below.

1. Changes to the S3 Council Resolution, Delegation to members of staff (S3)

We have made a change to item 2 of the S3 Instrument, that is to insert when the Instrument will come into effect. The purpose of the change is to make it consistent with the S2 Council Resolution (Delegation to the Chief Executive Officer).

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

The following changes have been made to the S6:

- 2.1. Reference to 'delivery of memorial' has been removed from s 181 of the Planning and Environment Act 1987.
- 3. Changes to the S7 Instrument of Sub-delegation, from the CEO to Members of Council staff (S7)

The following changes have been made to the S7:

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- 3.1. Sections 5.8.18, 5.8.26(1) and (4) of the *Education and Training Reform Act 2006* have been removed as they do not apply to councils.
- 3.2. Sections 171B(1), (3) and (7), 180A, 181AA of the *Local Government Act 1989* have been inserted by virtue of the *Local Government Legislation Amendment (Rating and Other Matters) Act 2022*, which came into force on 20 June 2023.
- 3.3. Reference to the commencement date provided under ss 50A(1), 50A(3) and 51A of the *Environment Protection Act 2017* has been removed, as these provisions are now in force. Section 391(1) of the Act has been removed, as it is now repealed.
- 3.4. Sections 50(3) and 50(4) of the *Environment Protection Act 2017* have been removed by virtue of s 30(3) of the *Environment Legislation Amendment (Circular Economy and other Matters) Act 2022*, which came into force on 1 June 2023.
- 3.5. Referce to the commencement date provided under s 67A of the *Public Health and Wellbeing Act 2008* has been removed, as this provision is now in force. We have also included s 67, 69 and 69A of the Act in relation the function of receiving an application for registration.
- 3.6. Section 35(11) of the Subdivision Act 1988 has been inserted by virtue of s 107 of the *State Taxation Acts Amendment Act 2023*, although this provision is yet to receive royal assent.
- 3.7. Inclusion of additional miscellaneous and administrative powers of a financial nature.

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

The following changes have been made to the S12:

4.1. Sections 17A and 41B of the *Building Act 1993* have been inserted by virtue of the *Building Legislation Amendment Act 2023*, which is to come into force on 1 February 2024, unless otherwise proclaimed.

5. Changes to the S13 Instrument of Delegation of the CEO's powers, duties and functions (S13)

The following changes have been made to the S13:

- 5.1. Section 46N of the Child Wellbeing and Safety Act 2005 has been added.
- 6. Changes to the S14 Instrument of Delegation from CEO to Staff (VicSmart Applications (S14)

The following changes have been made to the S14:

6.1. Reference to notice requirements that may apply under ss 52(1)(ca), 52(1)(cb), 52(1AA), 52(3), 53(1), 53(1A) of the *Planning and Environment Act 1987* have been removed.

7. New Instruments - Child Link Users

In light of recent correspondence received from the Department of Education, we have prepared two new instruments and explanatory notes:

7.1. New S20 Explanatory Notes

This document provides information on how to use the two new instruments under the *Child Wellbeing and Safety Act 2005*.

7.2. New S20A Instrument of Delegation made pursuant to s 46L of the *Child Wellbeing and* Safety Act 2005

[628721:37186454_1]

page 2

Maddocks

The purpose of the new S20A Instrument is to enable the CEO to delegate the power of appointment/authorisation to other staff members who more frequently work in the space of maternal and child health services, as directed by the Department of Education.

We have inserted the provisions under s 46K(1)(g) and (h) and s 46N of the *Child Wellbeing* and *Safety Act*, which relate to the powers and duty conferred on the CEO under the Act and permitted for delegation (Part 7A of the Act).

7.3. New S20B Instrument of Appointment and Authorisation for the purposes of appointing Child Link Users

Once delegated the power of authorisation, delegates can use the new S20B Instrument of Appointment and Authorisation to authorise staff as Child Link Users. This Instrument can also be made by the CEO.

How this process works is that once the authorised officer is appointed (either under s 46K(1)(g) or s 46K(1)(h) of the *Child Wellbeing and Safety Act*), they are then automatically authorised as a Child Link user (by virtue of s 46K).

As noted in the Instrument of Appointment and Authorisation, the authorised officers must be persons employed or engaged by Council.

8. New S4A Instrument of Revocation

This Instrument has been prepared to assist councils with revoking delegations and authorisations.

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.

If you would like us to assist with your council's delegations under local laws, please get in touch.

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

Yours sincerely Maddocks

[628721:37186454 1]

page 3

14.6. DOMESTIC WASTEWATER MANAGEMENT PLAN - YEAR 1 UPDATE

Director: David Hol, Director Corporate Services

Executive Summary

This report is provided to Council in accordance with the Domestic Wastewater Management Plan 2022-2027, adopted 26 July 2022.

Action 20 of the adopted plan requires that an annual review of the action plan is undertaken and progress reported to Council.

Recommendation

That Council receives the Domestic Wastewater Management Plan 2022-2027 - Year 1 Report.

Background/Key Information:

The Domestic Wastewater Management Plan 2022-2027 has been prepared and adopted to provide a strategic framework and policy direction for the management of domestic wastewater within the Glenelg Shire Council for the five-year period between 2022 and 2027.

The plan provides a number of actions to be undertaken by Council to further develop wastewater management data within the municipality and introduces relevant risk reduction strategies based on findings.

This report details the progress in accordance with the action plan for the period from July 2022 to 30 June 2023.

a. <u>Council Plan and Policy Linkage</u>

Our Natural Environment – Striving towards a carbon neutral future to protect and enhance the natural environment for future generations.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Environment Protection Regulations 2021 and *State Environment Protection Policy (Waters)* requires Councils to develop and implement a Domestic Wastewater Management Plan every 5 years.

Upon sunsetting of the *State Environment Protection Policy (Waters)* in 2023 it is proposed that a new legislative instrument to be called *'Obligations for Managers of Land or Infrastructure (OMLI)'* will take effect and carry the requirement for Domestic Wastewater Management planning within Local Government.

c. <u>Consultation and/or communication processes implemented or proposed</u>

This report will be published on Council's website following the Council meeting if required.

d. <u>Financial Implications and Collaboration</u>

Funding for the implementation of the Domestic Wastewater Management plan has been carried forward to 2023/2024 with a balance of \$10,000.

e. <u>Governance Principles</u>

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Council decisions are to be made and actions taken in accordance with the relevant law.

Attachment List

1. Year 1 Report Domestic Wastewater Management Plan 2022 2027 [**14.6.1** - 8 pages]

TUESDAY 26 SEPTEMBER 2023

GLENELG SHIRE

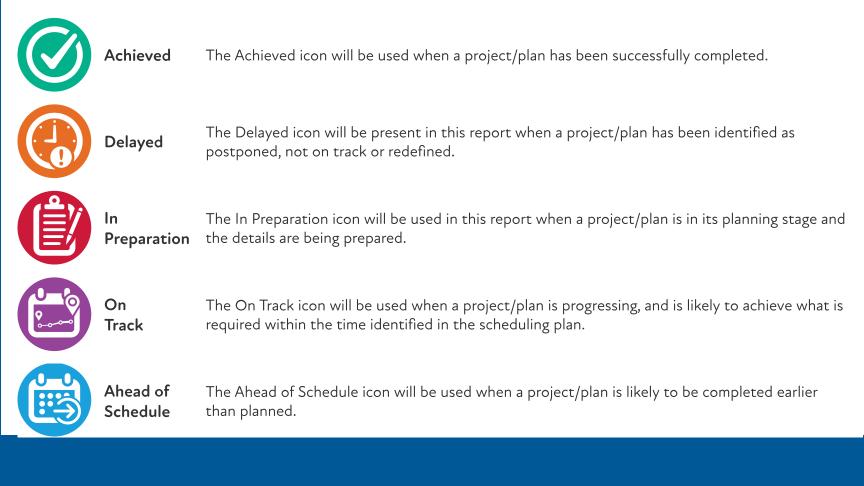
Domestic Wastewater Management Plan 2022-2027 Year 1 Report



Page 307 of 357

OVERVIEW OF REPORT

THE ICONS BELOW ARE USED THROUGHOUT THIS REPORT AS A KEY TO REPRESENT THE PROGRESSION STAGES OF EACH TASK, PROJECT OR OBJECTIVE IDENTIFIED BY THE GLENELG SHIRE COUNCIL.



Glenelg Shire Council Domestic Wastewater Management Plan 2022-2027 - Year 1 Report

ACTION PLAN

The below table provides an update on the 'Action Plan' items set out in the Domestic Wastewater Management Plan 2022-2027

1	 Continue to engage with key stakeholders including: Collaboration with Wannon Water on expansion of sewer networks and provision of alternative services Active participation in the Great South Coast Integrated Water Management Forum 	Ongoing	Collaboration on expansion of sewer networks is pending onsite system inspection outcomes. Glenelg Shire Council has secured a position on the IWM Forum. Council's EHO attended the most recent forum on August 24 th 2023.	(C) (C)
2	Review and refine the onsite wastewater management risk assessment at least every five years (as part of DWMP review), to incorporate improved datasets and changing circumstances. (Links to Action 20)	Q2 2027	Scheduled for Q2 2027	
3	Continue to develop, populate, maintain, and utilise the onsite system database as a tool for improved onsite wastewater management of existing systems and to inform planning decisions about future systems.	Ongoing	Details of existing systems installed in certain areas of the municipality can be used to make informed decisions about wastewater risk in new developments or upgrades.	
4	Design and implement a dedicated program of inspections, targeting 50 onsite wastewater systems in high-risk areas each year.	Q3 2022 (and ongoing)	An inspection program has been undertaken for the township of Nelson, with a particular focus on the highest risk properties (<100m from Glenelg River). A summary report shall be prepared for Council.	

Glenelg Shire Council Domestic Wastewater Management Plan 2022-2027 – Year 1 Report

No #	ACTION	TIMING	UPDATE	STATUS
5	Use compliance and enforcement tools as appropriate to respond to inspection findings and record in the onsite system database	Q1 2023 (and ongoing)	An enforcement and educational approach has been adopted in accordance with EPA Publication 1974.	
6	In collaboration with Glenelg Hopkins CMA and Wannon Water, develop a water quality monitoring program for Nelson.	Q1 2023	An application was lodged with the EPA for consideration in the 23/24 OPLE State-wide strategic project nomination process. Unfortunately, this submission was unsuccessful and further data may be required to strengthen future collaboration opportunities.	
7	In collaboration with Wannon Water and subject to the outcomes of onsite system inspections (Action 4) and water quality monitoring (Action 6), determine the need for sewerage or an alternative system in Nelson.	Q1 2024	Scheduled for consideration in Q1 2024. Pending analysis of inspection program findings.	
8	Work with existing landowners on small lots to determine sustainable solutions for onsite wastewater management. This may include consideration of alternative sewerage services in consultation with Wannon Water.	Ongoing	Considered on a site-by-site basis at the time of works or upgrades. A more in-depth analysis may be undertaken once data is collected through future inspections.	
Ø	Achieved 💮 Delayed 🚺 In Preparati	on	On Track/Not yet scheduled Ahead of Sched	lule

Glenelg Shire Council Domestic Wastewater Management Plan 2022-2027 - Year 1 Report

No #	ACTION	TIMING	UPDATE	STATUS
9	Continue to provide community education on the correct operation and maintenance of onsite wastewater systems, as well as water conservation. Incorporate information that supports implementation of domestic wastewater priorities and actions and align with other education programs or focusses for Council where possible.	Ongoing	Education and information are provided to owners in conjunction with permits to install and use onsite systems. Further opportunities for education will be initiated during proactive inspections and there is scope to provide detailed information based on inspection findings.	
10	Evaluate the benefits, and if justified, provide targeted education materials to high-risk areas based on the information from the spatial risk assessment and outcomes of the inspection program (Action 4).	Q2 2023	As per action 9	
11	Publish the endorsed Domestic Wastewater Management Plan on the Glenelg Shire website.	Q3 2022	A copy of the plan is published on the website here	
12	Alert new buyers to the existence of onsite systems and the associated wastewater management requirements (e.g. through website information).	Ongoing	All enquiries relating to the purchase of unsewered properties are referred to health for discussion around management of onsite systems. Further investigation into formalised notification of the presence of onsite systems ongoing.	
Ø	Achieved Celayed In Preparati	on	On Track/Not yet scheduled Ahead of Sched	lule

Glenelg Shire Council Domestic Wastewater Management Plan 2022-2027 – Year 1 Report

No #	ACTION	TIMING	UPDATE	STATUS
13	Conduct an audit of Council owned onsite wastewater systems	Q2 2023	An audit of all Council owned/managed systems has been carried out in Q1 and Q2 2023. A report of findings has been prepared and sent to the relevant responsible officer.	
14	Implement the risk-based approach to guide the level of detail provided in land capability assessments.	Q4 2022	The risk-based approach has been implemented in all new applications lodged from 01/07/2022.	
15	Incorporate special design considerations into factsheet for local land capability assessors and/or community education.	Q1 2023	Changes to the EPA Code of Practice are now scheduled for Q4 2023. Factsheets have been delayed pending the proposed changes to design considerations.	
16	Work with Barwon South West Community of Practice to establish an annual meeting with local/regional land capability assessment providers to discuss local issues and to share knowledge.	Q3 2023	The establishment of an annual LCA consultants meeting will be discussed at the next EHPA meeting in September.	
17	Formalise the referral process between Glenelg Shire Planning and Environmental Health teams for rezoning or subdivision proposals in unsewered areas.	Q3 2022	New applications for subdivision or rezoning are referred to Environmental Health for comment prior to approval.	
Ø	Achieved 💮 Delayed 🚺 In Preparati	ion	On Track/Not yet scheduled Ahead of Sched	lule

Glenelg Shire Council Domestic Wastewater Management Plan 2022-2027 - Year 1 Report

No #	ACTION	TIMING	UPDATE	STATUS
18	Monitor development trends to determine need for sewerage expansion to enable increased housing density and consult with Wannon Water where required.	Ongoing	Development trends will be monitored in conjunction with the outcomes from inspections of high-risk areas. Where necessary, consultation with Wannon Water will follow.	
19	Work with Wannon Water to implement appropriate land use planning controls on development within recharge areas for drinking water bore fields.	Q3 2027	Scheduled for Q3 2027	
20	Undertake annual review of the DWMP action plan and report to Council and stakeholders on progress.	Q2 Annually	This report is prepared in response to Action 20	
21	Undertake a full review of this DWMP, including the spatial risk assessment, five years after its adoption by Council (Links with Action 2)	Q3 2027	Scheduled for Q3 2027	
	Achieved Delayed In Preparati	on	On Track/Not yet scheduled Ahead of Sched	dule

Glenelg Shire Council Domestic Wastewater Management Plan 2022-2027 – Year 1 Report

COUNCIL MEETING AGENDA

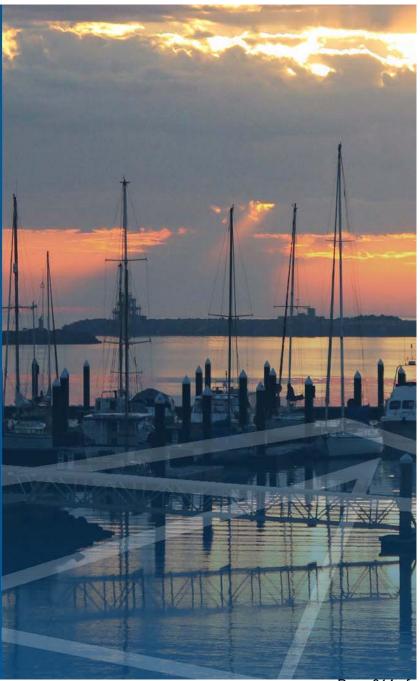
TUESDAY 26 SEPTEMBER 2023



0	PORTLAND CUSTOMER SERVICE CENTRE
	71 Cliff Street, Portland
9	CASTERTON CUSTOMER SERVICE CENTRE
	67 Henty Street, Casterton
0	HEYWOOD CUSTOMER SERVICE CENTRE
	77 Edgar Street, Heywood
	PO Box 152 Portland 3305
0	1300 GLENELG (1300 453 635)
	enquiry@glenelg.vic.gov.au



www.glenelg.vic.gov.au



14.7. LEASE AGREEMENT BETWEEN GLENELG SHIRE COUNCIL AND <u>COMMONWEALTH OF AUSTRALIA REPRESENTED BY GEOSCIENCE</u> <u>AUSTRALIA (GA)</u>

Director: David Hol, Director Corporate Services

Executive Summary

This report is to seek Council's approval for a new ten (10) year lease with one (1) x ten (10) year extension for a portion of the Portland Airport, between the Glenelg Shire Council and Commonwealth of Australia represented by Geoscience Australia (GA).

Recommendation

That Council:

- 1. Approves a new ten (10) year lease with one (1) x ten (10) year extension to be entered into with Commonwealth of Australia represented by Geoscience Australia (GA) for a portion the Portland Airport, 1260 Bridgewater Lakes Rd, Cashmore.
- 2. Sets the rental figure at \$1.00 (including GST) per annum.
- 3. Authorises the Director Corporate Services to finalise and sign all documents relating to the proposed lease in part 1 of this resolution.

Background/Key Information:

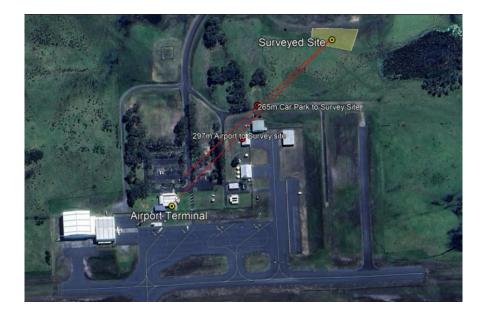
The Australian and New Zealand governments are working together to improve the accuracy of satellite navigation systems such as GPS.

SouthPAN is a joint initiative of the Australian and New Zealand Governments to provide Satellite-Based Augmentation System (SBAS) services for Australia and New Zealand.

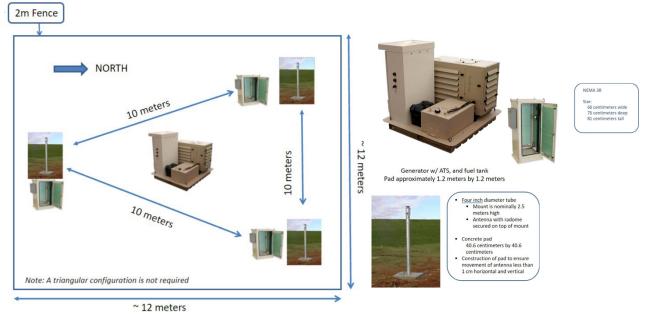
The Satellite-Based Augmentation System (SBAS) is comprised of reference stations, telecommunications infrastructure, computing centers, signal generators, and satellites that provide improved positioning and navigation services in Australia, New Zealand, and its maritime region.

Geoscience Australia (GA) in collaboration with Toitū Te Whenua Land Information New Zealand (LINZ) are working on the development, deployment, and operation of SouthPAN, which will be the first SBAS in the Southern Hemisphere.

The surveyed site located at the Portland Airport, 1260 Bridgewater Lakes Rd, Cashmore has been identified as a suitable location for the installation of a ground-based reference station, used to support satellite navigation.



Below images are indicative of reference station site layout (not to scale) including the equipment to be installed, consisting of a generator with fuel tank, three antennas, and three shelter sheds.



The site will have power, communications and a security fence installed to protect the equipment from damage.

SouthPAN services will improve positioning from current GPS services with an accuracy of between 5 to 10 metres to as little as 10 centimetres. The Australian aviation community will use this system for navigation.

The project is a major space initiative for the Federal Government, requiring access to the site for the length of project, initially 20 years.

The proposed lease term is ten (10) years with one (1) x ten (10) year option.

The annual peppercorn rent of \$1.00 is reflective of Council's commitment to Access and Technology by providing improved positioning services from current GPS services. Geoscience Australia (GA) will pay for the power used at this site and will be responsible for all installation and ongoing maintenance costs.

a. Council Plan and Policy Linkage

Our Access, Transport and Technology - Making it easier for people to connect in and around the Glenelg Shire.

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Section 115 of the *Local Government Act 2020* restricts Council's power to lease land in specific circumstances. The proposed lease complies with s.115. Ensuring a formal lease is executed provides Council with a legally binding agreement relating to the tenant's occupancy.

c. <u>Consultation and/or communication processes implemented or proposed</u>

Community Consultation was conducted via YourSay Glenelg in February 2023 and advertised on Council's Facebook page. Five (5) submissions were received with the general consensus being that the proposal is in line with Council's commitment to promoting Access and Technology within the Glenelg Shire.

Consultation between the Tenant and GSC Airport Manager relating to the new lease has occurred.

d. Financial Implications and Collaboration

The financial obligations of the lease will be included within budget provisions. Geoscience Australia will be responsible for installation and maintenance of relevant infrastructure.

e. <u>Governance Principles</u>

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Nil

14.8. COMMUNITY GRANTS (ROUND 1) 2023-2024 PROGRAM ALLOCATIONS

Director: Jayne Miller, Director Community Services

Executive Summary

The first round of the Community Grants Program for 2023-2024 was open for a fourweek period from 3 July 2023 to 4 August 2023. A total of 73 applications were received and assessed. A total of 50 applications were assessed as eligible, with an overall funding allocation of \$79,548.77 for projects valued at \$309,217.39.

Council officers have evaluated the applications according to the criteria adopted by Council. This report presents the recommendations made by officers.

Recommendation

That Council:

- 1. Approves the allocation of funds for the Community Grants Program Round 1 2023-2024, as per the recommendations in the attachment Community Grants (Round 1) 2023-2024 Assessment Recommendations.
- 2. Invite and contact all successful applicants for Round 1 2023-2024 to a Presentation Night.

Background/Key Information:

Glenelg Shire Council allocated \$162,000 in the 2023-2024 budget for the purpose of the Community Grants Program. These grants are offered to the community in two rounds which are usually conducted around July and February each year, with half the total budget (\$81,000) notionally available for distribution in each round.

GRANT CATEGORY	NUMBER OF APPLICATIONS RECOMMENDED IN ROUND ONE	TOTAL VALUE OF APPLICATIONS
Arts, Culture & Heritage	2	\$1,995.00
Community Events	11	\$27,200.00
Community Strengthening	10	\$10,021.00
Public Halls	4	\$5,743.91
Recreation	23	\$34,588.86
TOTAL	50	\$79,548.77
ROUND ALLOCATION		\$81,000.00

Officers have evaluated applications according to the criteria adopted by Council and made recommendations to allocate the funds in a fair and equitable distribution.

Council Officers recommended allocations are outlined within the separate attachment to this report, with a total of \$79,548.77 recommended to be allocated to clubs/groups.

a. <u>Council Plan and Policy Linkage</u>

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well-planned neighbourhoods.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

b. Legislative, Legal and Risk Management Considerations

There are no specific legislative or legal considerations associated with the Community Grants Program.

c. <u>Consultation and/or communication processes implemented or proposed</u>

The Community Grants Policy adopted by Council defines how the grants program is to be promoted to the community, and what communication processes need to be followed for management of each round.

A presentation event for the awarding of grant allocations will be scheduled.

d. Financial Implications and Collaboration

The Community Grants Program is a recurrent item in the annual budget. Council has allocated \$162,000 in the 2022-2023 budget for the purpose of the Community Grants Program.

e. <u>Governance Principles</u>

The transparency of Council decisions, actions and information is to be ensured.

Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Innovation and continuous improvement is to be pursued.

Attachment List

Separately circulated as Confidential attachment.

14.9. LOCAL PORT OF PORTLAND BAY ANNUAL REPORT 2022-2023

Director: Stuart Husband, Director Assets

Executive Summary

This report is to present the Local Port of Portland Bay Annual Report to Council for endorsement and forwarding to the Department of Transport and Planning to meet Council's obligations under the Management Agreement.

Recommendation

That Council:

- 1. Adopt the Local Port of Portland Bay Annual Report for 2022-2023, including the audited financial statements.
- 2. Approve a copy of the Local Port of Portland Bay Annual Report 2022-2023 to be submitted to the Department of Transport.
- 3. Endorse the Local Port of Portland Bay Annual Report 2022-2023 for printing and publication.

Background/Key Information:

Glenelg Shire Council is Port Manager of the Local Port of Portland Bay (Trawler Wharf) and operates the facility under a Management Agreement with the Victorian Government's Department of Transport and Planning.

A requirement of the Management Agreement is "The Port Manager will, no later than 30 September in each year of the term, prepare and submit to Department of Transport and Planning an Annual Report on the outcomes of the previous financial year's business plan and budget".

The report covers statutory requirements such as audit certification of financials, the Safety and Environmental Management Plan (SEMP), capital and recurrent works and incident reporting.

a. <u>Council Plan and Policy Linkage</u>

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well planned neighbourhoods.

Our Health and Wellbeing - Supporting the Glenelg community to thrive by being healthy, inclusive and well.

b. Legislative, Legal and Risk Management Considerations

Council has obligations as manager of the Local Port under the *Port Management Act 1995*. A requirement of the Management Agreement between Council and the Department of Transport and Planning is that an annual report is produced. It also outlines statutory requirements which must be included.

c. <u>Consultation and/or communication processes implemented or proposed</u>

Consultation has been undertaken with Council's Finance Unit, as well as the Department of Transport and Planning regarding format, content and financials.

d. <u>Financial Implications and Collaboration</u>

The design and publication of the Annual Report is covered in the Local Port budget, which is provided by Department of Transport and Planning.

e. <u>Governance Principles</u>

The transparency of Council decisions, actions and information is to be ensured.

Innovation and continuous improvement is to be pursued.

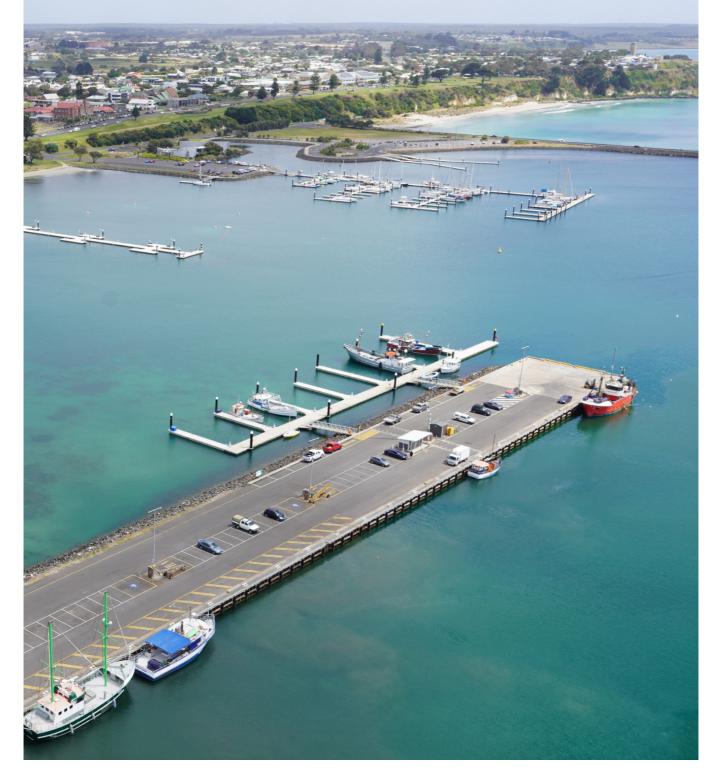
The ongoing financial viability of the Council is to be ensured.

Attachment List

- 1. Local Port of Portland Bay PROOF 180723 [**14.9.1** 13 pages]
- 2. PBLP Finance Report 2023 [**14.9.2** 16 pages]



Local Port of Portland Bay 2022-2023 ANNUAL REPORT



Local Port of Portland Bay 2022-2023 ANNUAL REPORT

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The Local Port of Portland Bay

Acknowledgement of Country

The Glenelg Shire Council respectfully acknowledges the Gunditjmara, Jardwadjali and Boandik people as the Traditional Owners of the land that the Glenelg Shire encompasses and we pay our respects to their Elders past, present and emerging.

We recognise that Aboriginal people have cared for and protected this land we call home since the dreaming. Their connections to the land, animals, seas and waterways was, and continues to be, a part of their being and we thank them for their significant contributions to life in Glenelg.

Our Focus

- Recognises Portland's early maritime heritage
- Provides access to the water and values sense of place
- Maintains and grows existing maritime infrastructure
- Supports the Glenelg Shire's emphasis on economic development
- Accepts responsibility for preserving our environment.

Organisational Values



RESPECT

Respect is defined as consideration and having due regard for the rights and feelings for self and others. Respect is shown by treating people with politeness, courtesy, and kindness. Encourage co-workers to express opinions and ideas, and include all co-workers in meetings, discussions, training, and events.



INTEGRITY

Integrity is defined as being honest, trustworthy, and having strong moral principles. Integrity means following our moral or ethical convictions and doing the right thing, even if no one is watching you. Live, and maintain commitment to our organisation's values.



TEAMWORK

Teamwork is defined as a cooperative or coordinated effort by a group of people acting together in the interests of a common cause. Teamwork will contribute to greater speed and efficiency of work; healthy, trusting employee relationships; and improvement in the organisation's productivity.



SERVICE EXCELLENCE

Service Excellence is defined as quality work performed for or on behalf of others. It is the ability to consistently meet and manage our internal and external customer expectations. We need to keep our customers internally and externally in mind in what we do.



INNOVATION

Innovation is defined as a change that brings value. Innovation generally refers to changing processes or creating more effective processes, products, and ideas. This could mean implementing new ideas, creating dynamic products, or improving our existing services. Challenge the, 'This is how we do things around here' and ask 'Why'. Is there a better solution?

2 Local Port of Portland Bay 2022-2023 Annual Report

The Council Plan

The Glenelg Shire Council has identified and created the following six key themes, which form the foundation and future direction of the Glenelg Shire Council for the 2021 - 2025 period.



We aim to enhance our environmental responsibility, encourage and maintain all aspects of sustainable practices, ensure responsible management of waste recycling and work together to address and mitigate the effects of climate change.



OUR EDUCATION, EMPLOYMENT AND INDUSTRY

We aim to support our local businesses to increase their vitality and prosperity, explore alternative and innovative business practices, support our youth and retain our population, capitalise on economic growth through tourism and encourage diverse employment opportunities.



OUR HEALTH AND WELLBEING

We aim to maintain the strong sense of community and connection, ensure our community is healthy, safe and supported, support volunteerism and foster a well-equipped and prepared community.



OUR LIFESTYLE, NEIGHBOURHOOD AND CULTURE

We aim to invest in our appearance and protect our history, ensure our facilities are well maintained and enable possibilities in the use of land while protecting the natural environment.

OUR ACCESS, TRANSPORT AND TECHNOLOGY

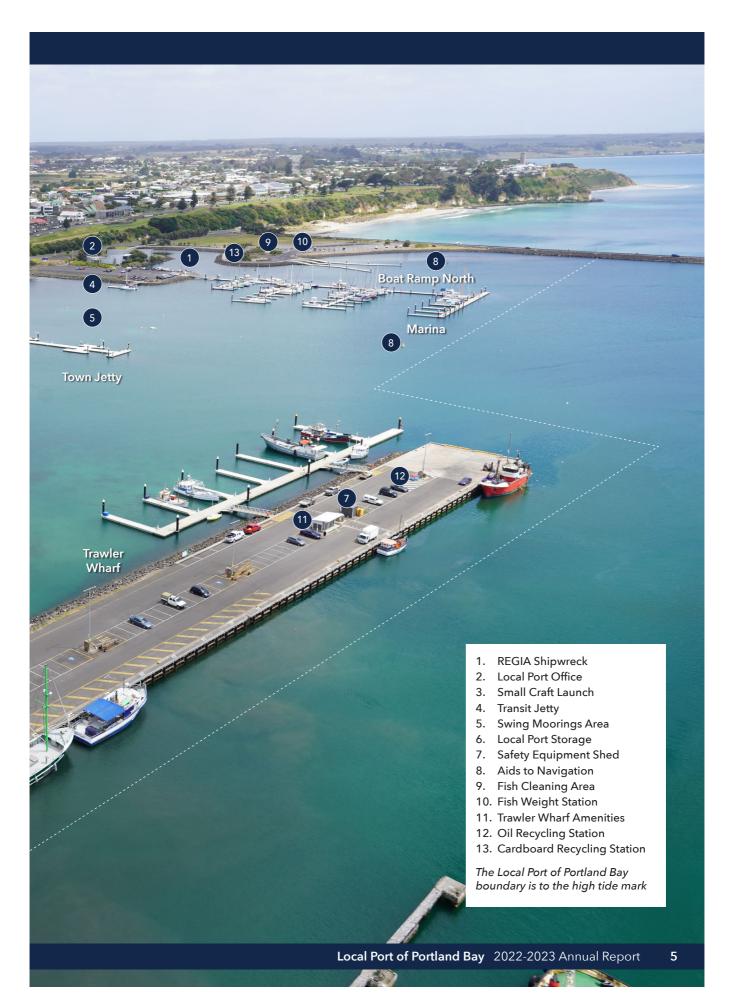
We aim to ensure our roads are safe for our community, industry and tourists, enhance our digital connectivity and telecommunications opportunities, expand on methods for getting around and improve connections to other regional centres. Y A

YOUR VOICE, OUR SHARED ACTION

We aim to improve transparency and close the loop, maintain a shared decision-making frame of mind and strengthen our regional townships to enhance collective prosperity.

LOCAL PORT OF PORTLAND BAY





1. Introduction

The Trawler Wharf is now home to 21 permanents vessels with a further 15 itinerant commercial vessels utilising the facility throughout the year. Itinerant vessels occupied the wharf for a total of 68 days during the 2022/2023 period.

The additional berths within the Local Port of Portland Bay are creating further demand for an on-water Fuel Facility within the Local Port of Portland Bay.

The Local Port Management team continues to work with the Local Port's stakeholders including its users, the Port of Portland, and the Department of Transport and Planning to ensure the safe and efficient operations of the Local Port of Portland Bay.

2. Summary of Operations

2.1 Overview

The Glenelg Shire Councils Local Port of Portland Bay areas of Management comprise of the Trawler Wharf, Trawler Wharf pontoons, Boat Ramp South, Town Jetty, Portland Bay Marina, Transit Jetty, Boat Ramp North, Henty beach swimming pontoon, the Local Ports Water Ways, Swing Moorings, Boat Ramp North Fish Weight station and the Aids to Navigation.

Other facilities that fall under the Local Port's areas of management include the fish cleaning tables, Trawler Wharf amenities block, and associated car parks.

2.2 Trawler Wharf

The Trawler Wharf is currently home to 6 Commercial fishing trawlers, 8 Southern Rock Lobster fishing vessels, 3 Shark and line fishing vessels, and 1 squid fishing vessel.

There is also itinerant berthing available for visiting vessels such as commercial fishing vessels, tugs, tender vessels, and other large vessels requiring refueling or the restocking of general stores and supplies.

The Trawler Wharf registered approximately 15 itinerant vessels throughout the financial year with 68 days of itinerant berthing.

Trawler Wharf Vessels						
	Trawlers	Rock Lobster	Shark/ Line	ltinerants	ltinerant Days Total	Total Vessels
2022 - 2023	6	8	3	15	68	31
2021 - 2022	5	11	3	7	39	26
2020 - 2021	4	6	3	16	69	29
2019 - 2020	5	5	3	19	78	32
2018 - 2019	5	5	3	11	138	24

2.3 Portland Bay Marina

The Portland Bay Marina extension was completed in late 2021 which added an additional 34 berths, bringing the total number of serviced berths on the marina to 105 (up from 70) which caters for annual leaseholders and visiting itinerant vessels.

Portland Bay Marina - Itinerants Total					
2022 - 2023	124				
2021 - 2022	72				
2020 - 2021	36				
2019 - 2020	88				
2018 - 2019	103				

6 Local Port of Portland Bay 2022-2023 Annual Report

2.4 Boat Ramps

2.4.1 Boat Ramp South

In November 2022, the boat ramp south facility experienced storm damage to the far set of pontoons aligned to the single lane ramp. Council replaced the set of 3 pontoons early 2023.

2.4.2 Boat Ramp North

The Glenelg Shire Council would like to thank the Victorian Fisheries Authority for the successful grant application for the inclusion of a small toilet block situated within the boat ramp north facility.

Based on feedback from mainly the commercial fishing charter operators, a fish trolley was supplied for the carting of fish from the vessels to the fish cleaning tables.



2.5 Goals

Goals

Key goals for the strategic plan have been formulated by considering the situation analysis and opportunities assessment.

- 1. Ensure sound management of the Local Port asset base.
- 2. Provide responsible safety and environmental management.
- 3. Recognise and promote Portland's early maritime heritage.
- 4. Continuously improve the Local Ports facilities in line with the 2016 Portland Marine Master Plan.

Performance against Goals

- 1. All facilities are effectively inspected, monitored, and maintained to a safe and suitable standard.
- 2. No major safety or environmental incidents have occurred within the Local Port within 2022 2023.
- 3. The inclusion of the 25% discount to vessels that qualify for the "Australian Register of Historic Vessels" to promote and recognize Portland's early maritime heritage.
- 4. Summary of operations (Section 2) within this document outlines numerous improvements to the Local Ports facilities.



8 Local Port of Portland Bay 2022-2023 Annual Report

3. Safety and Environmental Management Plan (SEMP)

The SEMP is a legislative requirement under Part 6A of the Port Services Act 1995 (Vic.) and provides the basis and direction of Safety and Environment Management within Local Port of Portland Bay. The SEMP has been designed to promote the highest level of safety and environmental performance across all aspects of Local Port activities. It encourages management of related issues arising from port activities and operations for the benefit of employees, port users, and the wider community.

The SEMP is a working document, with ongoing audits, and reviews undertaken when any significant incidents or near miss incidents occur, or when changes to key legislation, regulations or changes in the nature, scale or extent of port activities occur. The SEMP includes a detailed risk register which identifies all OH&S and Environmental risks within the Local Port along with the subsequent controls that have been developed.

Associated procedures such as Job Safety Analysis (JSA), Safe Work Method Systems and Permit processes for high-risk work continue to be reviewed and implemented for contractors working within the Local Port. A copy of the SEMP can be located on the Glenelg Shire Council website.



https://www.glenelg.vic.gov.au/files/assets/public/discover-our-shire/local-port/ 2023-doc-resources/local-port-safety-and-enviro.-mgt-plan-sept-2022.pdf

3.1 Incident Reports

There was a total of two incidents either involving the Local Port or Local Port staff.

Local Port - List of Reported Incidents					
Date	Incident type	Incident	Facility		
27/08/2022	Marine Pollution	Marine pollution entering canal from storm water pit. Storm water pit coming from industrial area.	Canal (Non Local Port)		
10/10/2022	Storm damage	Strong Easterly winds caused damage to pontoon located within the Boat Ramp South facility.	Boat Ramp South		

3.2 Permits

A total of 19 'High Risk Permits' were issued via the Local Port permit system. These permits included crane permits, forklift permits, bunkering permits, bay activity permits (bay swims, canoeing) or diving permits.



1

4. Glenelg Shire Council Organisational Structure 2022/23



5. Freedom of Information Act 1982 Disclosure

The Victorian Freedom of Information Act 1982 requires agencies to disclose actions taken in accordance with the Act. The following information is provided to satisfy this requirement for the period 1 July 2022 – 30 June 2023.

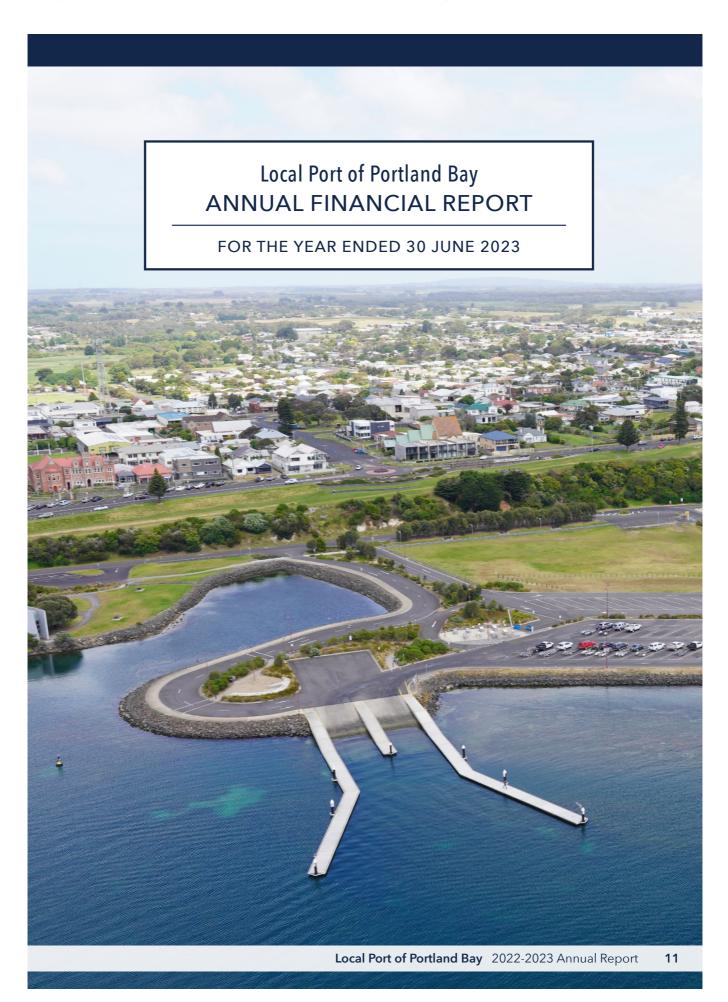
The delegated officer is the Director - Corporate Services.

6. Protected Disclosure Act 2012

The Victorian Protected Disclosure Act 2012 requires agencies to disclose actions taken in accordance with the Act. The following information is provided to satisfy requirements for the period 1 July 2022 - 30 June 2023.

The delegated Officer is the Director - Corporate Services. There were no matters referred during the reporting period.

10 Local Port of Portland Bay 2022-2023 Annual Report



Local Port of Portland Bay

CONTACT DETAILS

Glenelg Shire Council PO Box 152 / 71 Cliff Street, Portland VIC 3305 P: (03) 5522 2140 E: enquirylocalport@glenelg.vic.gov.au

www.glenelg.vic.gov.au/Our-Services/Local-Port-of-Portland-Bay

LOCAL PORT OF PORTLAND BAY ANNUAL FINANCIAL REPORT

For the Year Ended 30 June 2023

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Certification of the Financial Statements

In the opinion of the Port Manager, the accompanying Annual Financial Statements of the Local Port of Portland Bay;

- a) Give a true and fair view of the Local Port's Comprehensive Income Statement as at 30 June 2023 and of the Local Port's Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows and Notes accompanying these financial statements for the year ended 30 June 2023; and
- b) Complies with relevant Accounting Standards and the Port of Portland Bay Management Agreement dated 6 July 2017.

At the date of the statement, there are reasonable grounds to believe that the Local Port will be able to pay its debts as and when they become due and payable.

Paul Phelan CHIEF EXECUTIVE OFFICER

Date:

<INSERT RSD AUDIT REPORT - PAGE 1>

Comprehensive Income Statement For the Year Ended 30 June 2023

	Note	2023 \$'000	2022 \$'000
Income/ revenue			
User fees	7.1	127	123
Grants - operating	7.2	186	186
Grants - capital	7.2	30	803
Other income	7.3	12	-
Contribution - Glenelg Shire Council	7.3	22	24
Total income/ revenue		377	1,135
Expenses			
Employee costs	8.1	(167)	(197)
Materials and services	8.2	(121)	(132)
Depreciation	8.3	(28)	(10)
Other expenses	8.4	(4)	(2)
Total expenses		(320)	(341)
Surplus for the year		57	794

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

Balance Sheet As at 30 June 2023

	Note	2023 \$'000	2022 \$'000
Assets			
Current assets			
Cash and cash equivalents	9.1	-	-
Trade and other receivables	9.2	66	24
Total current assets		66	24
Non-current assets			
Property, infrastructure, plant and equipment	10	963	948
Total non-current assets		963	948
Total assets		1,028	971
Liabilities			
Current liabilities			
Total current liabilities			-
Non-current liabilities			
Total non-current liabilities			-
Total liabilities		<u> </u>	•
Net assets		1,028	971
Equity			
Accumulated surplus		1,028	971
Total Equity		1,028	971

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

Statement of Changes in Equity For the Year Ended 30 June 2023

	Note	2023 \$'000	2022 \$'000
Balance at beginning of the financial year		971	177
Surplus for the year		57	794
Balance at end of the financial year		1,028	971

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

Statement of Cash Flows For the Year Ended 30 June 2023

	2023 Inflows/ (Outflows)	2022 Inflows/ (Outflows)
Cash flows from operating activities	\$'000	\$'000
User fees	85	122
Grants - operating	186	186
Grants - capital	30	803
Contribution - Monetary	13	10
Employee costs	(162)	(197)
Materials and services	(106)	(117)
Other expenses	(4)	(2)
Net cash provided by operating activities	43	804
Cash flows from investing activities		
Payments for property, infrastructure, plant and equipment 2.2	(43)	(804)
Net cash used in investing activities	(43)	(804)
Cash flows from financing activities		
Net increase (decrease) in cash and cash equivalents	-	-
Cash and cash equivalents at the beginning of the financial year	-	-
Cash and cash equivalents at the end of the financial year	•	•

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

Statement of Capital Expenditure For the Year Ended 30 June 2023

	Note	2023 \$'000	2022 \$'000
Plant and Equipment			
Fixed Assets		11	-
Non-Fixed Plant		1	-
	_	13	-
Infrastructure	_		
Fixed Assets		30	804
Total infrastructure	_	30	804
Total Capital Expenditure	10	43	804
Represented by: New Asset Expenditure		43	804
Total capital expenditure	_	43	804

The above statement of capital works should be read in conjunction with the accompanying notes. Page 7

Notes to the Financial Report For the Year Ended 30 June 2023

Note 1 OVERVIEW

Statement of compliance

These financial statements are a special purpose financial report prepared in accordance with the Port of Portland Bay Management Agreement dated 6 July 2017. They consist of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, and notes accompanying these financial statements. The special purpose financial report complies with the recognition and measurement directives of Australian Accounting Standards, but are generally not required to comply with disclosure requirements of those standards.

Significant accounting policies

1.1 Basis of accounting

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

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

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

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

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.

Goods and Services Tax (GST)

Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet of Glenelg Shire Council.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 2 Analysis of Results

2.1 Performance against budget

The performance against budget notes compare Local Port of Portland Bay (LPOPB) financial plan, expressed through its annual budget, with actual performance. LPOPB has adopted a materiality threshold of greater than 10% percent and \$10k 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.

2.1.1 Income/ Revenue and Expenditure

	Budget 2023	Actual 2023	Variance	Variance	
	\$'000	\$'000	\$'000	%	Ref
Income/ Revenue					
User fees	145	127	(18)	-12%	1
Grants - operating	186	186	-	0%	
Grants - capital	-	30	30	100%	2
Other income	-	12	12	100%	3
Contribution - Glenelg Shire Council	-	22	22	100%	4
Total income/ revenue	331	377	46	14%	
Expenses					
Employee costs	153	167	(14)	-9%	5
Materials and services	144	121	23	16%	6
Depreciation	-	28	(28)	100%	7
Other expenses	6	4	1	24%	8
Total expenses	302	320	(18)	-6%	
Surplus for the year	28	57	64	226%	

(i) Explanation of material variations

1	User Fees	User Fees budget was based on maximum capacity for new facility and actual results indicated utilisation was lower than expected by approximately 3 vessels
2	Grants - Capital	Department of Transport Grant received to construct the Trawler Wharf Extension
3	Other Income	Interest earned on unspent Grant Funding for Trawler Wharf Extension
4	Contribution - GSC	GSC Contribution towards operation of Local Port of Portland Bay
5	Employee Costs	Additional wages due to LSL cover for 13 weeks
6	Materials and services	Unbudgeted consulting costs during the period; unexpected road maintenance costs
7	Depreciation	Depreciation is unbudgeted each year
8	Other Expenses	Professional development budget over estimated

Notes to the Financial Report For the Year Ended 30 June 2023

2.2.2 Capital Expenditure

The LPOPB owns assets, which are included in these financial statements. In addition, it manages assets on behalf of other parties, the value of which is not included in these financial statements. In accordance with the Management Agreement;

- a. Other assets comprising Fixed Assets (such as Trawler Wharf and Jetty) which are owned by the State are utilised by the LPOPB but are not considered to be controlled by the LPOPB and so these are not recorded on the balance sheet of LPOPB. That the LPOPB is responsible for the management, maintenance and operational control on behalf of the DOT;
- b. Other assets, referred to as Non Funded assets, are owned by GSC and utilised by the LPOPB, but the council is responsible for the management, maintenance and operational control of the Non Funded assets. These are not recognised on the balance sheet of the Port;
- c. There are assets that are the property of the Port Manager (LPOPB).

	Budget 2023	•	•	Actual 2023	Variance	Variance	
	\$'000	\$'000	\$'000	%	Ref		
Plant and Equipment							
Fixed Assets	-	11	11	100%			
Non-Fixed Plant	-	1	1	0%			
Total Plant and Equipment	•	13	13				
Infrastructure							
Fixed Assets	-	30	30	100%			
Total infrastructure	•	30	30	100%	1		
Total capital expenditure		43	43	100%			
Represented by:							
New asset expenditure	-	43	43	100%			
Total capital expenditure	•	43	43	100%			

(i) Explanation of material variations

Variance Ref

Item

1 Infrastructure Explanation

Infrastructure expenditure unbudgeted for 2022/2023 includes the final stages of the Trawler Wharf Extension Project

Notes to the Financial Report For the Year Ended 30 June 2023

Note 3 Glenelg Shire Council and the Local Port Management team

Parent entity

Glenelg Shire Council is the Committee of Management for the Local Port of Portland Bay. The Glenelg Shire Council operates under the framework of the Local Government Act 2020.

Related Party Disclosures

For 2022-2023 there have been no transactions, loans or commitments entered into with related parties.

Note 4 Employment Arrangements

Note - Paul Phelan, CEO of Glenelg Shire Council, has overall Management Responsibility of the Local Port of Portland Bay. No CEO salary is costed to Local Port of Portland Bay.

The Local Port of Portland Bay utilises Glenelg Shire Council employees in its operations. The labour cost and associated Labour on costs are charged to the Local Port of Portland Bay on a cost basis. 4 employees perform 2.3 FTE hours of services for the local Port of Portland Bay.

Employee Leave entitlements for Local Port of Portland Bay are recognised in the accounts of Glenelg Shire Council.

Note 5 Contingent Liabilities and Contingent Assets

The Local Port of Portland Bay has provided no guarantees in respect of loans and overdrafts.

The Local Port of Portland Bay currently has no contingent assets.

The Local Port of Portland Bay currently has no contingent liabilities.

Note 6 Commitments

There are no commitments at 30 June 2023.

Notes to the Financial Report For the Year Ended 30 June 2023

Note 7 Local Port of Portland Bay Funding	2023 \$'000	2022 \$'000
7.1 User Fees	· ····	<i></i>
Berth and Moorings	127	123
Total User Fees	127	123
User fees are recognised as revenue when the service has been provided, the	ne payment is received, or when the pen	alty has been

User fees are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

7.2 Funding from other levels of government	2023 \$'000	2022 \$'000
Grants were received in respect of the following :		
Summary of grants		
State funded grants	216	989
Total grants received	216	989
(a) Operating Grants		
Recurrent - State Government		
Department of Transport	186	186
Total recurrent operating grants	186	186
Total operating grants	186	186

Grant income from the DoT has been assessed as income under AASB1058 and recognised in the accounts when received.

(b) Capital Grants		
Non Recurrent - State Government		
Department of Transport	30	803
Total recurrent operating grants	30	803
Total capital grants	30	803
	2023	2022
7.3 Other Income	\$'000	\$'000
Contribution - Glenelg Shire Council	22	24
Total Other Income	22	24
Note 8 Local Port of Portland Bay Expenditure	2023	2022
8.1 Employee costs	\$'000	\$'000
Wages and salaries	130	155
Superannuation	12	14
Fringe benefits tax	8	7
Other - WorkCover & Leave Provisions	17	22
Total employee costs	167	197

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

	2023	2022
8.2 Materials and services	\$'000	\$'000
Contract Expenses	64	66
Material Expenses	5	13
Internal Plant Hire	15	15
Utility Expenses	36	38
Office Administration	1	1
Total Materials and Services	121	132
	2023	2022
8.3 Depreciation	\$'000	\$'000
Infrastructure	25	7
Floating Plant	1	1
Fixed Assets	2	2
Total Depreciation	28	10
	2023	2022
8.4 Other Expenses	\$'000	\$'000
Audit Fees	2	2
Total Other Expenses	2	2
Note 9 Our Financial Position		
	2023	2022
9.1 Financial assets	\$'000	\$'000
Cash and cash equivalents		
Cash at bank and on Hand	-	-
Total cash and cash equivalents	<u> </u>	-
Total Financial Assets	<u> </u>	
The Cash & Cash equivalents balance has been reduced to \$0 due to Capital Expenditure		
	2023	2022
9.2 Trade and other receivables	\$'000	\$'000
Current		
Receivables - General	66	24
Total Trade and other receivables	66	24

Notes to the Financial Report For the Year Ended 30 June 2023

Note 10 Property, plant and equipment

Property, plant and equipment are measured on the cost basis less depreciation and any impairment losses.

Plant and equipment are measured on the cost basis and are therefore carried at cost less accumulated depreciation and any accumulated impairment losses. In the event the carrying amount of plant and equipment is greater than the estimated recoverable amount, the carrying amount is written down immediately to the estimated recoverable amount and impairment losses are recognised either in profit or loss or as a revaluation decrease if the impairment losses relate to a revalued asset. A formal assessment of recoverable amount is made when impairment indicators are present.

	Carrying Amount 30 June 2022	Additions	Depreciation	Carrying Amount 30 June 2023
	\$'000	\$'000	\$'000	\$'000
Plant and equipment	22	13	(3)	32
Infrastructure	926	30	(25)	931
Total Infrastructure, Property, Plant and equipment	948	43	(28)	962

Depreciation

The depreciable amount of all fixed assets is depreciated on a straight-line basis over the asset's useful life to the entity commencing from the time the asset is held ready for use.

The depreciation rates used for each class of depreciable assets are -

Infrastructure

Fixed Assets - Buildings	2.5%
Fixed Assets - Other Assets	14%

Plant and Equipment

25%
6.67%
6.67%
13%

14.10. PORTLAND FORESHORE MULTIPURPOSE FACILITY DESIGN AND LOCATION

Director: Stuart Husband, Director Assets

Executive Summary

The purpose of this report is to seek Council approval to proceed with the detailed design of the Portland Foreshore Multipurpose Facility based on Option 3 Location from first round Community Consultation, in line with the landowner's preferred location and feedback regarding predicted sea-level rise risks.

Recommendation

That Council:

- 1. Endorse Option 3 Location as the location for the design and construction of the Portland Foreshore Multipurpose Facility.
- 2. Inform the community of the outcome of the landowner's preferred location and feedback regarding predicted sea-level rise risks.

Background/Key Information:

The Portland Foreshore Multipurpose Facility will deliver a multipurpose community and club facility with ocean-facing balconies for events and functions, hospitality, and retail facilities, including a cafe and a fresh seafood market. Works to complete this facility will include the design and construction of the two-story building, garden and car parking, and the demolition and removal of two (2) existing buildings.

Glenelg Shire Council received \$5 million from the Regional Infrastructure Fund towards the provision of a Multipurpose Facility as part of the revitalisation of Portland's foreshore. With Council funding, the total budget for the facility is \$6.2 million, which will be market tested once the detailed design and tendering are completed.

Option 1 Location was endorsed by Council on 25 October 2022. Since then, Department of Energy, Environment and Climate Action (DEECA), the landowner, has identified their preference for the new multipurpose facility to be placed where the existing Yacht Club is located – Option 3 Location. The primary driver for the Option 3 Location has been based on DEECA's concerns around sea level rise modelling for the Victorian coastline.

In addition, Option 3 Location is the second-choice location based on the first round of community consultation. There was a narrow margin (only 5% difference) between Option 1 and Option 3 Locations, with Option 2 Location discounted by the community feedback.

The placement of the building in the Option 3 Location has been re-scoped and approved in principle. DEECA has also notified Council that there will be no increase to the size of the Yacht Club boat storage.

With the Angling Club being demolished and the existing Yacht Club site being utilised, this will mean a greater increase in green space on the foreshore. There is no need for further seawall revetment, and the location minimises the amount of additional hard surfaces in pathway.

The design has been amended to show the Option 3 Location. The boatyard has been moved to the north of the building, providing safe access to the small boat ramp for launching of Yacht Club craft, and the existing carpark to the south of the Yacht Club will be retained. There have also been changes to the overall size of the facility and layout to fit with the Option 3 Location.

To facilitate the works in the new location, the existing drainage in the car park will be upgraded, maintenance work on the existing revetment will be completed, and an additional section of path will link the multipurpose facility to the connecting paths at the barbeques.

a. <u>Council Plan and Policy Linkage</u>

Our Lifestyle, Neighbourhood and Culture - Creating enriched and vibrant lives through experiences, safe and well-planned neighbourhoods.

Our Health and Wellbeing – Supporting the Glenelg Shire community to thrive by being healthy, inclusive, and well.

b. Legislative, Legal and Risk Management Considerations

All legal and legislative requirements have been considered.

Risks associated with modelled sea-level rises for Option 1 Location were identified by DEECA, and preference for the Option 3 Location has been agreed in principle. A Marine and Coastal Act Consent is still required before detailed design and construction can be approved and permitted to commence.

c. <u>Consultation and/or communication processes implemented or proposed</u>

Meetings to inform key stakeholders of the impact of these changes, options for managing these changes throughout construction have been completed.

The community will be informed of the requirement for these changes via YourSay Glenelg and the media.

d. <u>Financial Implications and Collaboration</u>

Glenelg Shire Council has a funding agreement for \$5 million with the Regional Infrastructure Fund for the provision of the Portland Foreshore Multipurpose Facility.

Any further significant delays to this project may put the funding at risk. Both DEECA and Department of Jobs, Skills, Industries and Regions are working with Council to minimise these risks.

e. <u>Governance Principles</u>

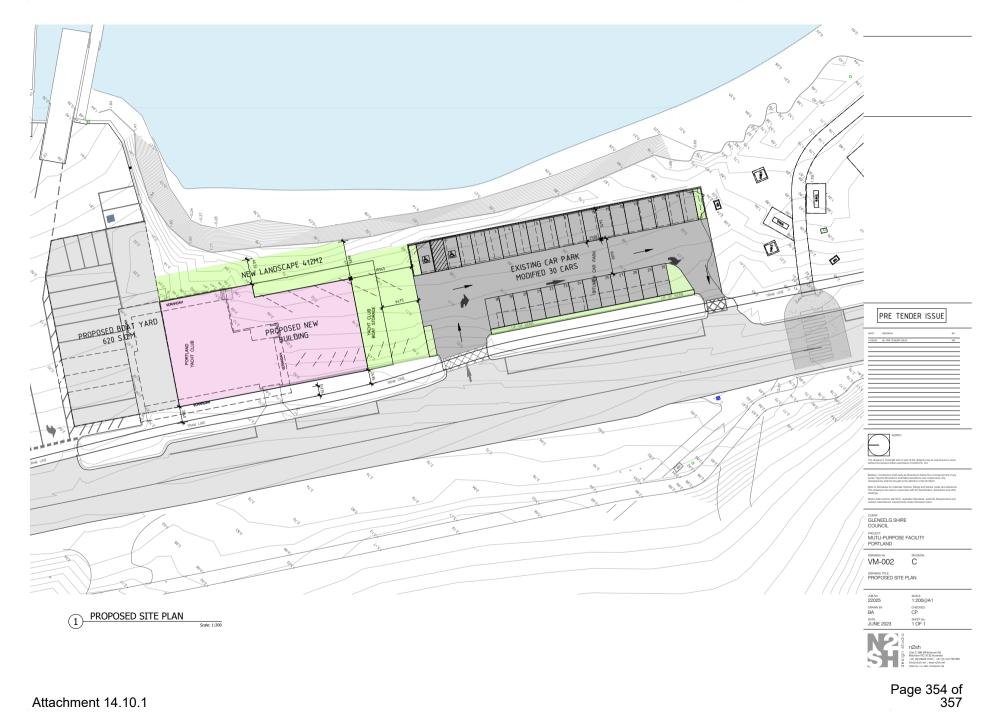
Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Attachment List

1. Proposed Site Plan-002 [**14.10.1** - 1 page]

COUNCIL MEETING AGENDA

TUESDAY 26 SEPTEMBER 2023



14.11. CONTRACT 2023-24-03 LOCAL FREIGHT ROADS PROJECTS – PORTLAND - MUMBANNAR WANWIN ROAD REHABILITATION

Director: Stuart Husband, Director Assets

Executive Summary

This report is to brief Council on the tender evaluation process for the Local Freight Roads Projects – Portland - Mumbannar Wanwin Road Rehabilitation under Contract 2023-24-03 and provides recommendations regarding the awarding of this contract.

Recommendation

That Council:

- 1. Award Contract 2023-24-03 for Local Freight Roads Projects Portland -Mumbannar Wanwin Road Rehabilitation to Porthaul Civil Pty Ltd.
- 2. Authorise the Director Assets to negotiate terms and conditions to be included in the contract.
- 3. Authorise the Chief Executive Officer to execute all documents relating to this contract.
- 4. Authorise the Director Assets to complete all financial payments and endorse variations as applicable relating to this contract.

Background/Key Information:

Mumbannar-Wanwin Road gained funding through the Local Freight Roads Projects – Portland (previously Portland Diversification Projects). The Local Freight Roads Projects – Portland delivers targeted heavy vehicle access upgrades to local roads servicing key industrial sites and timber routes in Glenelg Shire. The project contributes to the implementation of Council's Portland Industrial Land Strategy, priority road upgrades identified in successive Timber Industry Road Evaluation Studies, and the strategic aims of the Green Triangle Region Freight Action Plan.

The project aims to improve the safety and efficiency of plantation timber extraction in the south of the Shire, as well as stimulating economic activity and jobs growth through the provision of enabling infrastructure in Portland's industrial precinct.

Project components to improve heavy vehicle access along timber routes in Glenelg Shire address the recommendations of successive Timber Industry Road Evaluation Studies, which identified improvements to Mumbannar-Wanwin and Wilsons Roads within the top five priority road projects in the Southwest Region.

Public Tenders were called on Monday 10 July 2023 and closed at 3pm on Thursday 3 August 2023. At the closure of the tender submission period a total of six (6) submissions were received from the following:

- Berne Fleming Civil Pty Ltd;
- Fulton Hogan Industries Pty Ltd;
- Bild Infrastructure Pty Ltd;
- Gambier Earth Movers Proprietary Limited;

14.11 Contract 2023-24-03 Local Freight Roads Projects – Portland - Mumbannar Wanwin Road Rehabilitation

- Porthaul Civil Pty Ltd ; and
- Mibus Bros (Aust) Pty Ltd.

The Tender Evaluation Panel considered the tender submissions, taking into account the selection criteria and weighting which covers tender price, resources and capacity, quality, reliability and past performance, OHS management systems, economic contribution to the Glenelg Shire and environmental sustainability considerations.

The Tender Evaluation Panel has recommended that Council award Contract 2023-24-03 Local Freight Roads Projects – Portland - Mumbannar Wanwin Road Rehabilitation to Porthaul Civil Pty Ltd.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

All legal and legislative requirements have been considered.

If this contract is not awarded there is a risk that these fully funded project works may not be delivered in accordance with the funding agreement and works will not progress past this point. Funding may then have to be returned.

c. <u>Consultation and/or communication processes implemented or proposed</u>

Tenders were invited in accordance with Council's procurement policy and communications with prospective tenderers were via Council's Tender link website to ensure a fair and transparent platform for tendering.

Notification to the preferred tenderers will also be provided following Council's resolution to relating to this contract.

d. <u>Financial Implications and Collaboration</u>

Funding for these works has been received through the Local Freight Roads – Projects – Portland. Expenditure associated with Mumbannar-Wanwin Road works and maintenance has been incorporated into current and future Council budget forecasts.

e. <u>Governance Principles</u>

Local, Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Attachment List

Separately circulated as Confidential attachment.

15. CONFIDENTIAL REPORTS

Nil.

16. URGENT BUSINESS

17. CLOSURE OF COUNCIL MEETING