



## MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COUNCIL  
MEETING ROOM  
TUNGAMAH COMMUNITY CENTRE, MIDDLETON  
STREET, TUNGAMAH,  
MONDAY 15 SEPTEMBER 2014

The meeting commenced at 6.00 pm.

### **PRESENT**

Councillor Peter Mansfield (Mayor)  
Councillor Kevin Bourke  
Councillor Wendy Buck  
Councillor Gary Cleveland  
Councillor Ed Cox  
Councillor Brian Keenan  
Councillor Marie Martin  
Councillor Alex Monk

### **IN ATTENDANCE:**

Mark Henderson	Chief Executive Officer
Peter Bertolus	Director Community
Doug Sharp	Acting Director Corporate Governance
Andrew Close	Acting Director Shire Development and Liveability

### **1. CALLING TO ORDER - CEO**

### **2. PRAYER**

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

### **3. ACKNOWLEDGEMENT OF COUNTRY**

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

### **4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE**

Cr Don McPhee has previously requested a leave of absence and was an apology for tonight's meeting.

Cr Marie Martin requested leave of absence from Sunday 21 September to Tuesday 14 October inclusive.

### **MOTION**

CRS WENDY BUCK / ED COX

That the apology be noted and the request for leave granted.

(CARRIED)

**5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS**

Nil

**6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST**

Nil

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MOTION:**

CRS ED COX / MARIE MARTIN

"That the minutes of the Ordinary Council Meeting held on Monday, 18 August 2014, as prepared and circulated, be confirmed."

(CARRIED)

**8. COUNCILLOR REPORTS**

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| •   | CR WENDY BUCK PROVIDED A REPORT ON THE NORTHEAST WOMEN IN LOCAL GOVERNMENT ASSOCIATION HELD ON 12 SEPTEMBER 2014. |   |

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**MARK HENDERSON**  
**CHIEF EXECUTIVE OFFICER**

FILE NO: 000  
2. COMMUNITY

ITEM NO: 8.1  
(EXECUTIVE SUPPORT OFFICER, MAYOR  
AND COUNCILLORS, BOBBY BROOK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## CR MANSFIELD - VARAPODIO DELEGATION

### Councillor Peter Mansfield

I recently travelled to Varapodio Italy as Councils representative on a delegation led by Mr Libro Mustica.

The delegation consisted of business, Council, orchardists, school children and teachers.

The trip was very successful in the exchange of information with council, business and community leaders in the districts visit.

I believe it is important that Moira Shire continue to support these exchanges as many Moira residents migrated to Australia from this region in the south of Italy, the exchange recognises the importance of maintaining relationships.

### Attachments

Nil

### RECOMMENDATION

That Council receive and note the Delegates Report.

### MOTION

CRS WENDY BUCK / ED COX

That Council receive and note the Delegates Report.

(CARRIED)

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14

### 1. Executive Summary

The Financial Statements and Performance Statement require certification by Council under Sections 132(5) of the Local Government Act 1989 to enable them to proceed to the Victorian Auditor-General's Office (VAGO) for final approval. These statements have been presented, discussed and recommended to Council at the recent Audit Committee meeting held on 9<sup>th</sup> September, 2014

#### Financial Statements

	Adopted Budget 2013/14	Actual 2013/14	Variance from Adopted Budget (unfavourable)	Indicator
Operating (deficit)	(\$3.98M)	\$6.4M	\$10.41M	
Cash balance	\$6.97M	\$14.44M	\$7.47M	
Capital expenditure	\$10.11M	\$7.3M	(\$2.8M)	

#### Performance Statement:

Nineteen (19) performance measures taken from the 2013/14 Council Plan reporting period were used as the basis for this years Performance Statement to be audited.

Of these nineteen performance measures, thirteen (13) targets were achieved whilst six (6) were not achieved.

Commentary relating to the audited Financial, Standard and Performance statements is contained within the discussion section of this report.

In conclusion, the draft Financial Statements, Standard Statements and Performance Statement have been independently audited without qualification and are currently being cleared by the Victoria Auditor General's Office (VAGO) in accordance with the Local Government Act 1989.

Statements will be ready for signing in their final form after any changes recommended, or agreed to, by the Auditor-General have been made in accordance with Section 132(5) of the Local Government Act 1989. This sign off will be made at the October Ordinary Council meeting on 20 October 2014.

### 2. Discussion

The Financial Statements for the year ended 30 June 2014 have been prepared in accordance with Australian Accounting Standards, the Local Government Act 1989 and the Local Government Regulations 2004. The Draft Performance Statement has been prepared in accordance with Section 132 of the Local Government Act 1989.

#### (A) Financial Statements

Council is required under Section 132(5) of the Local Government Act 1989 to have the financial statement of accounts and the standard statements certified prior to their submission to

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3. OUR COMMUNICATIONS AND PROCESSES

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(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

the Auditor-General for approval. This involves the authorising of Councillor signatories to the accounts through a formal resolution.

(a) Introduction

The financial statements have been prepared in accordance with the legislative requirements of the Local Government Act 1989, and professional accounting standards as described above.

Key Results – Financial Statements

	<b>Adopted Budget 2013/14</b>	<b>Actual 2013/14</b>	<b>Variance from Adopted Budget (unfavourable)</b>	<b>Indicator</b>
Operating (deficit)	(\$3.98M)	\$6.4M	\$10.41M	
Cash balance	\$6.97M	\$14.44M	\$7.47M	
Capital expenditure	\$10.11M	\$7.3M	(\$2.8M)	
Fixed Assets (Written Down Value)	\$570.63M	\$499.40M	(\$71.23M)	

**Financial sustainability indicators**

	<b>Adopted Budget 2013/14</b>	<b>Actual 2013/14</b>	<b>Indicator</b>
Working capital (low risk > 1.5)	1.15	2.14	
Underlying result (low risk > 0%)	(9.47%)	6.73%	
Indebtedness (low risk 40% or lower)	38%	42.64%	
Self-financing (low risk 20% or more)	10.89%	9.82%	
Renewal gap (low risk >1.0)	1.18	0.75	

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3. OUR COMMUNICATIONS AND PROCESSESITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)****What does this table say?**

After taking into account the final receipts of funding for Flood Recovery project were received in 2013/14, overall Council is in a reasonable underlying financial position, but needs to continue to improve in managing its revenue generation, cost minimisation and indebtedness performance.

(b) Operating surplus

The adopted budget deficit for the year was \$3.98 million however the actual result is a surplus of \$6.4 million. In summary the main reasons for the variation between the adopted budget and actual are:

- \$5.4M associated with the Flood Recovery funding;
- \$4.6M relating to previously unrecognised assets which is booked as income;
- (\$2.3M) of expenses associated with loss on disposal of fixed assets;
- (\$1.7M) additional depreciation due to adjustment of useful life;
- \$1.8M increase in contributions non-monetary assets;
- \$1.0M increase in operating grants

(c) Cash flow

Council's cash flow improved due to:

Budgeted cash at the end of the 2013/14 year	7.0M
Actual Cash at the end of 2013/14 year	14.4M
Opening actual Cash balance of 2013/14 was higher	2.8M
GST Refund (not budgeted)	3.3M
Decrease in Capital Expenditure	2.8M
Various other expenditure related to balance sheet movements and operating activities	(1.5M)
Total increase in cash assets compared to the Adopted Budget as at 30 June 2013	<b>7.4M</b>

Council budgeted to have a cash assets balance of \$7.0 million. The actual cash assets balance as at 30 June 2014 was \$14.4 million. While the cash assets was \$14.4 million, of this \$4.5 million is subject to external restrictions such as long service leave provisions, money in relation to unspent grants and trust funds and deposits.

(d) Capital expenditure

Capital expenditure for 2013/14 was \$7.3M which is \$2.8 million less than the adopted budget allocation of \$10.1 million. In summary, the major expenditure items include roads (\$3.6M), buildings (\$1.3M), plant and equipment (\$1.3M) and other infrastructure assets (\$1.0M).

(e) Property, plant, equipment and infrastructure assets

Council's total fixed assets written down value (WDV) at 30 June 2014 was \$497.8 million compared to a budgeted WDV of \$568.9 million, a reduction of \$71.1 million. The main reason for this variation is due to correction of unit rates used to value road assets.

Within the Financial Statements, Notes 10 and 15 detail the movements between asset valuations, additions and accumulated depreciation. These total figures are taken from the

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(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)

summaries produced from Council's asset register. The Asset Register is an accurate reflection of Council's assets and their condition.

Further information is detailed in the notes to the Financial Statements and Standard Statements.

### (f) Sustainability indicators

(i) The liquidity or working capital ratio at 2.15:1, above the VAGO's low risk level of more than 1.5:1.

(ii) The debt servicing ratio of 0.88% remains above 0%, which meets the VAGO's low risk level.

(iii) Council's self-financing or revenue ratio, which indicates its ability to generate cash for the replacement of assets, of 9.82% remains in the high risk level as compared to the VAGO low risk level of 20%. The receipt of Flood Recovery funding during the year has an adverse impact on this ratio by having effect of distorting the revenue upon which the ratio is calculated

(iv) Council's indebtedness or debt exposure indicator of 42.64% remains above VAGO's low risk level of 40%, as was expected. There were no new loans taken up in the 2013/14 financial year.

(v) The renewal gap indicator, at a level of 0.75, is below the VAGO's low risk level of more than 1.0. The actual capital expenditure was 28% below the 2013/14 Budget. The difference between the budgeted Capital works and the actual expenditure is mainly due to delays in delivering three projects – Rotary Club Building in Yarrawonga, Numurkah Pre-School and Cobram Landfill rehabilitation.

### **(B) Performance Statement**

Council is required under Section 132(5) of the Local Government Act 1989 the performance statement certified prior to submission to the Auditor-General for approval. The 2013 survey results were reported to Council in a final progress report at the July 2013 Ordinary Council Meeting.

Of the nineteen Performance Measures identified in the 2013/14 Budget, thirteen were achieved and six were not achieved.

Explanation of the six targets not achieved, can be summarised as follows;

Waste diversion from landfill remains below the target of 53%. The implementation of Council's Green Waste service in December 2014 will significantly increase this diversion from landfill and support Council's performance in waste management.

Two measures relating to the annual community satisfaction survey, namely community satisfaction with maintenance on municipal roads, streets and footpaths and Customer service were also not achieved. High targets of 85% and 75% respectively contributed to this.

The target to assess the potential for commercial development across 6 Council owned assets was not achieved. Assessments were conducted for Councils two saleyards and the Yarrawonga Aerodrome during the previous year.

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GOVERNANCE, DOUG SHARP)

## FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)

Council delivered 92% or 46 out of 50 Capital works projects through the reporting period. This fell just short of the 95% target set for the year.

Council also failed to meet its target regards submission of its Annual report to the Minister by 30 September. Suspension of the Audit committee prior to its consideration of the 2013 Financial, Standard and performance statements contributed to this. The Minister did however grant an extension to the submission date.

The Performance Statement as drafted has been reviewed by Council's Auditors.

### (C) Timetable

The key matters are timetabled as follows:

Audit Committee acceptance of Financial Statement & Performance Statement and recommended to Council for approval	9 September 2014
Council to approve the Financial and Performance Statements for submission to Auditor-General for final approval	15 September 2014
Council to authorise the Mayor, Cr Peter Mansfield, and appointed Councillor certify the statements in their final form - (LGA) 132 (5).	15 September 2014
Financial and Performance Statements sent to the Auditor-General by the Service Provider.	4 September 2014
Audited Financial and Performance Statements ready for inclusion in Council's Annual Report	TBC
Auditor-General's certificate issued by	TBC
Annual Report to be lodged with the Minister (LGA) 133 (1)	30 September 2014
Ordinary Meeting of Council to discuss Council's Annual Report - LGA sec 134.	20 October 2014
Copies of Council's Annual Report to be distributed to Service Centres and available on website	TBC

### 3. Financial Implications

There are no financial implications associated with these documents

### 4. Community Consultation

Community Consultation is not required. However, the reports are to be made available for public inspection in accordance with Legislative requirements.

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3. OUR COMMUNICATIONS AND PROCESSES

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GOVERNANCE, DOUG SHARP)

## FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)

### 5. Internal Consultation

Assets Department  
Team Leader Financial Accountant  
Assistant Accountant  
Superintendent Parks, Fleet and Building Maintenance  
IT Network Administrator  
Contract Administrator  
Corporate Management Team and Managers  
Moirā Shire Audit Committee

### 6. Legislative / Policy Implications

The statements detailed in this report are compiled in accordance with the Local Government Act 1989.

### 7. Environmental Sustainability

Council's financial systems record environmental expenditure for management reporting purposes.

### 8. Conflict of Interest Considerations

There are no Council officer conflict of interest issues to consider within this report.

### 9. Conclusion

The Financial Statements and Performance Statement require approval of Council under Section 132(5) of Local Government Act 1989 to enable them to proceed to the Victorian Auditor-General's Office for certification. The Financial Statements for the year ended 30 June 2014 have been prepared in accordance with Australian Accounting Standards, the Local Government Act 1989 and the Local Government Regulations 2004.

The actual result for 2013/14 represents a surplus of \$6.4 million compared to the adopted budget of a deficit of (\$3.98) million. Overall Council's financial sustainability indicators show Council to be in a satisfactory underlying financial position as at 30 June 2014.

The Performance Statement has been prepared in accordance with Section 132 of the Local Government Act 1989. Of the nineteen Performance Measures identified in the 2013/14 Budget, thirteen were achieved and six were not achieved.

In conclusion, the Financial Statements, Standard Statements and Performance Statement have been independently audited without qualification and are currently being cleared by the Victoria Auditor General's Office (VAGO) in accordance with the Local Government Act 1989.

### Attachments

- 1 FINANCIAL STATEMENTS 2013-14 9 Sep 14
- 2 Consolidated Standard Statements 2013-14 9 Sep 2014
- 3 Final Performance Statement - Indicator Summary

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

1. That Council approve:
  - I. The 2013/14 financial statements of accounts and standard statements as approved by the auditor;
  - II. The 2013/14 performance statement as approved by the auditor; and
2. That the Mayor, Cr Peter Mansfield, and an appointed Councillor be authorised to certify the statements, in conjunction with the principal accounting officer, in their final form, after any changes recommended, or, agreed to by the Auditor-General have been made, in accordance with Section 132(5) of the Local Government Act 1989.

**MOTION:**

CRS ALEX MONK / BRIAN KEENAN

1. That Council approve:
  - I. The 2013/14 financial statements of accounts and standard statements as approved by the auditor;
  - II. The 2013/14 performance statement as approved by the auditor; and
2. That the Mayor, Cr Peter Mansfield, and Cr Ed Cox be authorised to certify the statements, in conjunction with the principal accounting officer, in their final form, after any changes recommended, or, agreed to by the Auditor-General have been made, in accordance with Section 132(5) of the Local Government Act 1989.

(CARRIED)

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
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ITEM NO: 9.1.1  
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(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

ATTACHMENT No [1] - FINANCIAL STATEMENTS 2013-14 9 Sep 14



**FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED**  
**30 JUNE 2014**

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

**ATTACHMENT No [1] - FINANCIAL STATEMENTS 2013-14 9 Sep 14**

**MOIRA SHIRE COUNCIL  
FINANCIAL STATEMENTS  
for the year ended 30 June 2014**

**CERTIFICATION OF FINANCIAL STATEMENTS**

In my opinion the accompanying financial statements have been prepared in accordance with the Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2004, Australian Accounting Standards and other mandatory professional reporting requirements.

**Principal Accounting Officer**  
15 September 2014  
Cobram

In our opinion the accompanying financial statements present fairly the financial transactions of Moira Shire Council for the year ended 30 June 2014 and the financial position of the Council as at that date.

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

We have been authorised by Council on 15 Sep 2014 to certify the financial statements in their final form.

**Peter Mansfield**  
**Mayor**  
15 September 2014  
Cobram

**Councillor**  
15 September 2014  
Cobram

**Mark Henderson**  
**Chief Executive Officer**  
15 September 2014  
Cobram

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

**ATTACHMENT No [1] - FINANCIAL STATEMENTS 2013-14 9 Sep 14**

MOIRA SHIRE COUNCIL  
FINANCIAL STATEMENTS  
for the year ended 30 June 2014

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GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

**ATTACHMENT No [1] - FINANCIAL STATEMENTS 2013-14 9 Sep 14**

MOIRA SHIRE COUNCIL  
FINANCIAL STATEMENTS  
for the year ended 30 June 2014

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

**ATTACHMENT No [1] - FINANCIAL STATEMENTS 2013-14 9 Sep 14**

MOIRA SHIRE COUNCIL  
FINANCIAL STATEMENTS  
for the year ended 30 June 2014

COMPREHENSIVE INCOME STATEMENT

	Notes	2014 \$	2013 \$
<b>INCOME</b>			
Rates and Charges	2.1	28,916,674	27,691,718
Grants - Operating (recurrent)	2.2	6,125,743	9,794,486
Grants - Operating (non-recurrent)	2.2	15,989,928	29,829,961
Grants - Capital (recurrent)	2.2	4,169,885	5,746,083
Contributions - cash	2.3	583,943	307,952
Contributions - non-monetary assets	2.3	2,018,041	826,038
Reimbursements and Subsidies		82,991	85,526
User Fees	2.4	2,726,841	2,724,289
Statutory Fees and Fines		992,152	883,170
Interest		525,679	614,568
Net gain on disposal of asset held for sale		-	182,385
Recognition of assets under Council control	27	4,569,882	3,393,432
Share of net profit of investments in Associates accounted for by the equity method:			
- Goulburn Valley Regional Library Corporation	5.1	33,254	45,459
- Moira Arts and Culture Inc.,	5.2	13,251	-
Other	2.5	239,988	425,374
<b>Total Income</b>		<b>66,988,252</b>	<b>82,550,441</b>
<b>EXPENSES</b>			
Employee Costs	3.1	17,289,533	16,563,788
Materials and Services		13,682,710	43,448,865
Loss on disposal of infrastructure assets	10.1	2,287,179	3,936,962
Work in Progress expensed		-	2,383,776
External Contract Services		11,179,423	8,127,409
Utilities		1,218,437	1,034,778
Bad and Doubtful Debts	3.2	-	11,120
Depreciation	3.3	9,725,604	8,688,263
Interest on Borrowings		587,100	649,282
Interest on Unwinding of Discount on Provisions	14	265,407	276,228
Fair Value Adjustment of Intangible Asset	25	108,565	29,222
Net loss on Disposal of Property, Plant & Equipment	4	130,632	19,400
Other Expenses	3.4	4,078,053	3,895,155
<b>Total Expenses</b>		<b>60,552,643</b>	<b>89,064,248</b>
<b>Surplus / (Deficit) for the year</b>		<b>6,435,609</b>	<b>(6,513,807)</b>
<b>Other Comprehensive Income</b>			
Net asset revaluation increment (decrement)	15	(94,437,654)	26,888,387
<b>Total Comprehensive Result</b>		<b>(88,002,045)</b>	<b>20,374,580</b>

The above Comprehensive Income statement should be read in conjunction with the accompanying notes set out in pages 9 to 50

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

**ATTACHMENT No [1] - FINANCIAL STATEMENTS 2013-14 9 Sep 14**

MOIRA SHIRE COUNCIL  
FINANCIAL STATEMENTS

BALANCE SHEET AS AT 30 JUNE 2014

	Notes	2014 \$	2013 \$
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and Cash Equivalents	6	14,438,149	15,693,080
Trade and Other Receivables	7	3,445,019	2,719,234
Inventories		423,563	591,670
Other Assets	9	121,032	271,043
<b>Total Current Assets</b>		<b>18,427,763</b>	<b>19,275,027</b>
<b>Non-Current Assets</b>			
Trade and Other Receivables	7	-	225,262
Property, Plant, Equipment and Infrastructure	10	497,838,787	590,346,701
Intangible Assets	25	909,901	1,018,466
Investments in Associates	5	648,773	602,268
<b>Total Non-Current Assets</b>		<b>499,397,461</b>	<b>592,192,697</b>
<b>TOTAL ASSETS</b>		<b>517,825,224</b>	<b>611,467,724</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Trade and Other Payables	11	2,808,079	7,803,604
Trust Funds and Deposits	12	548,769	873,613
Interest-Bearing Loans and Borrowings	13.1	829,560	769,105
Non-interest Bearing Loans	13.2	60,000	60,000
Provisions	14	4,338,114	5,070,180
<b>Total Current Liabilities</b>		<b>8,584,522</b>	<b>14,576,502</b>
<b>Non-Current Liabilities</b>			
Interest-Bearing Loans and Borrowings	13.1	6,471,942	7,301,502
Non-interest Bearing Loans	13.2	120,099	180,099
Provisions	14	7,984,629	6,743,544
<b>Total Non-Current Liabilities</b>		<b>14,576,670</b>	<b>14,225,145</b>
<b>TOTAL LIABILITIES</b>		<b>23,161,192</b>	<b>28,801,647</b>
<b>NET ASSETS</b>		<b>494,664,032</b>	<b>582,666,077</b>
<b>EQUITY</b>			
Accumulated Surplus		171,511,380	165,100,571
Restricted Reserves	15	1,262,937	1,238,137
Asset Revaluation Reserves	15	321,889,715	416,327,369
<b>TOTAL EQUITY</b>		<b>494,664,032</b>	<b>582,666,077</b>

*The above Balance sheet should be read in conjunction with the accompanying notes set out in pages 9 to 50*

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

MOIRA SHIRE COUNCIL  
FINANCIAL STATEMENTS  
for the year ended 30 June 2014

STATEMENT OF CHANGES IN EQUITY

	Notes	Total \$	Accumulated Surplus \$	Restricted Reserves \$	Asset Revaluation Reserves \$
<b>2013</b>					
Balance at beginning of the financial year		562,291,497	171,643,428	1,209,087	389,438,982
Comprehensive result		20,374,580	(6,513,807)	-	26,888,387
Transfers (to)/from restricted reserves	15	-	(29,050)	29,050	-
<b>2014</b>					
Balance at beginning of the financial year		582,666,077	165,100,571	1,238,137	416,327,369
Comprehensive result		(88,002,045)	6,435,609	-	(94,437,654)
Transfers (to)/from restricted reserves	15	-	(24,800)	24,800	-
<b>Balance at the end of the financial year</b>		<b>494,664,032</b>	<b>171,511,380</b>	<b>1,262,937</b>	<b>321,889,715</b>

*The above Statement of changes in Equity should be read in conjunction with the accompanying notes set out in pages 9 to 50*

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MOIRA SHIRE COUNCIL  
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STATEMENT OF CASH FLOWS

	Note	2014 Inflows/ (Outflows) \$	2013 Inflows/ (Outflows) \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Rates and charges		28,562,653	27,623,068
Grants - operating		22,321,083	39,350,305
Grants - capital		4,169,885	5,746,083
Contributions		583,943	326,110
Reimbursements and Subsidies		91,290	93,487
User Fees		3,091,455	2,610,501
Statutory Fees and Fines		968,870	920,685
Interest Received		528,779	651,250
Other Receipts		239,988	425,374
Net GST refund/payment		3,308,069	5,684,118
Employee Costs		(17,257,877)	(16,546,249)
Payments to Suppliers		(39,571,502)	(60,393,770)
Interest Paid		(587,937)	(650,173)
<b>Net Cash Provided by Operating Activities</b>	<b>21</b>	<b>6,448,699</b>	<b>5,840,789</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Proceeds from Sale of Fixed Assets	4	701,062	83,564
Proceeds from Sale of Asset Held for Sale		-	30,000
Community Organisations - Loan Repayment	7	15,000	15,000
Payments for property, infrastructure, plant and equipment	10.2	(7,302,843)	(7,831,836)
<b>Net Cash Used in Investing Activities</b>		<b>(6,586,781)</b>	<b>(7,703,272)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
Proceeds from borrowings	13.1	-	-
Repayment of borrowings	13.1	(829,104)	(916,031)
Fire Services levy		37,098	-
Increase/(decrease) in trust funds and deposits		(324,843)	52,389
<b>Net Cash used in Financing Activities</b>		<b>(1,116,849)</b>	<b>(863,642)</b>
<b>NET CHANGE IN CASH AND CASH EQUIVALENTS</b>		<b>(1,254,931)</b>	<b>(2,726,125)</b>
Cash and cash equivalents at beginning of financial year		15,693,080	18,419,205
<b>CASH AND CASH EQUIVALENTS AT END OF FINANCIAL YEAR</b>	<b>6</b>	<b>14,438,149</b>	<b>15,693,080</b>

*The above statement of cash flows should be read in conjunction with the accompanying notes set out in pages 9 to 50*

FILE NO: 180.03.0022  
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GOVERNANCE, DOUG SHARP)

## FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

### Introduction

The Moira Shire Council was established by an Order of the Governor in Council on 18 November 1994 and is a body corporate. The Council's main office is located at 44 Station Street, Cobram.

The purpose of the Council is to:

- provide for the peace, order and good government of its municipal district;
- to promote the social, economic and environmental viability and sustainability of the municipal district;
- to ensure that resources are used efficiently and effectively and services are provided in accordance with the Best Value Principles to best meet the needs of the local community;
- to improve the overall quality of life of people in the local community;
- to promote appropriate business and employment opportunities;
- to ensure that services and facilities provided by the Council are accessible and equitable;
- to ensure the equitable imposition of rates and charges; and
- to ensure transparency and accountability in Council decision making.

The following information is provided:

External Auditor - Auditor-General of Victoria  
Internal Auditor - AFS & Associates Pty Ltd  
Solicitors - Russell Kennedy  
Bankers - National Australia Bank Limited  
Website address - www.moira.vic.gov.au

These financial statements of Moira Shire Council are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flow and notes accompanying these financial statements. This general purpose financial report complies with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1989, and the Local Government (Planning and Reporting) Regulations 2004.

### Note 1 Significant Accounting Policies

#### 1.1 Basis of Accounting

This financial report has been prepared on the accrual basis as a going concern under the convention of historical cost accounting, with the exception of certain non-current assets as referred to in Notes 1.8, 1.12, 1.13, 1.14, 1.16 and 1.18.

Unless otherwise stated, all accounting policies applied are consistent with those of the prior year. Where appropriate, comparative figures have been amended to accord with current presentation. There have been no material changes to the comparatives.

All entities through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this financial report. In the process of reporting on the Council as a single unit, all transactions and balances between funds (for example, transactions between Council and Section 86 Committees) have been eliminated.

#### 1.2 Change in accounting policies

##### **AASB 13 Fair Value Measurement**

Council has applied AASB 13 for the first time in the current year. AASB 13 establishes a single source of guidance for fair value measurements. The fair value measurement requirements of AASB 13 apply to both financial instrument items and non-financial instrument items for which other A-IFRS require or permit fair value measurements and disclosures about fair value measurements, except for share-based payment transactions that are within the scope of AASB 2 Share-based Payment, leasing transactions that are within the scope of AASB 17 Leases, and measurements that have some similarities to fair value but not fair value (e.g. net realisable value for the purposes of measuring inventories or value in use for impairment assessment purposes).

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction in the principal (or most advantageous) market at the measurement date under current market conditions. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique. Also, AASB 13 includes extensive disclosure requirements.

AASB 13 requires prospective application from 1 January 2013. In addition, specific transitional provisions were given to entities such that they need not apply the disclosure requirements set out in the Standard in comparative information provided for periods before the initial application of the Standard. In accordance with these transitional provisions, Council has not made any new disclosures required by AASB 13 for the 2012 comparative period (please see Note 10.1 disclosure).

Other than the additional disclosures, the application of AASB 13 has not had any material impact on the amounts recognised in the financial statements.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within the 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.

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
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Note 1 Significant Accounting Policies (Cont'd)

1.3 Revenue recognition

Revenue is measured at fair value or the consideration received or receivable. Revenue is measured on major income categories as follows:

**Rates, Grants and Contributions**

Rates, grants and contributions (including developer contributions) are recognised as revenues when the Council obtains control over the assets comprising these receipts. Control over assets acquired from rates is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt of the rates.

A provision for doubtful debts on rates has not been established as unpaid rates represents a charge against the rateable property that will be recovered when the property is next sold.

Control over granted assets is normally obtained upon their receipt or acquittal or upon earlier notification that a grant has been secured, and are valued at their fair value at the date of transfer.

Income is recognised when the Council obtains control of the contribution or the right to receive the contribution, it is probable that the economic benefits comprising the contribution will flow to the Council and the amount of the contribution can be measured reliably.

Where grants or contributions, recognised as revenues during the financial year, were obtained on condition they would be expended in a particular manner or used over a particular period and those conditions were undischarged at balance date, the unused grant or contribution is disclosed in Note 2.2. The note also discloses the amount of unused grant or contribution from prior years that were expended on Council's operations during the current year.

A liability is recognised in respect of revenue that is reciprocal in nature to the extent that the requisite service has not been provided at balance date.

**User Fees, Statutory Fees and Fines**

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

A provision for doubtful debts is recognised when collection in full is no longer probable.

**Sale of Property, Plant and Equipment and Infrastructure**

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

**Rental**

Rents are recognised as revenue when the payment is due or the payment is received, whichever first occurs. Rental payments received in advance are recognised as a prepayment until they are due.

**Interest**

Interest is recognised as it is earned.

1.4 Trade and other receivables and inventories

Receivables are carried at amortised cost using the effective interest rate method.

A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred.

Inventories held for distribution are measured at cost adjusted when applicable for any loss of service potential.

Other inventories are measured at the lower of cost and net realisable value.

1.5 Depreciation and Amortisation of Property, Plant and Equipment, Infrastructure and Intangibles

Buildings, land improvements, heritage assets, infrastructure, plant and equipment, 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/or 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.

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14  
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MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
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**Note 1 Significant Accounting Policies (Cont'd)**

Major depreciation periods used are listed below and are consistent with the prior year unless otherwise stated:

<b>Class of Asset</b>	<b>Period (2014)</b>
Bridges	
- Timber	80 years
- Steel and concrete	150 years
Buildings	65/90 years
Main drains	100 years
Pumps	30 years
Plant and equipment	3 to 25 years
Furniture and fittings	3 to 30 years
Playground equipment	20 years
Sealed roads and streets:	
- Seal	18 years
- Pavement	80 years
- Formation	not depreciated
Unsealed roads	
- Pavement	15 to 25 years
- Formation	not depreciated
Footpaths - concrete	60 years
Footpaths - gravel	20 years
Kerb and guttering	75 years
Improvements to parks and gardens	20 years
Culverts and floodways	100 years
Land improvements	20 years
Other infrastructure assets	10 to 100 years
Motor vehicles	7 years

**1.6 Repairs and Maintenance**

Routine maintenance, repair costs and minor renewal costs are expensed as incurred. 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.

**1.7 Borrowing Costs**

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. Except where specific borrowings are obtained for the purpose of specific asset acquisition, the weighted average interest rate applicable to borrowings at balance date, excluding borrowings associated with superannuation, is used to determine the borrowing costs to be capitalised.

Borrowing costs include interest on bank overdrafts, interest on borrowings, and finance lease charges.

**1.8 Web Site Costs**

Costs in relation to websites are charged as an expense in the period in which they are incurred.

**1.9 Leases**

**Finance Leases**

Leases of assets where substantially all the risks and benefits incidental to ownership of the asset are transferred to the Council, are classified as finance leases. Finance leases are capitalised, recording an asset and a liability at the lower of the fair value of the asset and the present value of the minimum lease payments, including any guaranteed residual value. Lease payments are allocated between the reduction of the lease liability and the interest expense. Leased assets are depreciated on a straight line basis over their estimated useful lives to the Council where it is likely that Council will obtain ownership of the asset, or, over the term of the lease, whichever is the shorter.

**Operating Leases**

Payments made under operating leases are recognised in the income statement on a straight-line basis over the term of the lease, rather than expensed in the year in which they are incurred.

**1.10 Accounting for Investments in an Associate**

Council's investment in associates is accounted for by the equity method as the Council has the ability to influence rather than control the operations of the entity. The investment is initially recorded at the cost of acquisition and adjusted thereafter for post-acquisition changes in the Council's share of the net assets of the entity. The Council's share of the financial result of the entity is recognised in the comprehensive income statement.

**1.11 Cash and Cash Equivalents**

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

**1.12 Non-current Assets Held for Sale**

A non-current asset held for sale (including disposal groups) is measured at the lower of its carrying amount and fair value less costs to sell, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

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MOIRA SHIRE COUNCIL  
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**Note 1 Significant Accounting Policies (Cont'd)**

**1.13 Recognition and Measurement of Assets**

**Acquisition**

The purchase method of accounting is used for all acquisitions of assets, being fair value of the assets provided as consideration at the date of acquisition plus any incidental costs attributable to acquisition. Fair value is the amount for which the asset could be exchanged between knowledgeable willing parties in an arm's length transaction.

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

The following classes of assets have been recognised in Note 10. In accordance with Council's policy, the threshold of \$2,000 has been applied when recognising assets within an applicable asset class and, unless otherwise stated, are consistent with the prior year.

**Class of Asset**

Land  
Buildings  
Plant and Equipment  
Leased Plant and Equipment  
Furniture and Fittings  
Leased Furniture and Fittings  
Playground Equipment  
Pumps  
Footpaths  
Roads  
Culverts and Floodways  
Bridges  
Drainage Works  
Kerbs and Channels  
Land Improvements  
Other Infrastructure Assets

**Landfill Restoration Costs**

When a landfill site is commissioned, an asset is recognised for the costs of restoring the site, which are provided for at present value in accordance with AASB 137 Provisions, Contingent Liabilities and Contingent Assets.

**Land Under Roads**

Land under roads acquired after 30 June 2008 is brought to account using the fair value basis. Council does not recognise land under roads that it controlled prior to that period in its financial report.

**Revaluation of Non-Current Assets**

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the amount for which the assets could be exchanged between knowledgeable willing parties in an arm's length transaction.

At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date the class of asset was revalued.

In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 3 to 4 years. The valuation is performed either by experienced council officers or independent experts.

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

More details about the valuation techniques and inputs used in determining the fair value of non-financial physical assets are discussed in Note 10.1 Property, Plant, Equipment & Infrastructure.

**1.14 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 to sell 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.

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MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
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Note 1 Significant Accounting Policies (Cont'd)

1.15 Investments

Investments other than investments in an associate are measured at cost.

1.16 Financial Assets

Financial assets are valued at fair value, being market value, at balance date. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

1.17 Provisions

A provision exists when there is a legal, equitable or constructive obligation to make a future sacrifice of economic benefits as a result of past transactions or events and the amount or timing of the sacrifice of economic benefits that will be made to satisfy the present obligation is uncertain. A provision must be recognised when it is probable that a sacrifice of economic benefits will be required and the amount can be measured reliably.

**Site restoration - landfills**

In accordance with the Council's published environmental policy and applicable legal requirements, a provision for site restoration is recognised.

At each reporting date the rehabilitation is re-measured in line with changes in discount rates, and timing or amount of the costs to be incurred. Changes in the liability relating to rehabilitation of landfills are added to or deducted from related assets, other than the unwinding of the discount which is recognised as a finance cost in the income statement as it occurs.

The provision is the best estimate of the present value of the expenditure required to settle the restoration obligation at the reporting date, based on current legal requirements and technology. Future restoration costs are reviewed annually and any changes are reflected in the present value of the restoration provision at the end of the reporting period.

The amount of the provision for future restoration costs is capitalised and is depreciated over the period of time of the useful life of the landfill. The unwinding of the effect of discounting on the provision is recognised as a finance cost.

1.18 Employee Costs

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

**Wages and Salaries and Annual Leave**

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

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 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.

Current Liability - unconditional LSL representing 7 years is disclosed as a current liability even when the council does not expect to settle the liability within 12 months because it will not have the unconditional right to defer settlement of the entitlement should an employee take leave within 12 months.

The components of this current liability are measured at :

- present value - component that is not expected to be settled within 12 months.
- nominal value - component that is expected to be settled within 12 months.

**Classification of employee costs**

Non-current liability - conditional LSL representing less than 7 years is disclosed as a non-current liability. There is an unconditional right to defer settlement of the entitlement until the employee has completed the requisite years of service.

This non-current LSL liability is measured at present value. Gain or loss following revaluation to the present value of non-current LSL liability due to changes in bond interest rates is recognised as an other economic flow.

**Termination Benefits**

Termination benefits are payable when employment is terminated before the normal retirement date, or when an employee accepts voluntary redundancy in exchange for these benefits. The council recognises termination benefits when it is demonstrably committed to either terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after balance date are discounted to present value.

**Employee Benefits On-Costs**

Employee benefits on-costs (payroll tax, workers compensation, superannuation, annual leave and long service leave accrued while on LSL taken in service) are recognised separately from provision for employee benefits.

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Note 1 Significant Accounting Policies (Cont'd)

**Superannuation**

The superannuation expense for the reporting year is the amount of the statutory contribution the Council makes to the superannuation plan which provides benefits to its employees. In addition Council may, periodically be required to contribute to the defined benefits schemes for current and former employees. Details of these arrangements are recorded in Note 17.

The amount charged to the Comprehensive Statement in respect of superannuation represents contributions made or due by Moira Shire Council to the relevant superannuation plans in respect to the services of Moira Shire Council's staff (both past and present). Superannuation contributions are made to the plans based on the relevant rules of each plan and any relevant compulsory superannuation requirements that Moira Shire Council is required to comply with.

**1.19 Tender Deposits**

Amounts received as tender deposits and retention amounts controlled by Council are recognised as Trust funds until they are returned or forfeited (refer to Note 12).

**1.20 Allocation Between Current and Non-Current**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle, or if the Council does not have an unconditional right to defer settlement of a liability for at least 12 months after the reporting date.

**1.21 Related Party Disclosures**

Related party disclosures are in accordance with the Minister's directive. Responsible Persons have been determined to be Councillors and the Chief Executive Officer. Senior Officers are determined to be staff during the year, whose annualised total remuneration consisting of salary, superannuation, motor vehicle benefits, bonuses and allowances exceeded \$130,000. Disclosures are made at Note 19.

**1.22 Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

GST recoverable from and payable to the Australian Taxation Office (ATO) is included in the Balance Sheet.

Cash flows are presented in the Cash Flow Statement on a gross basis (inclusive of GST where applicable), except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

**1.23 Rounding**

Unless otherwise stated, amounts in the financial report have been rounded to the nearest dollar.

**1.24 Contingent Assets and Liabilities and Commitments**

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

Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value by way of note and presented inclusive of the GST payable.

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Note 1 Significant Accounting Policies (Cont'd)

1.25 Pending Accounting Standards

The following Australian Accounting Standards have been issued or amended and are applicable to the Council but are not yet effective. They have not been adopted in preparation of the financial statements at reporting date.

Pronouncement	Summary	Application date	Impact on Council
AASB 9 Financial Instruments	<p>AASB 9 standard is one of a series of amendments that are expected to eventually completely replace AASB 139. During 2010-11, the standard will be expanded to include new rules on measurement of financial liabilities and hedge accounting. Currently the existing provisions of AASB 139 will continue to apply in these areas.</p> <p>AASB 9 simplifies the classifications of financial assets into those to be carried at amortised cost and those to be carried at fair value – the 'available for sale' and 'held-to-maturity' categories no longer exists. AASB 9 also simplifies requirements for embedded derivatives and removes the tainting rules associated with held-to-maturity assets.</p> <p>The new categories of financial assets are:</p> <ul style="list-style-type: none"> <li>* Amortised cost - those assets with 'basic' loan features.</li> <li>* Fair value through other comprehensive income - this treatment is optional for equity instruments not held for trading (this choice is made at initial recognition and is irrevocable).</li> <li>* Fair Value through profit and Loss - everything that does not fall into the above two categories.</li> </ul> <p>The following changes also apply:</p> <ul style="list-style-type: none"> <li>* Investments in unquoted equity instruments must be measured at fair value. However, cost may be the appropriate measure of fair value where there is insufficient more recent information available to determine a fair value.</li> <li>* There is no longer any requirement to consider whether 'significant or prolonged' decline in the value of financial assets has occurred. The only impairment testing will be on those assets held at amortised cost, and all impairments will be eligible for reversal.</li> </ul> <p>Similarly, all movements in the fair value of a financial asset now go to the income statement, or, for equity instruments not held for trading, other comprehensive income. There is no longer any requirement to book decrements through the income statement, and increments through equity.</p>	01-July-2015	<p>The impact is not likely to be extensive in the local government sector. Although it will vary considerably between entities. While the rules are less complex than those of AASB 139, the option to show equity instruments at cost has been largely removed, which is likely to lead to greater volatility within the income statement. However it may also lead to an improved financial position for some entities.</p> <p>This will also create a requirement to measure some instruments annually that has not previously existed.</p>
AASB 10 Consolidated Financial Statements	<p>This Standard forms the basis for determining which entities should be consolidated into an entity's financial statements. AASB 10 defines 'control' as requiring exposure or rights to variable returns and the ability to affect those returns through power over an investee, which may broaden the concept of control for public sector entities.</p> <p>The AASB has issued an exposure draft ED 238 Consolidated Financial Statements – Australian Implementation Guidance for Not-for-Profit Entities that explains and illustrates how the principles in the Standard apply from the perspective of not-for-profit entities in the private and public sectors.</p>	01-July-2014	<p>The AASB have finalised deliberations on ED 238 and any modifications made to AASB 10 for not-for-profit entities, Council will need to re-assess the nature of its relationships with other entities, including those that are currently not consolidated.</p>

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AASB 11 Joint Arrangements	This Standard deals with the concept of joint control, and sets out a new principles-based approach for determining the type of joint arrangement that exists and the corresponding accounting treatment. The new categories of joint arrangements under AASB 11 are more aligned to the actual rights and obligations of the parties to the arrangement.	01-July-2014	The AASB have finalised deliberations and any modifications made to AASB 11 for not-for-profit entities, Council will need to assess the nature of arrangements with other entities in determining whether a joint arrangement exists in light of AASB 11.
AASB 12 Disclosure of Interests in Other Entities	This Standard requires disclosure of information that enables users of financial statements to evaluate the nature of, and risks associated with, interests in other entities and the effects of those interests on the financial statements. This Standard replaces the disclosure requirements in AASB 127 Separate Financial Statements and AASB 131 Interests in Joint Ventures.  The exposure draft ED 238 proposes to add some implementation guidance to AASB 12, explaining and illustrating the definition of a 'structured entity' from a not-for-profit perspective.	01-July-2014	Impacts on the level and nature of the disclosures will be assessed based on the eventual implications arising from AASB 10, AASB 11 and AASB 128 Investments in Associates and Joint Ventures.
AASB 128 Investments in Associates and Joint Ventures	This revised Standard sets out the requirements for the application of the equity method when accounting for investments in associates and joint ventures.	01-July-2014	The impact of this standard will need to be assessed in line with the final deliberations by the AASB on the application of this standard to not for profit entities.
AASB 1053 Application of Tiers of Australian Accounting Standards and AASB 2010-2 Amendments to Australian Accounts Standard arising from Reduced Disclosure Requirements	These standards set out the tiers of financial reporting and the reduced disclosure framework.	01-July-2014	Council has yet to determine the impact of this standard

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Note 2	Income	2014 \$	2013 \$
2.1	<b>Rate Revenue</b>		
	General	11,544,099	11,946,392
	Commercial	1,691,392	1,587,314
	Industrial	846,999	195,098
	Farm Rates	4,710,800	4,468,138
	Cultural and Recreational	1,439	1,390
	Municipal Charge	4,688,209	4,441,890
	Garbage Charge	1,184,978	1,084,195
	Recycling Charge	1,038,465	968,955
	Environmental Levy	3,210,293	2,998,346
		<u>28,916,674</u>	<u>27,691,718</u>

Council uses the Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV is the value of land and all its improvements.

The valuation base used to calculate general rates for 2013/14 was \$4,954,968,400 (2012/13 \$4,883,368,600). The 2013/14 rate in the CIV dollar was 0.003647 (2012/13 was 0.003530).

For rating purposes in the financial year 2013/14, Council used the general revaluation which was returned on 1 January 2012.

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2012 and the valuation was first applied in the rating year commencing 1 July 2012.

The date of the previous general revaluation of land for rating purposes within the municipal district was 1 January 2010, and the valuation first applied to the rating period commencing 1 July 2010.

2.2	Grants	2014 \$	2013 \$
	<b>Summary of grants</b>		
	Federally funded grants	17,710,241	34,979,225
	State funded grants	8,575,315	8,806,745
	Others	-	1,584,560
	<b>Total</b>	<u>26,285,556</u>	<u>45,370,530</u>

Grants were received in respect of the following:

<b>Operating Recurrent</b>			
	Community Development	951,406	872,704
	Economic Development	69,091	-
	Environment	169,604	65,037
	Finance & Administration	3,072,710	5,520,629
	Operations	1,862,932	3,336,116
	<b>Total Recurrent</b>	<u>6,125,743</u>	<u>9,794,486</u>
<b>Operating Non-recurrent</b>			
	Community Development	50,587	145,271
	Economic Development	12,500	185,500
	Environment	58,050	105,000
	Governance	15,045	13,119
	Infrastructure Planning	66,667	147,929
	Operations **	15,787,079	29,233,142
	<b>Total Non-recurrent</b>	<u>15,989,928</u>	<u>29,829,961</u>
	<b>Total Operating</b>	<u>22,115,671</u>	<u>39,624,447</u>

\*\*Flood Emergency Response Grants of \$15.8 million (2013/14) is included under Operations. (2012/13 amounted to \$29.2 million)

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Note 2 Income (Cont'd)

	2014	2013
	\$	\$
<b>Capital Non-Recurrent</b>		
Community Development	1,158,685	1,774,262
Operations	1,401,200	1,991,821
Infrastructure Planning	1,610,000	1,980,000
<b>Total Non-Recurrent</b>	<u>4,169,885</u>	<u>5,746,083</u>
<b>Total Capital</b>	<u>4,169,885</u>	<u>5,746,083</u>
<b>Total Grants Received</b>	<u>26,285,556</u>	<u>45,370,530</u>

Grants which were recognised as revenues during the year that were obtained on condition that they be expended in a specified manner that had not occurred at balance date were:

<b>Recurrent</b>		
Community Development	95,030	924
Environment	10,375	-
<b>Total Recurrent</b>	<u>105,405</u>	<u>924</u>
<b>Non-Recurrent</b>		
Community Development	561,670	697,905
<b>Total Non-Recurrent</b>	<u>561,670</u>	<u>697,905</u>
<b>Total</b>	<u>667,075</u>	<u>698,829</u>

Grants which were recognised as revenues in prior years and were expended during the current year in the manner specified by the grantor were:

<b>Recurrent</b>		
Community Development	27,521	204,649
<b>Total Recurrent</b>	<u>27,521</u>	<u>204,649</u>
<b>Non-Recurrent</b>		
Community Development	315,130	68,652
Environment	-	7,200
Economic Development	-	41,539
Infrastructure Planning	-	10,108
Operations	-	2,797,894
<b>Total Non-Recurrent</b>	<u>315,130</u>	<u>2,925,393</u>
<b>Total</b>	<u>342,651</u>	<u>3,130,042</u>
<b>Net Increase / (Decrease) in Restricted Assets resulting from grant revenues for the year.</b>	<u>324,424</u>	<u>(2,431,213)</u>

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Note 2 Income (Cont'd)

	2014	2013
	\$	\$
<b>2.3 Contributions</b>		
<u>Cash Contributions</u>		
Economic Development	27,750	-
Community Development	447,644	177,237
Development Services	4,800	29,248
Finance	83,226	34,844
Environment	16,523	46,007
Operating	4,000	20,616
	<u>583,943</u>	<u>307,952</u>
<u>Non-cash Contributions</u>		
Land	1,327	11,247
Buildings	13,583	58,841
Playground Equipment	16,896	-
Footpaths	427,001	97,100
Roads	620,721	334,310
Drainage works	319,694	165,215
Kerbs & Channels	315,588	140,539
Land improvements	-	18,786
Bridges	303,231	-
Total Non-cash Contributions	<u>2,018,041</u>	<u>826,038</u>
	<u><b>2,601,984</b></u>	<u><b>1,133,990</b></u>
<b>2.4 User Fees</b>		
Caravan Park Fees	254,686	253,018
Community Services Charges	63,335	55,246
Rent	3,646	10,671
Section 86 Committees	443,747	565,955
User Charges	1,961,427	1,839,399
	<u>2,726,841</u>	<u>2,724,289</u>
<b>2.5 Other Revenue</b>		
Energy Rebate Scheme	59,858	27,998
Other Revenue	180,130	397,376
	<u>239,988</u>	<u>425,374</u>

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Note 3	Expenses	2014 \$	2013 \$
<b>3.1</b>	<b>Employee Costs</b>		
	Wages and Salaries	14,778,657	14,591,499
	Superannuation Expenses	1,321,057	1,162,169
	Work Cover	211,277	217,094
	Fringe Benefit Tax	225,044	97,768
	Annual leave and long service leave	753,498	495,258
		<u>17,289,533</u>	<u>16,563,788</u>
	Wages and Salaries include other employee-related costs - training, conferences and professional affiliations.		
<b>3.2</b>	<b>Bad and Doubtful Debts</b>		
	Sundry Debtors	-	11,120
		<u>-</u>	<u>11,120</u>
<b>3.3</b>	<b>Depreciation</b>		
	Buildings	1,527,731	1,528,924
	Plant and Equipment	333,526	346,561
	Furniture and Fittings	9,861	9,861
	Playground Equipment	94,757	93,915
	Pumps	53,250	53,174
	Footpaths	296,822	301,228
	Roads	5,565,961	4,514,480
	Culverts and Floodways	73,123	64,400
	Bridges	198,923	200,762
	Drainage Works	265,785	474,722
	Kerbs and Channels	337,832	294,057
	Land Improvements	834,754	702,625
	Other Infrastructure Assets	133,279	103,554
		<u>9,725,604</u>	<u>8,688,263</u>
<b>3.4</b>	<b>Other Expenses</b>		
	Contributions and Donations	1,752,404	1,587,677
	Auditors remuneration (see Note 23)	96,996	67,381
	Councillor's Allowances	227,983	272,470
	Insurance	537,166	515,828
	Legal Costs	348,266	20,115
	Other	1,115,238	1,431,684
		<u>4,078,053</u>	<u>3,895,155</u>

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**Note 4 Net Gain/(Loss) on Disposal of Property, Plant and Equipment**

	Proceeds From Disposals	Written Down Value Of Assets Disposed Of	Net Gain/(Loss) From Disposals
	\$	\$	\$
<b>2014</b>			
Motor Vehicles	525,055	694,293	(169,238)
Plant	176,007	137,401	38,606
	<u>701,062</u>	<u>831,694</u>	<u>(130,632)</u>
<b>2013</b>			
Industrial Land	300,000	117,615	182,385
	<u>300,000</u>	<u>117,615</u>	<u>182,385</u>
<b>2013</b>			
Motor Vehicle	60,146	88,265	(28,119)
Plant	23,418	1,540	21,878
Small plant written off	-	13,159	(13,159)
	<u>83,564</u>	<u>102,964</u>	<u>(19,400)</u>

**Note 5 Investment in Associates**

**5.1 Goulburn Valley Regional Library Corporation**

**Background**

Goulburn Valley Regional Library Corporation operates a regional library. Its ownership is shared between several local councils in the area, including the Moira Shire Council with a stakeholding of 28.86%.

	2014 \$	2013 \$
<b>Council's Share of Reserves</b>		
Council's share of accumulated deficit at start of year	(218,492)	(263,951)
Council's share of reported surplus/(deficit) for year	33,254	45,459
<b>Council's share of accumulated deficit at end of year</b>	<u>(185,238)</u>	<u>(218,492)</u>
<b>Council's Share of Member Contributions</b>		
Council's share of member contributions at start of year	820,760	820,760
Council's share of movement in member contributions	-	-
<b>Council's share of member contributions at end of year</b>	<u>820,760</u>	<u>820,760</u>
<b>Movement in Carrying Value of Investment</b>		
Carrying value of investment at start of year	602,268	556,809
Council's share of reported surplus/(deficit) for year	33,254	45,459
<b>Carrying value of investment at end of year</b>	<u>635,522</u>	<u>602,268</u>

**Council's Share of Commitments** 2,003 13,178

**Council's Share of Contingent Assets and Liabilities**

No contingent assets or liabilities were disclosed by Goulburn Valley Regional Library Corporation

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**Note 5 Investment in Associates (cont.)**

**5.2 Moira Arts and Culture Inc.**

**Background**

Moira Arts & Culture Inc., was incorporated to promote Arts & Culture in the Shire. Moira Shire Council has a 20% stakeholding with two directors on the Board of Moira Arts and Culture Inc.

	2014 \$	2013 \$
<b>Council's Share of Reserves</b>		
Council's share of accumulated surplus at start of year	-	-
Council's share of reported surplus/(deficit) for year	13,251	-
<b>Council's share of accumulated surplus at end of year</b>	<b>13,251</b>	<b>-</b>
<b>Council's Share of Member Contributions</b>		
Council's share of member contributions at start of year	-	-
Council's share of movement in member contributions	-	-
<b>Council's share of member contributions at end of year</b>	<b>-</b>	<b>-</b>
<b>Movement in Carrying Value of Investment</b>		
Carrying value of investment at start of year	-	-
Council's share of reported surplus/(deficit) for year	13,251	-
<b>Carrying value of investment at end of year</b>	<b>13,251</b>	<b>-</b>
<b>Council's Share of Commitments</b>	<b>-</b>	<b>-</b>
<b>Council's Share of Contingent Assets and Liabilities</b>		
No contingent assets or liabilities were disclosed by Moira Arts and Culture Inc.		

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Note 6	Cash and Cash Equivalents	2014	2013
		\$	\$
	<b>Cash and Cash Equivalents</b>		
	Cash in Hand	6,150	5,850
	Cash at Bank	1,656,401	2,486,808
	Cash Investments - At Call	2,000,000	7,500,000
	Cash Investments - Term Deposits	10,775,598	5,700,422
	<b>Total Cash and Cash Equivalents</b>	<u>14,438,149</u>	<u>15,693,080</u>
	<b>Cash at the End of the Period as shown in the Cash Flow Statement</b>	<b>14,438,149</b>	<b>15,693,080</b>
	Unrestricted	9,961,922	11,050,779
	Subject to External Restrictions	<u>4,476,227</u>	<u>4,642,301</u>
		<u>14,438,149</u>	<u>15,693,080</u>
	<b>The following restrictions have been imposed on cash or cash equivalents by regulations or other externally imposed restrictions, or by commitments made by Council</b>		
	Restricted Reserves (Note 15)	1,262,937	1,238,137
	Unexpended Grants (Note 2.2)	667,075	698,829
	Long Service Leave - Current (Note 14)	1,660,504	1,337,475
	Long Service Leave - Non-Current (Note 14)	336,942	494,247
	Trust Funds and Deposits (Note 12)	548,769	873,613
		<u>4,476,227</u>	<u>4,642,301</u>

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<b>Note 7 Trade and Other Receivables</b>	<b>2014</b>	<b>2013</b>
	<b>\$</b>	<b>\$</b>
<b>Current</b>		
Rates Debtors	1,769,327	1,310,465
Fire Service Levy	427,207	-
Other Debtors		
- Infringement Control	138,340	115,059
- GST	431,685	436,020
- Sundry Debtors	671,510	833,682
- Loans - Economic Development	7,500	15,000
- Special Rate Assessment Debtors	-	9,558
Less: Provision for Doubtful Debts - Other Debtors	(550)	(550)
<b>Total Current</b>	<b><u>3,445,019</u></b>	<b><u>2,719,234</u></b>
<b>Non Current</b>		
Other Debtors		
- Loans- Economic Development	-	7,500
- Sale of Land	-	180,000
- Special Rate Assessment Debtors	-	37,762
<b>Total Non-Current</b>	<b><u>-</u></b>	<b><u>225,262</u></b>
<b>Total Receivables</b>	<b><u>3,445,019</u></b>	<b><u>2,944,496</u></b>
<b>Note 9 Other Assets</b>		
<b>Current</b>		
Prepayments	75,726	46,764
Accrued Income	45,306	224,279
<b>Total Other Assets</b>	<b><u>121,032</u></b>	<b><u>271,043</u></b>

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

Note 10 Fixed Assets

10.1 Property, Plant, Equipment and Infrastructure	2014 \$	2013 \$
<b>Summary</b>		
At Cost	3,394,448	4,163,608
At Fair Value as at 30 June 2009	-	480,869,464
At Fair Value as at 30 June 2011	-	147,219,553
At Fair Value as at 30 June 2012	85,200,981	111,218,631
At Fair Value as at 30 June 2013	106,060,989	81,923,624
Less Accumulated Depreciation	(36,714,636)	(215,048,179)
	<u>157,941,782</u>	<u>590,346,701</u>
At Fair Valuation as at 30 June 2014	492,147,225	-
Less Accumulated Depreciation	(142,250,220)	-
	<u>339,897,005</u>	-
<b>Total</b>	<u>497,838,787</u>	<u>590,346,701</u>
<b>Non-Infrastructure Assets</b>		
<b>Land</b>		
Crown Land - at Valuation	30,892,174	30,845,090
Freehold Land - at Valuation	52,462,366	52,522,942
Land under Roads	4,575,207	1,172,634
	<u>57,039,747</u>	<u>53,695,576</u>
	<u>87,929,747</u>	<u>84,540,666</u>
<b>Plant and Equipment</b>		
Plant and Equipment - at Cost	2,913,012	2,899,939
Less: Accumulated Depreciation	(988,471)	(1,132,961)
	<u>1,944,541</u>	<u>1,766,978</u>
<b>Furniture and Fittings</b>		
Furniture and Fittings - at Cost	120,917	120,917
Less: Accumulated Depreciation	(60,261)	(60,420)
	<u>60,656</u>	<u>70,497</u>
<b>Total Non-Infrastructure Assets</b>	<u>89,934,924</u>	<u>86,378,141</u>
<b>Infrastructure Assets</b>		
<b>Buildings</b>		
Buildings - at Valuation	127,271,699	123,200,377
Less: Accumulated Depreciation	(52,599,040)	(48,153,868)
	<u>74,672,659</u>	<u>75,046,509</u>
<b>Playground Equipment</b>		
Playground Equipment - at Valuation	1,846,441	1,829,545
Less: Accumulated Depreciation	(339,889)	(245,131)
	<u>1,506,553</u>	<u>1,584,414</u>
<b>Pumps</b>		
Pumps - at Valuation	1,810,855	1,635,158
Less: Accumulated Depreciation	(283,889)	(230,833)
	<u>1,326,966</u>	<u>1,404,325</u>
<b>Footpaths</b>		
Footpaths - at Valuation	15,488,120	15,110,892
Less: Accumulated Depreciation	(3,019,427)	(2,727,031)
	<u>12,468,693</u>	<u>12,383,861</u>
<b>Roads</b>		
Roads - at Valuation	287,566,984	432,780,041
Less: Accumulated Depreciation	(68,547,416)	(117,614,819)
	<u>219,019,568</u>	<u>315,165,222</u>
<b>Culverts and Floodways</b>		
Culverts and Floodways - at Valuation	7,381,316	7,381,318
Less: Accumulated Depreciation	(3,038,887)	(2,965,760)
	<u>4,342,429</u>	<u>4,415,552</u>
<b>Bridges</b>		
Bridges - at Valuation	26,260,593	24,019,177
Less: Accumulated Depreciation	(8,504,430)	(4,188,195)
	<u>17,756,163</u>	<u>19,830,982</u>
<b>Drainage Works</b>		
Drainage Works - at Valuation	46,445,140	45,965,124
Less: Accumulated Depreciation	(14,230,337)	(13,967,094)
	<u>32,214,803</u>	<u>31,998,030</u>

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14  
(cont'd)**

MORA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

10.1 Property, Plant, Equipment and Infrastructure (Cont'd)	2014	2013
Infrastructure Assets (Cont'd)	\$	\$
<b>Kerbs and Channels</b>		
Kerbs and Channels - at Valuation	25,364,003	24,848,420
Less: Accumulated Depreciation	(11,340,527)	(11,108,421)
	<b>14,023,476</b>	<b>13,738,999</b>
<b>Land Improvements</b>		
Land Improvements - at Valuation	36,472,746	30,175,549
Less: Accumulated Depreciation	(12,599,334)	(9,362,990)
	<b>23,873,412</b>	<b>20,812,559</b>
<b>Other Infrastructure Assets</b>		
Other Infrastructure Assets - at Valuation	9,771,550	9,745,003
Less: Accumulated Depreciation	(3,432,929)	(3,299,650)
	<b>6,338,621</b>	<b>6,445,353</b>
<b>Total Infrastructure Assets</b>	<b>407,543,343</b>	<b>502,825,806</b>

Details of the Council's Property, Plant, Equipment & Infrastructure fair value hierarchy as at 30 June 2014 are as follows:

	Level 1	Level 2	Level 3	Total
	\$	\$	\$	\$
<b>Non-Infrastructure Assets</b>				
Crown Land	-	-	30,892,174	30,892,174
Freehold Land	-	52,020,430	-	52,020,430
Industrial land held for resale	441,936	-	-	441,936
Land under Roads	-	-	4,575,207	4,575,207
	<b>441,936</b>	<b>52,020,430</b>	<b>35,467,381</b>	<b>87,929,747</b>
<b>Infrastructure Assets</b>				
Buildings	-	-	74,672,659	74,672,659
Playground Equipment	-	-	1,506,553	1,506,553
Pumps	-	-	1,326,966	1,326,966
Footpaths	-	-	12,488,693	12,488,693
Roads	-	-	219,019,565	219,019,565
Culverts & Floodways	-	-	4,342,431	4,342,431
Bridges	-	-	17,756,163	17,756,163
Drainage Works	-	-	32,214,806	32,214,806
Kerbs & Channels	-	-	14,023,476	14,023,476
Land Improvements	-	-	23,873,411	23,873,411
Other Infrastructure Assets	-	-	6,338,621	6,338,621
	-	-	<b>407,543,344</b>	<b>407,543,344</b>
<b>TOTAL</b>	<b>441,936</b>	<b>52,020,430</b>	<b>443,010,725</b>	<b>495,473,091</b>

Reconciliation of Level 3 Fair Value			
2014	Non-Infrastructure	Infrastructure	Total
<b>Opening Balance</b>	<b>32,064,808</b>	<b>502,825,806</b>	<b>534,890,614</b>
Acquisitions - Capital Works & Purchases	-	5,591,488	5,591,488
Acquisitions - Contributed By Developers	1,327	2,016,714	2,018,041
Acquisitions Found	4,569,862	-	4,569,862
Asset adjustment for Landfill provision increase	-	904,995	904,995
Disposals	-	(2,287,179)	(2,287,179)
Net Asset revaluation increment (decrement)	(1,168,636)	(93,269,018)	(94,437,654)
Depreciation	-	(9,382,217)	(9,382,217)
Reclassifications of Assets	-	1,142,755	1,142,755
<b>Closing Balance</b>	<b>35,467,381</b>	<b>407,543,344</b>	<b>443,010,725</b>

Description of significant unobservable inputs into Level 3 valuations				
	Valuation Technique	Significant Unobservable Inputs	Range	Sensitivity
<b>Non-Infrastructure</b>				
Crown Land	Not depreciated. Value determined by external valuers every 2 years.	Individual asset values. Revaluation last conducted in 2012/13.	\$0.10 to \$600.00 m <sup>2</sup> .	Valuation affected by market factors.
Land Under Roads	Valued annually using Englobe Method provided in DPCD Circular 15/11.	Unit Rate \$0.58 per m <sup>2</sup>	\$0.58 per m <sup>2</sup>	Changes to land values and amount of development will affect value.
<b>Infrastructure</b>				
Playground Equipment	Depreciated based on condition assessed every 3 years. Assets valued individually.	Individual asset values based on 2011/12 valuation.	\$100 to \$244,103	Change to condition or effective life will affect value.
Pumps	Depreciated based on condition assessed every 3 years. Assets valued individually.	Individual asset values based on 2012/13 valuation.	\$99.57 to \$84,674	Change to condition or effective life will affect value.
Footpaths	Depreciated based on condition assessed every 3 years. Replacement cost.	Unit Rate for brick, concrete & bitumen \$86.45 per m <sup>2</sup> gravel \$23.77 m <sup>2</sup> based on 2012/13 revaluation.	\$23.77 to \$86.45	Change to condition or unit rate will affect value.

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GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

Note 10 Fixed Assets (Cont'd)

	Valuation Technique	Significant Unobservable Inputs	Range	Sensitivity
<b>Infrastructure</b>				
Roads - Gravel Pavements	Depreciated based on condition assessed every 2 years. Replacement cost.	Unit Rate \$2.47 m <sup>2</sup>	\$2.47 m <sup>2</sup>	Change to condition or effective life will affect value.
Roads - Wearing Course	Depreciated based on condition assessed every 3 years. Replacement cost.	Unit Rate \$4.66 m <sup>2</sup>	\$4.66 m <sup>2</sup>	Change to condition or effective life will affect value.
Roads - Subgrade	Not depreciated.	Unit Rate \$2.69 m <sup>2</sup> .	\$2.69 m <sup>2</sup>	Change to condition or effective life will affect value.
Roads - Sealed Pavement	Depreciated based on condition assessed every 3 years. Replacement cost.	Unit Rate \$32.00 m <sup>2</sup> for sealed roads and \$7.77 m <sup>2</sup> for dust suppression pavements	\$7.77 to \$32.00	Change to condition or effective life will affect value.
Laneways	Depreciated based on condition assessed every 3 years. Replacement cost.	Unit Rate for concrete \$86.25 and bitumen \$6.66 m <sup>2</sup> based on 2013/14 revaluation.	\$6.66 to \$86.25	Change to condition or effective life will affect value.
Culverts & Flood ways	Depreciated based on condition assessed every 3 years. Assets valued individually.	Individual asset values. Valuation last conducted in 2012/13.	\$103 to \$95,914	Change to condition will affect value.
Bridges	Depreciated based on condition assessed every 3 years. Replacement Cost	Unit Rate for Wholly Owned Bridges \$2,293. Unit Rate for Shared Bridges \$1,196.50 based on valuation conducted in 2013/14.	\$1,196 or \$2,393	Change to unit rate and condition will impact on WDV.
Drainage	Value reviewed annually. Aged based depreciation of individually valued assets.	Individual asset values based on 2012/13 valuation	\$40 to \$116,346	Change in effective life will impact on value
Land Improvements	Majority of LI assets are valued individually and depreciated based on condition assessed every 3 years. Landfill assets depreciated based on age.	Individual asset values based on 2013/14 revaluation.	\$609 to \$5,156,122	Change to effective life, unit rate or condition will impact value.
Kerb & Channel	Depreciated based on condition assessed every 3 years. Replacement Cost	Unit Rate \$89.13 per m <sup>2</sup> based on 2011/12 valuation.	One rate of \$89.13	Change to effective life, unit rate or condition will impact value.
Other Assets	All assets valued individually. Some depreciated on condition and others by age.	Individual asset values based on 2012/13 valuation.	\$680 to \$1,865,058	Change to effective life, unit rate or condition will impact value.

**Works in Progress**

Building  
Land improvements  
Parks & Gardens  
Roads  
Drainage  
Footpaths  
Kerbs & Channels  
Other Assets  
**Total Works in Progress**

2014	2013
\$	\$
136,580	899,008
-	36,275
66,173	-
134,977	-
18,790	-
-	36,050
-	155,448
-	15,973
<b>360,520</b>	<b>1,142,754</b>

**Total Property, Plant, Equipment and Infrastructure**

<b>497,838,787</b>	<b>590,346,701</b>
--------------------	--------------------

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3. OUR COMMUNICATIONS AND  
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ITEM NO: 9.1.1  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

**Note 10 Fixed Assets (Cont'd)**

**Valuation of Assets**

The 2013/14 valuation of assets owned and controlled by the Moira Shire Council, except the valuation of land and buildings, was undertaken by Council's engineering and asset management staff under the supervision of Mr Mark Foord, Executive Engineer. The valuation of land and buildings was conducted by a qualified independent valuer, Mr Marcus Hann of LG Valuations Pty Ltd. Mr Hann is a member of the Australian Institute of Valuers. The valuation of bridges, buildings, land improvements, land under roads and sealed roads was based on condition assessments conducted by qualified external consultants or Council's own engineering staff.

The unit rates and effective lives of all asset classes were reviewed where applicable by Council's asset management and engineering staff using actual rates or benchmark data from the Municipal Association of Victoria (MAV Step Program) and the North East Asset Management Group (NEAMG).

**Bridges** were valued at 30 June 2014 by Council's asset management staff under the supervision and direction of Mr Mark Foord, Executive Engineer of Moira Shire Council. Valuation was based on a condition assessment conducted by Land Management Surveys Pty Ltd an experienced bridge engineering firm who have expertise in this field. Valuation is at fair value based on replacement cost less accumulated depreciation and is due next in 2016/17.

**Buildings and Land** were valued at 30 June 2014 by LG Valuation Services in accordance with AASB 113 and AASB 116 as a component of the valuation works to be provided under Moira Shire Council Contract C168/10. 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. The valuation process involved an inspection of each asset to identify and value each building component to determine each property's fair value. Buildings will be re-valued again in 2016/17.

**Culverts and Floodways** were last valued at 30 June 2013 by Council's qualified engineering staff. The valuation was at fair value based on replacement cost less accumulated depreciation as at the date of valuation and is due again in 2015/16.

**Drainage** assets were valued at 30 June 2013 by Council's qualified engineering staff. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation and is due again in 2015/16.

**Footpaths** were valued at 30 June 2013 by Council's qualified engineering staff. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation and is due again in 2015/16.

**Kerbs and Channels** were valued at 30 June 2013 by Council's qualified engineering staff. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation and is due again in 2014/15.

**Land** assets were valued by LG Valuation Services Pty Ltd in 2011/12. The valuation of land is at fair value being market value based on highest and best use permitted by relevant land planning provisions. The valuation process involved an inspection of each asset to identify and value each property's fair value. Valuation of land assets is due again in 2015/16.

**Land Improvements** were valued at 30 June 2014 based on a condition assessment conducted by Mr Gary Hodgkiss Superintendent Works & Services Moira Shire Council and Mr Clayton Drysdale, consultant engineer. Mr Hodgkiss hold a Bachelor of Engineering (Civil) and a Graduate Diploma of Municipal Engineering. Mr Drysdale holds a Bachelor of Engineering (Civil). The basis of the valuation is depreciated replacement cost and will occur again in 2016/17.

**Land under Roads** was valued at 30 June 2014 by Mr Bruce Berg von Lindhe Asset Executive for Moira Shire in accordance with the "Englolo Method" of calculation provided in the Department of Planning and Community Development Circular 15/11. The Englolo Method of valuation of land under roads is a calculation based on the area and the unimproved value of all land within the municipality discounted by 90% multiplied by the area of land under roads. The value of land under roads will be re-calculated every year.

**Office Equipment** was valued at 30 June 2012 by Council's qualified engineering staff. The valuation is based on the purchase price depreciated evenly over the effective life of the listed assets. Valuation of office equipment assets occurs every year.

**Other Infrastructure Assets**, which comprises swimming pools, were valued at 30 June 2013 Council's qualified engineering staff. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation and is due again in 2015/16.

**Plant & Equipment** was valued at 30 June 2014 by Council's qualified engineering staff. The valuation is based on the purchase price depreciated evenly over the effective life of the listed assets. Valuation of plant and equipment occurs every year.

**Playground Equipment** was valued at 30 June 2012 by Ray Hutchinson & Associates, consultants in this field. The basis of the valuation was depreciated replacement cost and will occur again in 2014/15.

**Pumps** were valued at 30 June 2013 by Council's qualified engineering staff. The valuation is fair value based on replacement cost less accumulated depreciation at the date of valuation and is due again in 2015/16.

**Roads** were valued by at 30 June 2014 based on a condition assessment conducted by Moloney Asset Management Systems. A unit rate and effective life review conducted by Mr Bruce Berg von Lindhe, Asset Executive for Moira Shire Council. The basis of the valuation was depreciated replacement cost. This asset class is due to be re-valued again in 2016/17.

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3. OUR COMMUNICATIONS AND PROCESSES

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

Note 10 Fixed Assets (Cont'd)

10.2 - Fixed Assets - Transaction Summary 2014

	Land	Plant and Equipment	Furniture and Fittings	Total Non-Infrastructure Assets	Buildings	Playground Equipment	Pumps	Footpaths	Roads
2014	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Balance at beginning of financial year</b>	<b>84,540,666</b>	<b>1,766,978</b>	<b>70,497</b>	<b>86,378,141</b>	<b>75,046,509</b>	<b>1,584,414</b>	<b>1,404,325</b>	<b>12,383,861</b>	<b>315,165,222</b>
Acquisitions - Capital Works & Purchases	8,052	1,342,783	-	1,350,835	1,330,026	-	15,929	136,528	3,562,215
Acquisitions - Contributed By Developers	1,327	-	-	1,327	13,583	18,896	-	427,001	620,721
Acquisitions Found	4,569,882	-	-	4,569,882	-	-	-	-	-
Industrial Land Reclassified	-	-	-	-	-	-	-	-	-
Disposals	(21,544)	(831,694)	-	(853,238)	(212,887)	-	(4,855)	(217,925)	(1,492,572)
Net Asset revaluation increment (decrement)	(1,168,636)	-	-	(1,168,636)	(875,849)	-	-	-	(93,270,057)
Flood impairment	-	-	-	-	-	-	-	-	-
Depreciation	-	(333,526)	(9,861)	(343,387)	(1,527,731)	(94,757)	(53,250)	(296,822)	(5,565,961)
Capital Works in Progress expensed	-	-	-	-	-	-	-	-	-
Reclassifications of Assets	-	-	-	-	899,008	-	(35,183)	36,050	-
<b>Balance at end of financial year</b>	<b>87,929,747</b>	<b>1,944,541</b>	<b>60,636</b>	<b>89,934,924</b>	<b>74,672,659</b>	<b>1,506,553</b>	<b>1,326,966</b>	<b>12,468,693</b>	<b>219,019,568</b>

	Culverts and Floodways	Bridges	Drainage Works	Kerbs and Channels	Land Improvements	Other Infrastructure Assets	Total Infrastructure Assets	Capital Works In Progress	Total Fixed Assets 2014
2014	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Balance at beginning of financial year</b>	<b>4,415,552</b>	<b>19,830,982</b>	<b>31,998,030</b>	<b>13,738,999</b>	<b>20,812,559</b>	<b>6,446,353</b>	<b>502,825,806</b>	<b>1,142,754</b>	<b>590,346,701</b>
Acquisitions - Capital Works & Purchases	-	-	158,418	237,809	139,989	10,574	5,591,488	360,520	7,302,843
Acquisitions - Contributed By Developers	-	303,231	319,694	315,588	-	-	2,016,714	-	2,018,041
Acquisitions Found	-	-	-	-	-	-	-	-	4,569,882
Asset adjustment for Landfill provision increase	-	-	-	-	904,995	-	904,995	-	904,995
Disposals	-	(238,672)	(30,737)	(86,536)	(2,995)	-	(2,287,179)	-	(3,140,417)
Net Asset revaluation increment (decrement)	-	(1,940,455)	-	-	2,817,343	-	(93,268,018)	-	(94,437,654)
Flood impairment	-	-	-	-	-	-	-	-	-
Depreciation	(73,123)	(198,923)	(265,785)	(337,832)	(834,754)	(133,279)	(9,382,217)	-	(9,725,604)
Capital Works in Progress expensed	-	-	-	-	-	-	-	-	-
Reclassifications of Assets	-	-	35,183	155,448	36,275	15,973	1,142,754	(1,142,754)	-
<b>Balance at end of financial year</b>	<b>4,342,429</b>	<b>17,756,163</b>	<b>32,214,803</b>	<b>14,023,476</b>	<b>23,873,412</b>	<b>6,338,621</b>	<b>407,543,343</b>	<b>360,620</b>	<b>497,838,787</b>

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

MOIRA SHIRE COUNCIL  
NOTES TO AND FORMING PART THE FINANCIAL STATEMENTS  
for the year ended 30 June 2014

10.2 - Fixed Assets - Transaction Summary 2013

	Land	Plant and Equipment	Furniture and Fittings	Total Non-Infrastructure Assets	Buildings	Playground Equipment	Pumps	Footpaths	Roads
2013	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Balance at beginning of financial year</b>	<b>84,491,771</b>	<b>1,690,160</b>	<b>80,358</b>	<b>86,262,279</b>	<b>76,220,138</b>	<b>1,960,160</b>	<b>734,792</b>	<b>10,671,743</b>	<b>303,597,064</b>
Acquisitions - Capital Works & Purchases	33,004	524,079	-	557,083	1,398,526	-	114,676	407,238	3,525,437
Acquisitions - Contributed By Developers	11,247	-	-	11,247	58,841	-	-	97,100	334,311
Acquisitions Found	-	-	-	-	-	-	-	-	609,478
Industrial Land Reclassified	90,000	-	-	90,000	-	-	-	-	-
Disposals	(117,615)	(102,963)	-	(220,578)	(1,380,931)	-	(37,225)	(52,003)	(2,401,135)
Net Asset revaluation increment (decrement)	-	-	-	-	-	-	610,289	631,519	-
Flood impairment	-	-	-	-	278,859	-	-	-	13,981,699
Depreciation	-	(346,561)	(9,861)	(356,422)	(1,528,924)	(93,915)	(53,174)	(301,228)	(4,514,480)
Capital Works in Progress expensed	-	-	-	-	-	-	-	-	-
Reclassifications of Assets	32,259	2,273	-	34,532	-	(281,831)	34,967	-	32,848
<b>Balance at end of financial year</b>	<b>84,540,666</b>	<b>1,766,978</b>	<b>70,497</b>	<b>86,378,141</b>	<b>75,046,509</b>	<b>1,584,414</b>	<b>1,404,325</b>	<b>12,383,861</b>	<b>315,165,222</b>

	Culverts and Floodways	Bridges	Drainage Works	Kerbs and Channels	Land Improvements	Other Infrastructure Assets	Total Infrastructure Assets	Capital Works In Progress	Total Fixed Assets 2013
2013	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Balance at beginning of financial year</b>	<b>3,691,576</b>	<b>19,551,064</b>	<b>24,695,054</b>	<b>11,551,577</b>	<b>20,047,613</b>	<b>5,092,187</b>	<b>477,812,968</b>	<b>2,471,316</b>	<b>566,546,563</b>
Acquisitions - Capital Works & Purchases	50,103	42,652	46,267	389,013	80,280	97,307	6,151,499	1,123,254	7,831,836
Acquisitions - Contributed By Developers	-	-	165,215	140,539	18,786	-	814,792	-	826,039
Acquisitions Found	-	-	2,783,954	-	-	-	3,393,432	-	3,393,432
Industrial Land Reclassified	-	-	-	-	-	-	-	-	90,000
Disposals	(9,700)	-	(16,599)	(38,494)	(847)	-	(3,936,934)	-	(4,157,512)
Net Asset revaluation increment (decrement)	805,409	-	4,062,017	1,990,421	-	1,359,413	9,459,068	-	9,459,068
Flood impairment	-	440,184	714,492	-	1,084,593	-	17,429,319	-	17,429,319
Depreciation	(64,400)	(200,762)	(474,722)	(294,057)	(702,625)	(103,554)	(8,331,841)	-	(8,688,263)
Capital Works in Progress expensed	-	-	-	-	-	-	-	(2,383,781)	(2,383,781)
Reclassifications of Assets	(57,436)	(2,156)	22,352	-	284,759	-	33,503	(68,035)	-
<b>Balance at end of financial year</b>	<b>4,415,552</b>	<b>19,830,982</b>	<b>31,998,030</b>	<b>13,738,999</b>	<b>20,812,559</b>	<b>6,445,353</b>	<b>502,825,806</b>	<b>1,142,764</b>	<b>590,346,701</b>

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
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Note 11	<b>Trade and Other Payables</b>	<b>2014</b>	<b>2013</b>
		\$	\$
	<b>Current</b>		
	Trade Creditors	1,784,114	7,339,191
	Fire Services Levy	464,302	-
	Accrued Expenses	559,663	464,413
	<b>Total Current liabilities</b>	<b><u>2,808,079</u></b>	<b><u>7,803,604</u></b>
	<b>Non-Current</b>	-	-
	<b>Total Payables</b>	<b><u>2,808,079</u></b>	<b><u>7,803,604</u></b>
Note 12	<b>Trust Funds and Deposits</b>		
	Contract Retention	119,573	142,152
	Refundable Security Deposits	125,976	222,777
	Refundable Asset Protection Deposits	134,060	181,000
	Refundable Building Deposits	29,370	46,863
	Refundable Subdivision Deposits	59,863	61,008
	Miscellaneous Refundable Deposits	79,927	219,813
	<b>Total Trusts</b>	<b><u>548,769</u></b>	<b><u>873,613</u></b>
Note 13.1	<b>Interest-Bearing Loans and Borrowings</b>		
	<b>Borrowings</b>		
	Borrowings are secured over the general and special rates of Council.		
	<b>Current</b>		
	Loans - Secured	829,560	769,105
	<b>Total Current</b>	<b><u>829,560</u></b>	<b><u>769,105</u></b>
	<b>Non-Current</b>		
	Loans - Secured	6,471,942	7,301,502
	<b>Total Non-Current</b>	<b><u>6,471,942</u></b>	<b><u>7,301,502</u></b>
	<b>Total Interest Bearing Liabilities</b>	<b><u>7,301,502</u></b>	<b><u>8,070,607</u></b>
	<b>The Council's borrowings are repayable:</b>		
	Not later than 1 year	829,560	769,105
	Later than 1 year, not later than 5 years	4,022,567	3,729,084
	Later than 5 years	2,449,375	3,572,418
		<b><u>7,301,502</u></b>	<b><u>8,070,607</u></b>
Note 13.2	<b>Non-Interest-Bearing Loans and Borrowings</b>		
	<b>Current</b>		
	Land acquisition - Secured	60,000	60,000
	<b>Total Current</b>	<b><u>60,000</u></b>	<b><u>60,000</u></b>
	<b>Non-Current</b>		
	Land acquisition - Secured	120,099	180,099
	<b>Total Non-Current</b>	<b><u>120,099</u></b>	<b><u>180,099</u></b>
	<b>Total Interest Bearing Liabilities</b>	<b><u>180,099</u></b>	<b><u>240,099</u></b>
	<b>The Council's borrowings are repayable:</b>		
	Not later than 1 year	60,000	60,000
	Later than 1 year, not later than 5 years	120,099	180,099
	Later than 5 years	-	-
		<b><u>180,099</u></b>	<b><u>240,099</u></b>
Note 13.3	<b>Financing arrangements</b>		
	Bank overdraft	-	-
	Used facilities	-	-
	<b>Unused facilities</b>	<b><u>-</u></b>	<b><u>-</u></b>

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Note 14 Provisions

	Annual Leave and Loading \$	Long Service Leave \$	Rostered Days Off \$	Landfill Site Rehabilitation \$	Total \$
<b>2014</b>					
Balance at the beginning of the financial year	1,450,625	1,831,722	120,666	8,410,711	11,813,724
Provision Write back	(6,044)	(74,721)	-	-	(80,765)
Additional provisions raised	127,044	362,697	30,329	1,170,401	1,690,471
Amounts used	-	(122,252)	-	(978,435)	(1,100,687)
Decrease in the discounted amount arising because of time and the effect of any changes in the discount rate	-	-	-	-	-
<b>Balance at the end of the financial year</b>	<b>1,571,625</b>	<b>1,997,446</b>	<b>150,995</b>	<b>8,602,677</b>	<b>12,322,743</b>
<b>2013</b>					
Balance at the beginning of the financial year	1,366,344	1,885,931	104,000	8,449,910	11,806,185
Provision Write back	-	-	-	(30,691)	(30,691)
Additional provisions raised	84,281	-	16,666	-	100,947
Amounts used	-	29,347	-	(284,736)	(255,389)
Decrease in the discounted amount arising because of time and the effect of any changes in the discount rate	-	(83,556)	-	-	(83,556)
	-	-	-	276,228	276,228
<b>Balance at the end of the financial year</b>	<b>1,450,625</b>	<b>1,831,722</b>	<b>120,666</b>	<b>8,410,711</b>	<b>11,813,724</b>

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**Note 14 Provisions (Cont'd)**

The following assumptions were adopted in measuring the present value of employee benefits:

	2013/14	2012/13
Weighted average increase in employee costs	4.8%	4.8%
Weighted average discount rates	3.79%	3.79%
Weighted average settlement period	12	12

	Annual Leave and Loading	Long Service Leave	Rostered Days Off	Landfill Site Rehabilitation	Total 2014
	\$	\$	\$	\$	\$
<b>2014</b>					
<b>(i) Current</b>					
All annual leave and the long service leave entitlements					
- Short-term employee benefits, that fall due within 12 months after the end of the period measured at nominal value	993,087	1,660,504	150,995	954,990	3,759,576
- Other long-term employee benefits that do not fall due within 12 months after the end of the period measured at present value	578,538	-	-	-	578,538
	<u>1,571,625</u>	<u>1,660,504</u>	<u>150,995</u>	<u>954,990</u>	<u>4,338,114</u>
<b>(ii) Non-current</b>					
Long service leave representing less than 7 years of continuous service measured at present value	-	336,942	-	-	336,942
Landfill site rehabilitation	-	-	-	7,647,687	7,647,687
	-	336,942	-	7,647,687	7,984,629
<b>Total</b>	<u>1,571,625</u>	<u>1,997,446</u>	<u>150,995</u>	<u>8,602,677</u>	<u>12,322,743</u>

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Note 14 Provisions (Cont'd)

	Annual Leave and Loading	Long Service Leave	Rostered Days Off	Landfill Site Rehabilitation	Total 2013
	\$	\$	\$	\$	\$
<b>2013</b>					
<b>(i) Current</b>					
All annual leave and the long service leave entitlements					
- Short-term employee benefits, that fall due within 12 months after the end of the period measured at nominal value	978,754	1,337,475	120,666	2,161,414	4,598,309
- Other long-term employee benefits that do not fall due within 12 months after the end of the period measured at present value	471,871	-	-	-	471,871
	<b>1,450,625</b>	<b>1,337,475</b>	<b>120,666</b>	<b>2,161,414</b>	<b>5,070,180</b>
<b>(ii) Non-current</b>					
Long service leave representing less than 7 years of continuous service measured at present value	-	494,247	-	-	494,247
Landfill site rehabilitation	-	-	-	6,249,297	6,249,297
	-	<b>494,247</b>	-	<b>6,249,297</b>	<b>6,743,544</b>
<b>Total</b>	<b>1,450,625</b>	<b>1,831,722</b>	<b>120,666</b>	<b>8,410,711</b>	<b>11,813,724</b>

Council is obligated to restore (landfill) site to a particular standard. Current projections indicate that the site will cease operation in (2025) and restoration work is expected to commence shortly thereafter. 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.

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Note 15 Reserves

Restricted Reserves

	Total Restricted Reserves \$	Recreation Open Space Reserve \$	Car Parking Reserve \$	Net Gain Native Vegetation Reserve \$
Balance at 1 July 2012	1,209,067	895,451	273,636	40,000
Transfers to restricted reserves	29,050	29,050	-	-
Balance at 30 June 2013	1,238,137	924,501	273,636	40,000
Transfers to restricted reserves	24,800	4,800	-	20,000
Balance at 30 June 2014	1,262,937	929,301	273,636	60,000

Asset Revaluation Reserves

	Total Asset Revaluation Reserves \$	Land Revaluation Reserve \$	Buildings Revaluation Reserve \$	Playground Equipment Revaluation Reserve \$	Pumps Revaluation Reserve \$	Footpaths Revaluation Reserve \$	Roads Revaluation Reserve \$	Culverts and Floodways Revaluation Reserve \$	Bridges Revaluation Reserve \$	Drainage Works Revaluation Reserve \$	Kerbs and Channels Revaluation Reserve \$	Land Improvements Revaluation Reserve \$	Other Infrastructure Assets Revaluation Reserve \$
Balance at 1 July 2012	389,438,982	34,238,442	51,482,341	884,594	129,583	7,549,154	251,021,747	2,597,959	10,088,402	16,037,199	6,369,909	7,264,109	1,775,543
Net asset revaluation increment / (decrement)	9,459,068	-	-	-	610,289	631,519	-	805,409	-	4,062,017	1,990,421	-	1,359,413
Flood Impairment	17,429,319	-	278,859	-	-	929,492	13,981,699	-	440,184	714,492	-	1,084,593	-
Balance at 30 June 2013	416,327,369	34,238,442	51,761,200	884,594	739,872	9,110,165	265,003,446	3,403,368	10,528,586	20,813,708	8,360,330	8,348,702	3,134,956
Net asset revaluation increment / (decrement)	(94,437,654)	(1,168,636)	(675,849)	-	-	-	(93,270,057)	-	(1,940,455)	-	-	2,817,343	-
Balance at 30 June 2014	321,889,715	33,069,806	50,685,351	884,594	739,872	9,110,165	171,733,389	3,403,368	8,588,131	20,813,708	8,360,330	11,166,045	3,134,956

Nature and Purpose of Reserves

Asset Revaluation Reserve is established in accordance to Australian Accounting Standards and is used to record increase/decreased (net) value of Council's assets over time.

Recreation Open Space Reserve has been established in accordance with the Sub-division Act 1988 and is used to develop strategically located parks and reserves for the benefit of the residents in the municipality.

Car Parking Reserve has been established under the Planning and Environment Act 1987 and is used to provide adequate car parking spaces within the municipality.

Net Gain Native Vegetation Reserve has been established to be used to fulfil Council's obligation in regard to net gain planting of native vegetation in accordance to the Planning and Environment Act 1987.

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**Note 16 Commitments for Expenditure**

All commitments are exclusive of GST.

**16.1 Contracted Expenditure**

At the reporting date the Council had entered into the following services and material contracts with external parties:

	Not later than 1 Year 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
	\$	\$	\$	\$	\$
<b>2014</b>					
Community Development	840,914	-	-	-	840,914
Governance	212,957	880,000	-	-	1,092,957
Operations	1,433,862	1,341,400	1,935,839	56,326	4,767,427
Waste & Recycling Collection	113,564	113,564	151,418	-	378,546
Asset Maintenance	110,787	-	-	-	110,787
	<b>2,712,084</b>	<b>2,334,964</b>	<b>2,087,257</b>	<b>56,326</b>	<b>7,190,631</b>
<b>2013</b>					
Capital Works	75,601	-	-	-	75,601
Community Development	851,794	955,784	-	-	1,807,578
Consultancy	575,941	575,941	-	-	1,151,882
Flood Emergency Response	194,957	-	-	-	194,957
Governance	168,836	547,255	4,698	-	720,789
Operations	2,150,961	1,181,655	252,452	-	3,585,068
Revenue	205,269	205,270	89,969	-	500,508
Tips / Transfer Stations	213,603	-	-	-	213,603
Waste & Recycling Collection	1,334,206	1,540,545	5,934,695	-	8,809,446
Asset Maintenance	150,476	59,458	81,932	-	291,866
	<b>5,921,644</b>	<b>5,065,908</b>	<b>6,363,746</b>	<b>-</b>	<b>17,351,298</b>

**16.2 Operating Leases**

Council leases a light motor vehicle fleet, heavy plant, photocopiers and computer equipment. At the reporting date, obligations under non-cancellable operating leases are:

	Not later than 1 Year 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
	\$	\$	\$	\$	\$
<b>2014</b>					
Motor Vehicles	288,016	105,029	51,999	-	445,044
Heavy Plant	1,122,163	878,824	1,863,441	191,985	4,056,413
Photocopiers	6,250	4,688	-	-	10,938
Computer Equipment	174,850	71,616	26,054	-	272,520
	<b>1,591,279</b>	<b>1,060,167</b>	<b>1,941,494</b>	<b>191,985</b>	<b>4,784,915</b>
<b>2013</b>					
Motor Vehicles	295,686	158,808	35,790	-	490,284
Heavy Plant	1,111,839	998,057	2,020,688	66,822	4,197,406
Photocopiers	17,790	6,250	4,167	-	28,207
Computer Equipment	223,739	223,739	44,815	-	492,293
	<b>1,649,054</b>	<b>1,386,864</b>	<b>2,105,460</b>	<b>66,822</b>	<b>5,208,190</b>

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**Note 17 Superannuation**

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. The defined benefit section provides lump sum benefits based on years of service and final average salary. The defined contribution section receives fixed contributions from Council and the Council's legal or constructive obligation is limited to these contributions.

Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are due.

**Accumulation**

The Fund's accumulation category, 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 2014, this was 9.25% required under Superannuation Guarantee Legislation). No further liability accrues to the employer as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

Effective from 1 July 2014, the Superannuation Guarantee contribution rate will increase to 9.50%, and will progressively increase to 12% by 2022.

**Defined Benefits Plan**

The Fund's Defined Benefit category is a multi-employer sponsored plan. As the Fund's assets and liabilities are pooled and are not allocated to each employer, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided under paragraph 32 (b) of AAS 119, the Council does not use defined benefit accounting for these defined benefit obligations.

Council makes employer contributions to the defined benefit category of the Fund at rates determined by the Trustee on the advice of the Fund's actuary. Council makes employer contributions to the Funds Defined Benefit category at rates determined by the Fund's Trustee. This rate is currently 9.25% of member's salaries (9.25% in 2012/13).

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 (the funded resignation or retirement benefit is calculated as the VBI multiplied by the benefit).

Council is also required to make additional contributions to cover the contribution tax payable on the contributions referred to above.

Employees are also required to make member contributions to the Fund. As such, assets accumulate in the Fund to meet member benefits, as defined in the Trust Deed, as they accrue.

**Unfunded Superannuation Liability - Funding Calls**

The fund is required to comply with the superannuation prudential standards. Under the superannuation prudential standards SPS 160, The Fund is required to target full funding of its vested benefits. There may be circumstances where:

- a fund is in an unsatisfactory financial position at an actuarial investigation (i.e. its vested benefit index (VBI) is less than 100% at the date of the actuarial investigation); or
- a fund's VBI is below the shortfall limit at any time other than the date of the actuarial investigations.

If either of the above occur, the Fund 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. There may be circumstances where the Australian Prudential Authority (APRA) may approve a period longer than three years.

The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%. Since 30 June 2013 the VBI has been in excess of 100%. The 31 March estimated VBI was 104.6%. As this is greater than 100%, the fund is considered to be fully funded with no action required by employers at this stage.

The next full actuarial investigation of the Fund's liability for accrued benefits will be based on the Fund's position as at 30 June 2014. The anticipated completion date of this actuarial investigation is 19 December 2014.

The complexity and timing of actuarial calculations required to allocate assets and liabilities to individual Council's results in it being impractical to determine the necessary information to account for the fund as defined benefit fund within the financial statements, as such Council accounts for the fund as a contribution plan. Council expects to make the following contributions in 2014-15: \$33,398 towards defined benefits and \$1,308,063 toward non-defined benefit funds.

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**Superannuation contributions**

Contributions by Moira Shire Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2014 are detailed below:

Scheme	Type of scheme	Rate	2014 \$'000	2013 \$'000
Vision Super	Defined benefits	9.25%	29	983
Vision Super	Accumulation	9.25%	1068	179
Others	Accumulation	9.25%	223	-

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Note 18	Financial Ratios (Performance Indicators)	2014	2014	2013	2012
<b>18.1</b>	<b>Debt Servicing Ratio</b> To identify the capacity of a Council to service its outstanding debt				
	Debt Servicing Costs	\$587,100			
	Total Revenue	\$66,988,252	0.88%	0.79%	1.24%
	Debt servicing costs refer to the payment of interest on loan borrowings, finance lease, and bank overdraft. The ratio expresses the amount of interest paid as a percentage of Council's total revenue.				
<b>18.2</b>	<b>Debt Commitment Ratio</b> To identify a Council's debt redemption strategy				
	Debt Servicing and Redemption Costs	\$1,416,204			
	Rate Revenue	\$28,916,674	4.90%	5.65%	5.88%
	The strategy involves the payment of loan principal and interest, finance lease principal and interest. The ratio expresses the percentage of rate revenue utilised to pay interest and redeem debt principal.				
<b>18.3</b>	<b>Revenue Ratio</b> To identify Council's dependence on non-rate income				
	Rate Revenue	\$28,916,674			
	Total Revenue	\$66,988,252	43.17%	33.55%	46.33%
	The level of Council's reliance on rate revenue is determined by assessing rate revenue as a proportion of the total revenue of Council.				
<b>18.4</b>	<b>Debt Exposure Ratio</b> To identify Council's exposure to debt				
	Total Indebtedness	\$23,161,192			
	Total Realisable Assets	\$152,143,172	15.22%	19.19%	17.88%
	For the purpose of the calculation of financial ratios, realisable assets are those assets which can be sold and which are not subject to any restriction on realisation or use.				
<b>18.5</b>	<b>Working Capital Ratio</b> To assess Council's ability to meet current commitments				
	Current Assets	\$18,427,763	2.15	1.32	2.00
	Current Liabilities	\$8,584,522			
	The ratio expresses the level of current assets the Council has available to meet its current liabilities.				
<b>18.6</b>	<b>Adjusted working Capital Ratio</b> To assess Council's ability to meet current commitments				
	Current Assets	\$18,427,763	2.66	1.46	2.32
	Current Liabilities	\$6,924,018			
	The ratio expresses the level of current assets the Council has available to meet its current liabilities.  Current liabilities have been reduced to reflect the long service leave that is shown as a current liability because Council does not have an unconditional right to defer settlement of the liability for at least twelve months after the reporting date, but is not likely to fall due within 12 months after the end of the period.				

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Note 19 Related Party Disclosures

19.1 Names of persons holding the position of a Responsible Person at the Council at any time during the year are:

Title	Name	Period
Mayor	Brian Keenan	01/07/2013 - 06/11/2013
Mayor	Peter Mansfield	07/11/2013 - 30/06/2014
Councillor	Kevin Bourke	01/07/2013 - 30/06/2014
Councillor	Wendy Buck	01/07/2013 - 30/06/2014
Councillor	Gary Cleveland	01/07/2013 - 30/06/2014
Councillor	Ed Cox	01/07/2013 - 30/06/2014
Councillor	Brian Keenan	07/11/2013 - 30/06/2014
Councillor	Peter Mansfield	01/07/2013 - 06/11/2013
Councillor	Marie Martin	01/07/2013 - 30/06/2014
Councillor	Robert McPhee	01/07/2013 - 30/06/2014
Councillor	Alex Monk	01/07/2013 - 30/06/2014
Chief Executive Officer	Gary Arnold	01/07/2013 - 23/10/2013
Acting Chief Officer	Peter Bertolus	24/10/2013 - 18/05/2014
Chief Executive Officer	Mark Henderson	19/05/2014 - 30/06/2014

19.2 Remuneration of Responsible Persons

The number of Responsible Officers, whose total remuneration from Council and any related entities fall within the following bands:

Income Range	2014	2013
	Numbers	
\$10,000 - \$19,999	1	7
\$20,000 - \$29,999	5	3
\$30,000 - \$39,999	2	1
\$40,000 - \$49,999	1	1
\$50,000 - \$59,999	-	1
\$60,000 - \$69,999	1	-
\$190,000 - \$200,000	1	-
\$200,000 - \$239,999	-	1
<b>TOTAL</b>	<b>11</b>	<b>14</b>

Total remuneration for the reporting period for Responsible Persons, included above, amounted to: \$520,499 2014 and \$554,180 2013

19.3 Senior Officers Remuneration

A Senior Officer other than a Responsible Officer, is an officer of Council who has management responsibilities and reports directly to the Chief Executive Officer or whose total annual remuneration exceeds \$133,000.

The number of Senior Officers other than the Responsible Persons, are shown below in their relevant income bands:

Income Range	2014	2013
	Numbers	
Less than \$133,000	-	3
\$133,000 - \$139,999	2	1
\$140,000 - \$149,999	-	3
\$150,000 - \$159,999	-	2
\$160,000 - \$169,999	2	1
\$190,000 - \$200,000	2	-
<b>TOTAL</b>	<b>6</b>	<b>10</b>

Total remuneration for the reporting period for Senior Officers included above, amounted to: \$872,794 2014 and \$1,268,313 2013

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**Note 19 Related Party Disclosures (cont'd)**

**19.4 Retirement Benefits**

No retirement benefits have been made by Council to a Responsible Person.

**19.5 Loans**

No loans have been made, guaranteed or secured by the Council to a Responsible Person of the Council during the reporting period. (2013/14 \$Nil)

**19.6 Other Transactions**

No transactions other than remuneration payments or the reimbursement of approved expenses were entered into by Council with Responsible Persons, or Related Parties of such Responsible Persons during the reporting year (2013/14, Nil).

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**Note 20 Financial Instruments**

**20.1 Accounting Policy, Terms and Conditions**

The Council's accounting policies, including the terms and conditions of each class of financial asset, financial liability and equity instrument, both recognised and unrecognised at 30 June 2014, are as follows:

Recognised Financial Instruments	Note	Accounting Policy	Terms and Conditions
<b>(i) Financial Assets</b>			
Cash and Cash Equivalents	6	For the purposes of the cash flow statement, cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.	Deposits at call have a weighted average effective interest rate of 2.75%
Cash Investments	6	Short-term deposits are stated at the lower of cost and net realisable value. Interest is recognised in the Statement of Financial Performance when earned. Certain investments are restricted as noted in Note 6.	Term deposits have an average maturity of 94 days with weighted average effective interest rates of 3.59%
Receivables and Inventories	7	Receivables are carried at a amortised cost using the effective interest rate method. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Inventories held for distribution are measured at cost adjusted when applicable for any loss of service potential. Other inventories are measured at the lower of cost and net realisable value	Sundry sales are on 30 day terms and no interest is calculated on overdue amounts. Rate receivables are on statutory terms payable either in full by 30 September or by quarterly instalments due end September, November, February and May. Interest is charged on unpaid amounts at 11.5%.
<b>(ii) Financial Liabilities</b>			
Payables	11	Trade Creditors and accruals are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Council.	Trade liabilities are normally settled on 30 day terms.
Trust Funds	12	Monies are held by way of deposit or in trust for Governments or other persons.	Deposits are returned when the service has been completed.

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<b>20.1 Accounting Policy, Terms and Conditions cont...</b>			
Borrowings - Loans and Finance Lease	13	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. Except where specific borrowings are obtained for the purpose of specific asset acquisition, the weighted average interest rate applicable to borrowings at balance date, excluding borrowings associated with superannuation, is used to determine the borrowing costs to be capitalised.	Borrowings are repayable monthly with multiple final instalment dates. Interest is charged at various fixed rates. Details of the security over the borrowings is set out in Note 13.

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NOTE 20 Financial Instruments (Cont'd)

20.2 Interest Rate Risk

The Council's exposure to interest rate risks and the effective interest rates of financial assets and financial liabilities, both recognised and unrecognised at the balance date, are as follows:

Financial Instruments	Fixed Interest Rate Maturing in:													
	Floating Interest Rate		1 Year or Less		Over 1 to 5 Years		More than 5 Years		Non-Interest Bearing		Total Carrying Amount as per the Balance Sheet		Weighted Average Effective Interest Rate	
	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$
<i>(i) Financial Assets</i>														
Cash Assets	1,662,551	2,492,658	12,775,598	13,200,422	-	-	-	-	-	-	14,438,148	15,693,080	3.55%	3.98%
Other Financial Assets	-	-	-	-	-	-	-	-	75,726	46,764	75,726	46,764	N/A	N/A
Receivables	-	-	-	9,558	-	37,762	-	-	816,800	1,150,691	816,800	1,198,011	N/A	N/A
Accrued Income	-	-	-	-	-	-	-	-	45,306	224,279	45,306	224,279	N/A	N/A
<b>Total Financial Assets</b>	<b>1,662,551</b>	<b>2,492,658</b>	<b>12,775,598</b>	<b>13,209,980</b>	<b>-</b>	<b>37,762</b>	<b>-</b>	<b>-</b>	<b>937,832</b>	<b>1,421,734</b>	<b>15,375,961</b>	<b>17,162,134</b>	<b>3.55%</b>	<b>3.98%</b>

Financial Instruments	Fixed Interest Rate Maturing in:													
	Floating Interest Rate		1 Year or Less		Over 1 to 5 Years		More than 5 Years		Non-Interest Bearing		Total Carrying Amount as per the Balance Sheet		Weighted Average Effective Interest Rate	
	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$	2014 \$	2013 \$
<i>(i) Financial Liabilities</i>														
Payables	-	-	-	-	-	-	-	-	2,181,585	7,136,405	2,181,585	7,136,405	N/A	N/A
Trusts	-	-	-	-	-	-	-	-	548,769	873,613	548,769	873,613	N/A	N/A
Loans	-	-	829,560	769,105	4,022,567	3,729,084	2,449,375	3,572,418	180,099	240,099	7,481,601	8,310,706	7.61%	7.23%
<b>Total Financial Liabilities</b>	<b>-</b>	<b>-</b>	<b>829,560</b>	<b>769,105</b>	<b>4,022,567</b>	<b>3,729,084</b>	<b>2,449,375</b>	<b>3,572,418</b>	<b>2,910,453</b>	<b>8,250,117</b>	<b>10,211,955</b>	<b>16,320,724</b>	<b>7.61%</b>	<b>7.23%</b>

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Note 20 Financial Instruments (Cont)

20.3 Net Fair Values

The aggregate net fair values of financial assets and financial liabilities, both recognised and unrecognised, at 30 June 2014, are as follows:

	Total Carrying Amount as per the Balance Sheet		Aggregate Net Fair Value (i)	
	2014 \$	2013 \$	2014 \$	2013 \$
<b>Financial Assets</b>				
Cash Assets	14,438,149	15,693,080	14,438,149	15,693,080
Other Financial Assets	75,726	46,764	75,726	46,764
Receivables	816,800	1,198,011	816,800	1,198,011
Accrued Income	45,306	224,279	45,306	224,279
<b>Total Financial Assets</b>	<b>15,375,981</b>	<b>17,162,134</b>	<b>15,375,981</b>	<b>17,162,134</b>
<b>Financial Liabilities</b>				
Payables	2,181,585	7,136,405	2,181,585	7,136,405
Trusts	548,769	873,613	548,769	873,613
Borrowings	7,481,601	8,310,706	7,481,601	8,310,706
<b>Total Financial Liabilities</b>	<b>10,211,955</b>	<b>16,320,724</b>	<b>10,211,955</b>	<b>16,320,724</b>

(i) The following methods and assumptions are used to determine the net fair values of financial assets and liabilities.

**Recognised Financial Instruments**

*Cash Assets:* The carrying amount approximates fair value because of their short-term to maturity.

*Other Financial Assets, Receivables, Accrued Income, Payables, Trusts and Finance Leases:* The carrying amount approximates fair value.

*Borrowings:* The fair values of long-term borrowings are estimated using discounted cash flow analysis, based on government bond rates issued by the Department of Treasury and Finance.

20.4 Credit Risk Exposures

The Council's maximum exposures to credit risk at balance date in relation to each class of recognised financial assets is the carrying amount of those assets as indicated in the Balance Sheet.

**Concentrations of Credit Risk**

The Council minimises concentrations of credit risk in relation to receivables by undertaking transactions with a large number of customers.

Credit risk in receivables is managed in the following ways:

- payment terms are either statutory or 30 days,
- a first charge over property applies to rate debtors.

**Risks and mitigation**

The risks associated with our main financial instruments and our policies for minimising these risks are detailed below.

**Market risk**

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

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Note 20 Financial Instruments (Cont)

**Interest rate risk**

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Interest rate risk arises from interest bearing financial assets and liabilities that Council uses. Non derivative interest bearing assets are predominantly short term liquid assets. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes us to fair value rate risk.

Council's loan borrowings are sourced from major Australian banks by a tender process. Council manages interest rate risk on its net debt portfolio by:

- ensuring access to diverse sources of funding;
- reducing risks of refinancing by managing in accordance with target maturity profiles; and
- setting prudential limits on interest repayments as a percentage of rate revenue;

Council manages the interest rate exposure on its net debt portfolio by appropriate budgeting strategies and long term financial planning.

Investment of surplus funds is made with approved financial institutions under the Local Government Act 1989. Council manages interest rate risk by adopting an investment policy that ensures:

- conformity with State and Federal regulations and standards;
- adequate safety;
- appropriate liquidity;
- diversification by credit rating, financial institution and investment product;
- monitoring of return on investment;
- benchmarking of returns and comparison with budget.

Maturity will be staggered to provide for interest rate variations and to minimise interest rate risk.

**Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on all financial assets included in its balance sheet. To help manage this risk:

- Council has a policy for establishing credit limits for the entities it deals with;
- Council may require collateral where appropriate ; and
- Council only invests surplus funds with financial institutions which are included on the APRA "List of Authorised Deposit Taking Institutions".

Trade and other receivables consist of a large number of customers, spread across the consumer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtors are State and Federal Governments. Apart from the Governments, Council does not have any significant credit risk exposure to a single customer or group of customers. Ongoing credit evaluation is performed on the financial condition of customers and, where appropriate, an allowance for doubtful debts is raised. Rate debtors are effectively secured by the property upon which they're levied and do not represent a significant credit risk.

<b>Movement in Provisions for Doubtful Debts</b>	<b>2014</b>	<b>2013</b>
	<b>\$</b>	<b>\$</b>
Balance at the beginning of the year	550	550
New Provisions recognised during the year	-	-
Amounts already provided for and written off as uncollectible	-	-
Amounts provided for but recovered during the year	-	-
Balance at end of year	<b>550</b>	<b>550</b>

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Note 20 Financial Instruments (Cont'd)

**Ageing of Trade and Other Receivables**

At balance date other debtors representing financial assets were past due but not impaired. These amounts relate to a number of independent customers for whom there is no recent history of default. The ageing of the Council's Trade & Other Receivables was:

	2014	2013
	\$	\$
Current (not yet due)	541,092	457,498
Past due by up to 30 days	117,613	351,950
Past due between 31 and 180 days	12,805	24,234
Past due between 181 and 365 days	-	-
Past due by more than 1 year	-	-
<b>Total Trade &amp; Other Receivables</b>	<b>671,510</b>	<b>833,682</b>

**Liquidity risk**

Liquidity risk includes the risk that, as a result of our operational liquidity requirements:

- Council will not have sufficient funds to settle a transaction on the date;
- Council will be forced to sell financial assets at a value which is less than what they are worth; or
- Council may be unable to settle or recover a financial asset at all.

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 exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

The table below lists the contractual maturities for Financial Liabilities

These amounts represent undiscounted gross payments including both principal and interest amounts

	6 months or less	6-12 months	1-2 years	2-5 years	> 5 years	Contracted Cash Flow
2014	\$	\$	\$	\$	\$	\$
Trade and other payables	2,808,079	-	-	-	-	2,808,079
Trust fund and deposits	68,596	68,596	137,192	274,385	-	548,769
Interest-bearing loans and borrowings	639,324	717,713	1,357,037	4,071,110	2,754,779	9,539,962
<b>Total financial liabilities</b>	<b>3,515,999</b>	<b>786,309</b>	<b>1,494,229</b>	<b>4,345,495</b>	<b>2,754,779</b>	<b>12,896,810</b>

	6 months or less	6-12 months	1-2 years	2-5 years	> 5 years	Contracted Cash Flow
2013	\$	\$	\$	\$	\$	\$
Trade and other payables	7,803,604	-	-	-	-	7,803,604
Trust fund and deposits	109,202	109,202	218,403	436,807	-	873,613
Interest-bearing loans and borrowings	678,518	678,518	1,357,037	4,071,110	4,111,815	10,896,999
<b>Total financial liabilities</b>	<b>8,591,324</b>	<b>787,720</b>	<b>1,575,440</b>	<b>4,507,917</b>	<b>4,111,815</b>	<b>19,574,216</b>

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*Sensitivity disclosure analysis*

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, the Council believes the following movements are 'reasonably possible' over the next 12 months (Base rates are sourced from Reserve Bank of Australia):

- A parallel shift of + 1% and -2% in market interest rates (AUD) from year-end rates of %.

The table below discloses the impact on net operating result and equity for each category of financial instruments held by the Council at year-end, if the above movements were to occur.

2014		Interest rate risk			
		+1%		-2%	
	\$	Profit \$	basis points 'Equity \$	Profit \$	basis points 'Equity \$
<b>Financial assets:</b>					
Cash and cash equivalents	14,438,149	144,381	144,381	(288,763)	(288,763)
Trade and other receivables	816,800	8,168	8,168	(16,336)	(16,336)
<b>Financial liabilities:</b>					
Interest bearing loans and borrowings	7,481,601	(74,816)	(74,816)	149,632	149,632

2013		Interest rate risk			
		+1%		-2%	
	\$	Profit \$	basis points 'Equity \$	Profit \$	basis points 'Equity \$
<b>Financial assets:</b>					
Cash and cash equivalents	15,693,080	156,931	156,931	(313,862)	(313,862)
Trade and other receivables	1,198,011	11,980	11,980	(23,960)	(23,960)
<b>Financial liabilities:</b>					
Interest bearing loans and borrowings	8,310,706	(83,107)	(83,107)	166,214	166,214

**Fair Value Hierarchy**

All financial assets carried at fair value are measured at quoted prices in active markets for identical assets or liabilities.

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Note 21	<b>Reconciliation of Cash Flows from Operating Activities to Surplus/Deficit</b>	<b>2014</b> \$	<b>2013</b> \$
	<b>Surplus/(Deficit) for the year</b>	<b>6,435,609</b>	<b>(6,513,807)</b>
	<i>Remove non-cash items in surplus for year:</i>		
	Depreciation	9,725,604	8,688,263
	Net Loss/(Gain) on Disposal of Property, Plant and Equipment	130,632	6,241
	Written Down Value of Land Sold	-	117,615
	Loss on disposal of infrastructure assets	2,287,179	3,936,962
	Work in Progress-prior year expensed	-	2,352,826
	Assets Contributed	(2,018,041)	(826,038)
	Bad and Doubtful Debts	-	11,120
	Work in Progress expensed	-	30,950
	Small plant write off	-	13,159
	Share of net profit of investments in Associates accounted for by the equity method:	(46,505)	(45,459)
	Interest on Unwinding of Discount on Provisions	265,407	276,228
	Fair value adjustment of Intangible Asset	108,565	29,222
	Net Previously unrecognised asset	(4,569,882)	(3,393,432)
	<b>Changes in assets and liabilities (changes in assets and liabilities that related to operating activities):</b>		
	Decrease / (Increase) in Trade and Other Receivables	(88,315)	(518,502)
	Decrease / (Increase) in Inventories	168,106	(124,469)
	Decrease / (Increase) in Other Assets	150,010	(206,698)
	Increase / (Decrease) in Trade and Other Payables	(5,437,309)	2,275,297
	Increase / (Decrease) in Provisions	(662,361)	(268,689)
	<b>Net Cash Provided by Operating Activities</b>	<b><u>6,448,699</u></b>	<b><u>5,840,789</u></b>
Note 22	<b>Special Committees</b>		
	Council has established several committees in accordance with section 86 of the Local Government Act 1989. Revenue and expenses transacted by these committees have been included in the Council's financial statements:		
	Revenue	596,810	645,369
	Expenses	745,525	1,053,604
		<b><u>(148,715)</u></b>	<b><u>(408,235)</u></b>
Note 23	<b>Auditor's Remuneration</b>		
	Audit fee to conduct external audit - Victorian Auditor-General	61,478	39,900
	Internal audit fees - AFS Pty Ltd	35,518	27,481
		<b><u>96,996</u></b>	<b><u>67,381</u></b>
Note 24	<b>Events Occurring After Balance Date</b>		
	At that date of this report there were no matters or circumstances that have arisen since the end of the financial year which have significantly effected or may significantly effect the operations of the Council, the results of its operations or its state of affairs, which is not already reflected in this report.		
Note 25	<b>Intangible Assets</b>		
	<b>Opening Balance</b>	1,018,466	1,047,688
	Fair value adjustments	(108,565)	(29,222)
	At fair value as at 30 June 2014	<b><u>909,901</u></b>	<b><u>1,018,466</u></b>
	The useful lives of the assets are infinite.		
	In recent years the Council has undertaken research to determine what legal entitlements to water rights it holds. This research has been concluded and the asset has been brought to account in 2011.		

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MOIRA SHIRE COUNCIL  
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**Note 26 Contingent Liabilities and Contingent Assets**

**Contingent Liabilities**

Council has requested a private ruling from ATO in regards to the impact of FBT on an issue that an external consultant brought to Council's attention. Council does not agree with this assessment and as at 30 June 2014, was still waiting on confirmation from the ATO. Given this difference of opinion a figure cannot be reasonably established in relation to FBT provision and consequently no amount has been stated under Contingent Liabilities.

**Contingent Assets**

Developer contributions expected to be received in respect of property sub-divisions currently under development total \$200,000 (2012/13 \$200,000).

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Note 27 Capital expenditure

	2014	2013
	\$	\$
<b>Capital expenditure areas</b>		
Bridges	-	42,652
Buildings	1,330,026	1,398,520
Culverts & Floodways	-	50,103
Drainage	158,418	46,267
Footpath	136,528	407,238
Kerb & Guttering	237,809	389,013
Land	8,052	33,004
Land Improvements	139,989	80,280
Other Assets	10,574	97,305
Plant & Equipment	1,342,783	524,077
Pumps	15,929	114,693
Roads	3,562,215	3,525,430
Work in Progress	360,520	1,123,254
<b>Total capital works</b>	<b>7,302,843</b>	<b>7,831,836</b>
<b>Represented by:</b>		
Renewal of infrastructure	5,369,949	5,026,790
Upgrade of infrastructure	891,475	1,893,793
Expansion of infrastructure	1,041,419	911,253
<b>Total capital works</b>	<b>7,302,843</b>	<b>7,831,836</b>

**Property, plant and equipment, infrastructure movement**

The movement between the previous year and the current year in property, plant and equipment, infrastructure as shown in the Balance Sheet links to the net of the following items:

<b>Total capital works</b>	7,302,843	7,831,836
Assets Found	4,569,882	3,393,432
Asset revaluation movement	(94,437,654)	9,459,068
Flood impairment	-	17,429,319
Depreciation	(9,725,604)	(8,688,263)
Written down value of assets sold/write off	(3,140,417)	(4,157,512)
Industrial land reclassified	-	90,000
Asset adjustment for Landfill provision increase	904,995	-
Capital Work in progress expensed	-	(2,383,781)
Contributions - non-monetary assets	2,018,041	826,039
<b>Net movement in property, plant and equipment, infrastructure</b>	<b>(92,507,914)</b>	<b>23,800,138</b>

**(a) Renewal**

Expenditure on an existing asset which returns the service potential or the life of the asset up to that which it had originally. It is periodically required expenditure, relatively large (material) in value compared with the value of the components or sub-components of the asset being renewed. As it reinstates existing service potential, it has no impact on revenue, but may reduce future operating and maintenance expenditure if completed at the optimum time.

**(b) Upgrade**

Expenditure which enhances an existing asset to provide a higher level of service or expenditure that will increase the life of the asset beyond that which it had originally. Upgrade expenditure is discretionary and often does not result in additional revenue unless direct user charges apply. It will increase operating and maintenance expenditure in the future because of the increase in the council's asset base.

**(c) Expansion**

Expenditure which extends an existing asset, at the same standard as is currently enjoyed by residents, to a new group of users. It is discretionary expenditure which increases future operating and maintenance costs, because it increases council's asset base, but may be associated with additional revenue from the new user group.

Refer to Notes 10.1 and 10.2 for more details.

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MOIRA SHIRE COUNCIL  
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Note 28 Income, Expenses and Assets by Function/Activities

	Community Development		Finance and Business Development		Shire Development		Grand Total	
	2014	2013	2014	2013	2014	2013	2014	2013
	\$	\$	\$	\$	\$	\$	\$	\$
Income								
Grants	16,789,072	30,251,117	9,268,830	14,949,376	227,654	170,037	26,285,556	45,370,530
Other	137,057	226,103	27,870,697	29,504,399	7,947,919	7,449,409	35,955,673	37,179,911
<b>Total Income</b>	<b>16,926,129</b>	<b>30,477,220</b>	<b>37,139,527</b>	<b>44,453,775</b>	<b>8,175,573</b>	<b>7,619,446</b>	<b>62,241,229</b>	<b>82,550,441</b>
Expenses	16,791,475	46,098,079	32,356,700	36,943,443	6,657,447	6,022,726	55,805,622	89,064,248
Surplus (deficit) for the year	134,654	(15,620,859)	4,782,827	7,510,332	1,518,126	1,596,720	6,435,607	(6,513,807)
Assets attributed to functions / activities *	300,498	635,228	1,713,877	1,744,636	5,288,468	5,451,993	7,302,843	7,831,857

\* Assets have been attributed to functions/activities based on the control and/or custodianship of specific assets.

**Community Development**

Community Development promotes and enhances community wellbeing through funding programs, advocacy, service provision, community partnerships and regulatory activity.

The Function includes the following activities :

Community Family & Health Services      Community Relations & Engagement  
Community Recreational Facilities      Disaster Recovery

**Finance and Business Development**

Finance and Business Development is responsible for providing a range of strategic, operational and financial services to business units and the Council as a whole, also regional business development and the construction, renewal and maintenance of community assets and facilities.

The Function includes the following activities :

Financial Services      Regional Business Development  
Information Systems      Community Facilities Management  
Governance      Assets  
Organisational Development

**Shire Development**

Shire Development manages Shire planning compliance, land use and building safety, also manages garbage & recyclable collection, waste management & environmental sustainability, community safety and local laws.

The Function includes the following activities :

Shire Building & Planning      Community Safety  
Environmental Services      Local Laws  
Waste Management

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
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**STANDARD STATEMENTS  
FOR THE YEAR ENDED  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

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**CERTIFICATION OF STANDARD STATEMENTS**

In my opinion the accompanying standard statements have been prepared on accounting bases consistent with the financial statements and in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2004.

**Principal Accounting Officer**  
15 September 2014  
Cobram

In our opinion the accompanying standard statements have been prepared on the bases consistent with the financial statements and in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2004.

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

We have been authorised by Moira Shire Council on 15 September 2014 to certify the Standard Statement in their final form.

**Peter Mansfield**  
**Mayor**  
15 September 2014  
Cobram

**Councillor**  
15 September 2014  
Cobram

**Mark Henderson**  
**Chief Executive Officer**  
15 September 2014  
Cobram

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
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**ATTACHMENT No [2] - Consolidated Standard Statements 2013-14 9 Sep 2014**

**NOTES TO THE STANDARD STATEMENTS**

**1. Basis of Preparation of Standard Statements**

Council is required to prepare and include audited Standard Statements within its Annual Report. Four Statements are required - a Standard Income Statement, a Standard Balance Sheet, a Standard Statement of Cash Flows and a Standard Statement of Capital Works, together with explanatory notes.

These Statements and supporting notes form a special purpose financial report and are prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2004.

The Standard Statements have been prepared on accounting bases consistent with those used for the General Purpose Financial Statements and the Budget. The results reported in these Statements are consistent with those reported in the General Purpose Financial Statements.

The Standard Statements are not a substitute for the General Purpose Financial Statements, which are also included in the Annual Report. They have not been prepared in accordance with all Australian Accounting Standards or other authoritative professional pronouncements.

The Standard Statements compare Council's financial plan, expressed through its budget, with actual performance. The Local Government Act 1989 requires explanation of any material variances. The Council has adopted a materiality threshold of 10 percent. 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 included in the Statements are those adopted by Council on 24 June 2013. The budget was based on assumptions that were relevant at the time of adoption of the budget. The Council set guidelines and parameters for revenue and expense targets in this budget in order to meet Council's business plan 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.

Detailed information on the actual financial results are contained in the General Purpose Financial Statements included in the Annual Report. The detailed budget can be obtained by contacting Council or through the Council's website. The Standard Statements must be read with reference to these documents.

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STANDARD INCOME STATEMENT COMPARISON REPORT FOR THE YEAR ENDED 30 JUNE 2014					
	Actual 2013/14 \$	Budget 2013/14 \$	Variance		Ref
			\$	%	
<b>Income</b>					
Rates and charges	28,916,674	28,804,805	111,869	0	
Operating (Recurrent) Grants	22,115,671	5,582,127	16,533,544	296	1
Capital (Non-Recurrent) Grants	4,169,885	4,389,900	(220,015)	(5)	
Capital Contributions	413,607	378,531	35,076	9	
Contributions - cash	170,336	86,688	103,648	155	2
Contributions - non monetary	2,018,041	200,000	1,818,041	909	3
Reimbursements and Subsidies	82,991	38,687	44,304	115	4
User Fees	2,726,841	2,682,355	34,486	1	
Statutory Fees and Fines	992,152	906,681	85,471	9	
Interest	525,679	785,880	(260,201)	(33)	5
Net gain on disposal of asset held for sale	-	10,000	(10,000)	(100)	
Recognition of assets under Council control	4,569,882	-	4,569,882	100	6
Share of net profit of investments in Associates accounted for by the equity method:					
- Goulburn Valley Regional Library Corporation	33,254	-	33,254	100	
- Moira Arts and Culture Inc.,	13,251	-	13,251	100	
Net Gain / (Loss) on Disposal of Property, Plant & Equipment	-	74,050	(74,050)	100	
Other Revenue	239,888	241,260	(1,272)	(1)	
<b>Total Income</b>	<b>66,988,252</b>	<b>44,170,964</b>	<b>22,817,288</b>	<b>52</b>	
<b>Expenses</b>					
Employee Costs	17,289,533	17,689,392	(409,859)	(2)	
Material and Services	13,682,710	10,689,485	2,993,225	28	7
External Contract Services	11,179,423	5,307,116	5,872,307	111	8
Utilities	1,218,437	1,090,776	127,661	12	
Bad and Doubtful Debts	-	5,000	(5,000)	(100)	
Depreciation	9,725,604	8,027,230	1,698,374	21	9
Interest on Borrowings	587,100	587,931	(831)	(0)	
Interest on Unwinding of Discount on Provisions	265,407	500,416	(235,009)	(47)	
Net loss on Disposal of Property, Plant & Equipment	130,632	-	130,632	100	
Loss on disposal of infrastructure assets	2,287,179	200,000	2,087,179	1,044	10
Fair value Adjustment of Inangible Asset	108,565	-	108,565	100	
Share of Net Profit/(Loss) of Associated Entity Accounted for by the Equity Method					
- Goulburn Valley Regional Library Corporation	-	20,000	(20,000)	(100)	
Other	4,078,053	4,020,356	57,697	1	
<b>Total Expenses</b>	<b>60,552,643</b>	<b>48,147,702</b>	<b>12,404,941</b>	<b>26</b>	
<b>Surplus / (Deficit)</b>	<b>6,435,609</b>	<b>(3,976,738)</b>	<b>10,412,347</b>	<b>(262)</b>	
<b>Movements in Equity</b>					
Transfers to Restricted Reserves	(24,800)	(30,950)	6,150	(20)	11
Net Increase/(Decrease) in Asset Revaluation Reserves	(94,437,654)	-	(94,437,654)	100	12
<b>Total comprehensive result</b>	<b>(88,026,845)</b>	<b>(4,007,688)</b>	<b>(84,019,157)</b>	<b>2,096</b>	

**Variance Explanation Report**

Item	Ref	Commentary
Operating (Recurrent) Grants	1	Increase mainly due to receipt Flood Emergency Grants of \$15.8 million not Budgeted for and increase in the actual allocation of Victorian Grants Commission funding of \$0.5 million.
Contributions - cash	2	Increase in Contributions relating to Fire Services Levy of \$88k, Yarrawonga Aerodrome - \$10k and Climate Smart Agricultural Adaptation - \$12k.
Contributions - Non-monetary	3	Increase in Contributed assets was mainly due to several large sub-divisions made this year and a significantly higher than expected values of assets transferred to Moira Shire Council.
Reimbursements and Subsidies	4	Increase mainly due to increase in Insurance claims.

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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
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**ATTACHMENT No [2] - Consolidated Standard Statements 2013-14 9 Sep 2014**

**Variance Explanation Report (Cont'd)**

<u>Item</u>	<u>Ref</u>	<u>Commentary</u>
Interest received	5	Decrease mainly due to completion of Flood emergency works and the corresponding decrease in grant funding, which when held generated interest income for the Council.
Previously unrecognised assets found	6	Found assets was not included in the budget and relates to Land under Roads recognised in 2013/14.
Material & Services	7	Increase mainly due to Flood Emergency costs not Budgeted for \$3.9 million offset by postponement of IT costs of \$800k and other savings.
External Contract Services	8	Increase mainly due to Flood Emergency costs not Budgeted for.
Depreciation	9	Mainly due to correction of life cycle and unit rates of Roads
Written Down Value of Infrastructure Replaced	10	Budgeted figure is an overall amount based on an estimate of the past data. The amount written down reflects the remaining value of the assets replaced as part of the overall Capital Works Program. The \$2.3 million relates to assets which have reached the stage of replacement at the end of this financial year.
Transfers to Restricted Reserves	11	There were lower Open Space Contributions from Developers offset by Net Gain Tree Planting reserves
Net Increase/(Decrease) in Asset Revaluation Reserves	12	Asset revaluation reserve is not budgeted.

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STANDARD BALANCE SHEET  
COMPARISON REPORT  
AS AT 30 JUNE 2014

	Actual 2013/14	Budget 2013/14	Variance		Ref
		\$	\$	%	
<b>Current Assets</b>					
Cash and Cash Equivalents	14,438,149	6,969,142	7,469,007	107	13
Trade and Other Receivables	3,445,019	3,351,940	93,079	3	
Inventory	423,563	481,234	(57,671)	(12)	
Assets Held for Sale	-	210,124	(210,124)	(100)	14
Other	121,032	67,274	53,758	80	
<b>Total Current Assets</b>	<b>18,427,763</b>	<b>11,079,714</b>	<b>7,348,049</b>	<b>66</b>	
<b>Non-Current Assets</b>					
Trade and Other Receivables	-	131,312	(131,312)	(100)	15
Property, Plant Equipment and Infrastructure	497,838,787	568,935,632	(71,096,845)	(13)	16
Intangible Assets	909,901	1,047,688	(137,787)	(13)	
Investments in Associates	648,773	516,809	131,964	26	
<b>Total Non-Current Assets</b>	<b>499,397,461</b>	<b>570,631,441</b>	<b>(71,233,980)</b>	<b>(13)</b>	
<b>Total Assets</b>	<b>517,825,224</b>	<b>581,711,155</b>	<b>(63,885,931)</b>	<b>(12)</b>	
<b>Current Liabilities</b>					
Trade and Other Payables	2,808,079	2,114,653	693,426	33	17
Trust Funds and Deposits	548,769	1,024,747	(475,978)	(46)	18
Interest Bearing Loans and Borrowings	829,560	829,560	-	-	
Non-Interest Bearing Liabilities	60,000	60,000	-	-	
Employee Benefits	3,383,124	3,654,723	(271,599)	(7)	
Provision for Landfill Rehabilitation	954,990	1,982,442	(1,027,452)	(52)	19
<b>Total Current Liabilities</b>	<b>8,584,522</b>	<b>9,666,125</b>	<b>(1,081,603)</b>	<b>(11)</b>	
<b>Non-Current Liabilities</b>					
Interest Bearing Loans and Borrowings	6,471,942	6,471,943	(1)	-	
Non-Interest Bearing Loans and Borrowings	120,099	120,000	99	0	
Employee Benefits	336,942	560,503	(223,561)	(40)	20
Provision for Landfill Rehabilitation	7,647,687	5,734,497	1,913,190	33	21
<b>Total Non-Current Liabilities</b>	<b>14,576,670</b>	<b>12,886,943</b>	<b>1,689,727</b>	<b>13</b>	
<b>Total Liabilities</b>	<b>23,161,192</b>	<b>22,553,068</b>	<b>608,124</b>	<b>3</b>	
<b>Net Assets</b>	<b>494,664,032</b>	<b>559,158,087</b>	<b>(64,494,055)</b>	<b>(12)</b>	
Accumulated Surplus	171,511,380	168,450,018	3,061,362	2	
Restricted Reserves	1,262,937	1,269,087	(6,150)	(1)	
Asset Revaluation Reserve	321,889,715	389,438,982	(67,549,267)	(17)	22
<b>Total Equity</b>	<b>494,664,032</b>	<b>559,158,087</b>	<b>(64,494,055)</b>	<b>(12)</b>	

Variance Explanation Report

Item	Ref	Commentary
Cash assets	13	Mainly due to Flood Emergency funding.
Land held for resale	14	No purchase of land for resale was made in the current financial year.
Trade and Other Receivables	15	All actual Trade and Other Receivables fall due within one year due to diligent follow-up.
Property, Plant Equipment and Infrastructure	16	Decrease mainly due to correction of unit rates of Road asset
Trade and Other Payables	17	Mainly due to Fire Services Levy payable not budgeted for.
Trust Funds and Deposits	18	Due to increase in refund of deposits on completion of the Building and Planning work processes during the current financial year.
Non-current Employee Benefits	20	Mainly due to long serving employees leaving organisation and Budgeted amount based on estimates.
Provision for Landfill Rehabilitation	19 & 21	Variance due to updated estimate of amounts required for Landfill rehabilitation
Asset Revaluation Reserve	22	Council does not Budget for Asset Revaluation.

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**ATTACHMENT No [2] - Consolidated Standard Statements 2013-14 9 Sep 2014**

STANDARD STATEMENT OF CASH FLOWS  
COMPARISON REPORT  
FOR THE YEAR ENDED 30 JUNE 2014

	Actual 2013/14	Budget 2013/14 \$	Variance \$	%	Ref
<b>Cash flows from operating activities</b>					
Receipts from customers	32,714,269	32,499,110	215,159	1	
Payments to suppliers	(33,852,059)	(17,072,374)	(16,779,685)	98	23
<b>Net cash inflow (outflow) from customers/suppliers</b>	<b>(1,137,790)</b>	<b>15,426,736</b>	<b>(16,564,526)</b>	<b>(107)</b>	
Government receipts	26,490,968	9,972,027	16,518,941	166	24
Contributions	583,943	445,219	138,724	31	
Interest received	528,779	785,880	(257,101)	(33)	25
Proceeds from Sale of Land held for Resale	-	100,000	(100,000)	(100)	26
Other receipts	239,988	241,260	(1,272)	(1)	
Other payments	(5,719,444)	(4,020,356)	(1,699,088)	42	27
Net GST refund	3,308,069	-	3,308,069	100	28
Payment to employees	(17,257,877)	(17,259,851)	1,974	-	
Interest paid	(587,937)	(587,931)	(6)	-	
Payments for Purchase of Land held for resale	-	(300,124)	300,124	(100)	
<b>Net cash inflow (outflow) from operating activities</b>	<b>6,448,699</b>	<b>4,802,860</b>	<b>1,645,839</b>	<b>33</b>	
<b>Cash flows from investing activities</b>					
Proceeds from sale of assets	701,062	133,000	568,062	427	29
Proceeds from Sale of Assets held for Sale	-	-	-	-	
Payments for purchase of fixed assets	(7,302,843)	(10,105,873)	2,803,030	(28)	30
(Increase)/decrease in loan advances	15,000	15,000	-	-	
<b>Net cash inflow (outflow) from investing activities</b>	<b>(6,586,781)</b>	<b>(9,957,873)</b>	<b>3,371,092</b>	<b>(34)</b>	
<b>Cash flows from financing activities</b>					
Proceeds from borrowings	-	-	-	-	
Repayments of borrowings	(769,104)	(769,105)	1	-	
Increase / (decrease) Fire Services Levy dues to/from SRO	37,098	-	37,098	-	
Repayments of Non-Interest Bearing Liabilities	(60,000)	(60,000)	-	-	
Increase/(decrease) in trust funds and deposits	(324,843)	29,847	(354,690)	(1,188)	31
<b>Net cash inflow (outflow) from financing activities</b>	<b>(1,116,849)</b>	<b>(799,258)</b>	<b>(317,591)</b>	<b>40</b>	
<b>Net increase/(decrease) in cash and cash equivalents</b>	<b>(1,254,931)</b>	<b>(5,954,271)</b>	<b>4,699,340</b>	<b>(79)</b>	
Cash at the beginning of the year	15,693,080	12,923,413	2,769,667	21	
<b>Cash and cash equivalents at the end of the year</b>	<b>14,438,149</b>	<b>6,969,142</b>	<b>7,469,007</b>	<b>107</b>	32

Variance Explanation Report

Item	Ref	Commentary
Payment to suppliers	23	Mainly due to payment relating to Flood response management. Flood related expenses relating to Materials & Services and Contractors amounted to \$10.2 million and the outstanding Trade creditors payments of 2012/13 paid in 2013/14 to the extent of \$5 million.
Government receipts	24	Due to funding for Flood Recovery of \$15.8 million
Interest received	25	Refer to Note 5 in the Standard Income Statement.
Proceeds from Land held for resale	26	There was no sale of Land held for resale in 2013/14.
Other expenses	27	Increase mainly due to actual and budgeted payables movements.
Net GST refund	28	GST not budgeted for.
Proceeds from sale of assets	29	More than budgeted sale of plant & equipment during the year.
Payments for purchase of fixed assets	30	Decrease primarily due to delay in delivering three projects - Rotary Club building at Yarrowonga, Numurkah Pre-school and the Landfill project.
Increase/(decrease) in trust funds and deposits	31	Mainly due to increase in refund of deposits on completion of the Building and Planning work processes during the current financial year.
Cash at the beginning of the year	32	Refer to Note 13 in the Standard Balance Sheet.

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14**  
(cont'd)

**ATTACHMENT No [2] - Consolidated Standard Statements 2013-14 9 Sep 2014**

**STANDARD STATEMENT OF CAPITAL WORKS  
COMPARISON REPORT  
FOR THE YEAR ENDED 30 JUNE 2014**

	Actual 2013/14	Budget 2013/14	Variances		Ref
		\$	\$	%	
Land	8,052		8,052	100	
Plant and equipment	1,342,783	403,600	939,183	233	33
Buildings	1,330,026	1,592,531	(262,505)	(17)	34
Pumps	15,929	-	15,929	100	
Footpaths	136,528	63,669	72,859	114	35
Roads	3,562,215	3,777,797	(215,582)	(6)	36
Culvert and floodways	-	-	-	100	
Bridges	-	250,000	(250,000)	(100)	
Drainage	158,418	406,576	(248,158)	(61)	37
Kerb and guttering	237,809	200,000	37,809	19	38
Land improvements	139,989	2,834,200	(2,694,211)	(95)	39
Other	10,574	577,500	(566,926)	(98)	40
Work in progress	360,520	-	360,520	100	41
<b>Total capital works</b>	<b>7,302,843</b>	<b>10,105,873</b>	<b>(2,803,030)</b>	<b>(28)</b>	
<b>Represented by:</b>					
Renewal	5,369,949	5,991,866	(621,917)	(10)	42
Upgrade	891,475	2,772,107	(1,880,632)	(68)	43
Expansion	1,041,419	1,341,900	(300,481)	(22)	44
<b>Total non-current assets</b>	<b>7,302,843</b>	<b>10,105,873</b>	<b>(2,803,030)</b>	<b>(28)</b>	

**Variance Explanation Report**

Item	Ref	Commentary
Plant & Equipment	33	Following a strategic review of Councils light fleet, a decision was made to implement a three year programme to purchase and own light fleet items rather than lease them. The expenditure relates to Year 1 implementation which provided for the disposal and replacement of most of Council's owned light fleet. The additional expenditure was met by the proceeds of sales.
Buildings	34	The change is primarily due to the delays in two projects, in implementation of the Rotary Club building at the Yarawonga showgrounds. The building has been tendered and is currently being constructed to lock up stage. With respect to the Numurkah preschool the contract has been awarded and the builder is well advanced with completion in August 2014.
Footpaths	35	Variance mainly due to projects being budgeted for as projects then when capitalised the expenditure has been attributed to assets constructed as part of the projects. Predominantly Nathalia Flood Plain Upgrade Levee Banks project, which comprised mainly the construction of a concrete footpath in Nathalia.
Roads	36	Variance predominantly due to rescheduling of Karook Street works till 2014/15 due to rescoping of the project to meet the required funding.
Drainage	37	Variance primarily due to the delay in implementation of the Rowe Street retention basin project. The project was designed and tendered and a contract accepted by Council, however the successful contractor was not able to implement the works till September 2014.
Kerb & Guttering	38	Variance mainly due to projects not being budgeted for in 2013/14 Budget.
Land Improvements	39	Variation due to less work being carried out than was scheduled.

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14  
(cont'd)**

**ATTACHMENT No [2] - Consolidated Standard Statements 2013-14 9 Sep 2014**

**Variance Explanation Report (Cont'd)**

	<u>Item</u>	
Other		40 Variance mainly due to the designation of capital works overheads as "other assets" in the budget. Subsequently allocated to the respective projects.
Work in Progress		41 It is assumed that all works included in the budget will be completed by year-end. Therefore, work in progress is budgeted to be \$nil.
Renewal		42 Variance predominantly due to initial allocation being project based and subsequently refined as projects were completed and capitalised.
Upgrade		43 Variance primarily due to rescheduling of the following projects , Showgrounds Community Building/Mens Shed, Rowe Street Retention Basin, Numurkah and Road Reconstruction, Dookie Rd.
Expansion		44 Variance primarily due to rescheduling of the following project, Karook Street Safety Work.

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

**STRATEGIC GOAL - 1.ENVIRONMENT**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
1.1.1 Annual residential waste generation (kilograms) for recycling, landfill & green waste: * Per Capital * Per residential assessment	* Less than 600 Kilograms per capita * Less than 1000 kilograms per residential assessment	Achieved	185 kg per capita 307 kg per residential assessment Source - DSK 2013/14 Annual Report
1.2.1 Percentage community satisfaction (index score) with waste management	65%	Achieved	71 % Source – Community Satisfaction Survey 2014
1.6.2 Waste Diversion from Landfill, calculated as the proportion of the overall kerbside waste stream that is recycled (includes paper, bottles and green waste) instead of being disposed to landfill	53%	Not Achieved	

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

**STRATEGIC GOAL - 2. COMMUNITY**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
2.1.5 Provide youth focused social and sporting events	Host six events throughout the Shire	Achieved	6 events held Source – Copies of promotional posters for each event
2.2.1 Proportion of infants born that receive primary immunisations	90%	Achieved	94% Source – immunisation data report
2.2.7 Operate a Family Day Care service within Moira Shire	Maintain at least 15 educators that provide Family Day Care	Achieved	21 Source - Educator list as at 24 July 2014
2.4.1 Support the Moira Shire Safety Committee through facilitating meetings involving all relevant stakeholder	Host four Safety Committee meetings per year	Achieved	4 meetings Source – Copies of minutes conducted.

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

2.6.2 In partnership with the community and contracts proactively manage Councils community facilities	Increase the patronage of Council owned aquatic facilities to over 65,000 per year.	Achieved	67,812 visitations Source – 2013/14 YMCA report
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**STRATEGIC GOAL - 2. COMMUNITY continued**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
2.8.1 The Municipal Emergency Management Plan be implemented and reported to Council in a timely manner	100% compliance with Emergency Management Victoria requirements	Achieved	MEMP Plan Audit Report. Copy of the CERA (community Emergency Risk Assessment) Source - Moira Shire Council
2.10.5 All registered premises inspected prior to the renewal of their registration including compliance enforcements as needed	100% premises inspected	Achieved	Inspection of files when on site. Random selection of 15 premises

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(FINANCE MANAGER, WARREN BROWN)  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

**STRATEGIC GOAL - 3. DEVELOPMENT (LIVEABILITY)**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
3.2.4 Community satisfaction ratings for performance compared to similar councils: * Town Planning Policy	55%	Achieved	57% Planning Policy Source – Community Satisfaction survey 2014
3.11.1 Assess the potential for commercial development of Council controlled assets	6 Assessments	Not Achieved	

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

**STRATEGIC GOAL - 4. ORGANISATION**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
4.4.1 Prepare the Annual Budget and Strategic Resource Plan in line with statutory requirements and within a financial sustainability framework for consideration by Council by 30 June 2014	100%	Achieved	Completed and presented to Council 23 June 2014 Source – Copy of Council Report.
4.7.1 DPCD Customer Service Survey/ Moira Internal Survey	75%	Not Achieved	

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

**STRATEGIC GOAL - 5. INFRASTRUCTURE**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
5.1.1 Percentage of completed capital works infrastructure projects completed at the conclusion of the financial year (based on number of projects)	95%	Not Achieved	
5.3.3 Community satisfaction (index score) with conditions & maintenance of municipal roads, streets, footpaths (CSS)	85%	Not Achieved	
5.4.1 Civic Mutual Plus overall score for management of sporting reserves	>50%	Achieved	Result 87% Source – MAV Public and Professional liability report

FILE NO: 180.03.0022  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
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**FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT 2013/14 (cont'd)**

**ATTACHMENT No [3] - Final Performance Statement - Indicator Summary**

**STRATEGIC GOAL - 6. GOVERNANCE**

<i>Performance Measures</i>	<i>Target</i>	<i>Result</i>	<i>Comments</i>
6.3.1 Percentage of Freedom of Information Requests responded to within prescribed timeframes	100%	Achieved	100% Source – FOI commissioner annual report
6.5.2 Annual Report to Minister for Local Government by 30 September 2013	1 Annual Report completed & delivered by 30 September 2013	Not Achieved	Source – letter of acknowledgement from the Ministers office. Received 25 October 2014

FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2  
(ASSISTANT FINANCIAL ACCOUNTANT,  
ANDREW WILSON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014

### 1. Executive Summary

#### Highlights:

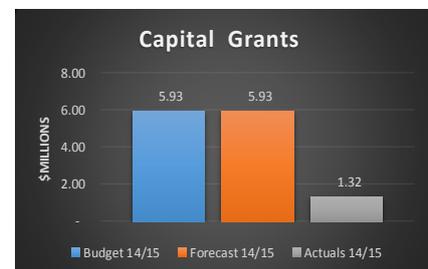
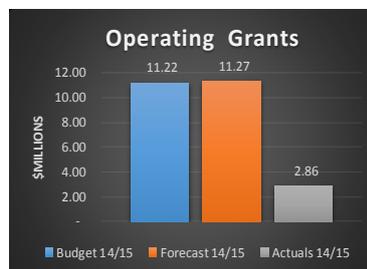
- Council's cash position as at 31<sup>st</sup> August 2014 is \$13.9M.

### 2. Background and Options

#### Executive Summary Dashboard:

# Moira Shire Council

## Monthly Financial Position Report August-2014



#### Income Drivers Ranked in order of priority

- Rates - Sustains Council's Operations and VAGO Indicator compliance**
- Operating Grants - Supports Council's Operational activities**
- Capital Grants - Assists Council's Infrastructure programme, Cash flow**

Actuals YTD as a % of	Adopted Budget	Forecast 2013/14
<b>Rates</b>	<b>96.2%</b>	<b>96.2%</b>
<b>Operating Grants</b>	<b>25.5%</b>	<b>25.4%</b>
<b>Capital Grants</b>	<b>22.2%</b>	<b>22.2%</b>

FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2  
(ASSISTANT FINANCIAL ACCOUNTANT,  
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**FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014 (cont'd)**

Income Statement	Adopted Budget 2014/15	YTD Actuals August-2014	Target completion % of Adopted Budget for month 2 of 12	Actual completion %
<b>Capital Income</b>				
Capital Grants	5,934,400	1,315,636		
Capital Contributions	170,259	23,000		
Net Gain /(Loss) on disposal of assets	(18,379)	9,650		
Other Capital Income	-	-		
<b>Total Capital Income</b>	<b>6,086,280</b>	<b>1,348,287</b>		
<b>Operating Income</b>				
Rates Income	31,901,299	30,691,419		
Operating Grant	11,215,994	2,863,866		
<b>Other Operating Income</b>				
Reimbursement	49,532	14,852		
Statutory Fees & Fines	902,116	146,164		
Interest Income	300,000	46,709		
Operating Contributions	93,600	28,615		
User Charges	2,843,997	304,876		
Contributions Non Monetary assets	200,000	-		
Net Proceeds On Sale of Land	10,000	15,960		
Other income	410,404	(511,889)		
<b>Total Income</b>	<b>54,013,222</b>	<b>34,948,858</b>		
<b>Operating Costs</b>				
Employee Costs	18,642,026	3,389,595	3,107,004	18.18%
External Contract Services	6,300,072	391,203	1,050,012	6.21%
Materials Services	11,423,766	1,214,379	1,903,961	10.63%
Utilities	968,072	168,209	161,345	17.38%
Interest on Borrowing	527,476	92,438	87,913	17.52%
Bad Debts	5,000	-	833	0.00%
Other Expenses	4,320,149	1,026,009	720,025	23.75%
Net Proceeds On Sale of Land	-	-	-	
Net Gain /(Loss) on Disposal of Assets	-	-	3,063	
<b>Non Cash items</b>				
Depreciation Amortisation	8,740,057	1,456,676	1,456,676	16.67%
WDV of Infrastructure replaced	200,000	-	33,333	0.00%
Unwinding Interest of Landfill	429,831	-	71,639	0.00%
Revaluation of Intangibles	-	-	-	
Share of Profit/[Loss] Associated Company	20,000	-	3,333	0.00%
<b>Total operating expenditure</b>	<b>51,576,449</b>	<b>7,738,510</b>	<b>8,599,138</b>	<b>15.00%</b>
<b>Net Surplus / (Deficit)</b>	<b>2,436,773</b>	<b>27,210,348</b>	<b>(8,599,138)</b>	<b>(316.43)%</b>

Note: Income and Expenses related to Disaster Recovery have been excluded from Actuals to provide a correct perspective of comparing with the Forecast

Note: Target completion and actual completion percentages and traffic lights have been removed for income items due to the undefined timeline of income items

FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2  
(ASSISTANT FINANCIAL ACCOUNTANT,  
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**FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014 (cont'd)**

Capital expenditure	Adopted Budget 2014/15	YTD Actuals 2014/15
Capital expenditure	10,720,189	601,922

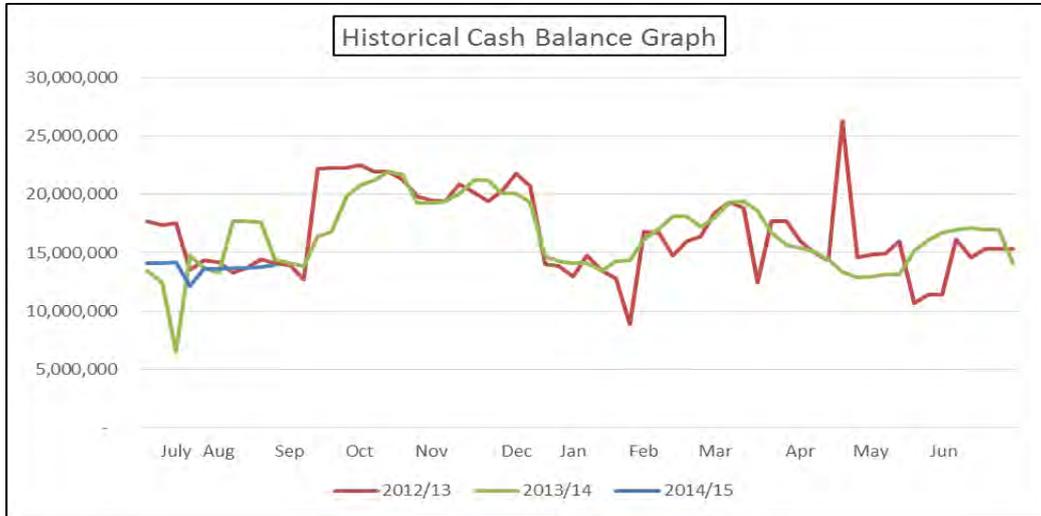
Cash & Cash Equivalents	Adopted Budget 2014/15	YTD Actuals 14/15	Variance
Cash & Cash Equivalents	6,969,143	13,961,370	 6,992,227

Rates & Other Debtors Summary				
<b>Rate Collection</b>				
<b>General Rates &amp; Charges</b>	Aug-13	Aug-14	Rank	Progress
Arrears carried forward	1,310,464	1,769,327		↑
Total rates to be collected (amount levied)	29,168,983	31,111,845		↑
Collection to date	631,875	2,364,612		↑
No. of rateable assessments	17,009	17,445		↑
Rateable Valuation C.I.V	4,736,104,600	4,969,670,600		↑
Supplementary rate increase since adopted budget	0	57,269		↑
<b>Fire Services Levy</b>				
Fire Services Levied	3,544,021	3,276,625		↓
Fire Services Rebates/Concessions/Cancellations & Collections	0	271,458		↑
Supplementary Fire Services	0	(12,152)		↑
<b>Special Rate Debtors</b>				
	Aug-13	Aug-14	Rank	Progress
Principal Outstanding	134,363	25,371		↓
Interest Outstanding	3,204	813		↓
<b>Total</b>	<b>137,567</b>	<b>26,184</b>		↓
<b>Debtors</b>				
	Jul-14	Aug-14	Rank	Progress
Current	486,176	444,448		↑
30 Days	62,861	383,281		↑
60 Days	28,291	403,511		↑
90 Days	444,719	25,504		↓
> 90 Days	201,582	201,342		↔
<b>Total</b>	<b>1,223,629</b>	<b>1,458,086</b>		
<b>Infringements</b>				
	Jul-14	Aug-14	Rank	Progress
Balance Outstanding	138,366	135,081		↔

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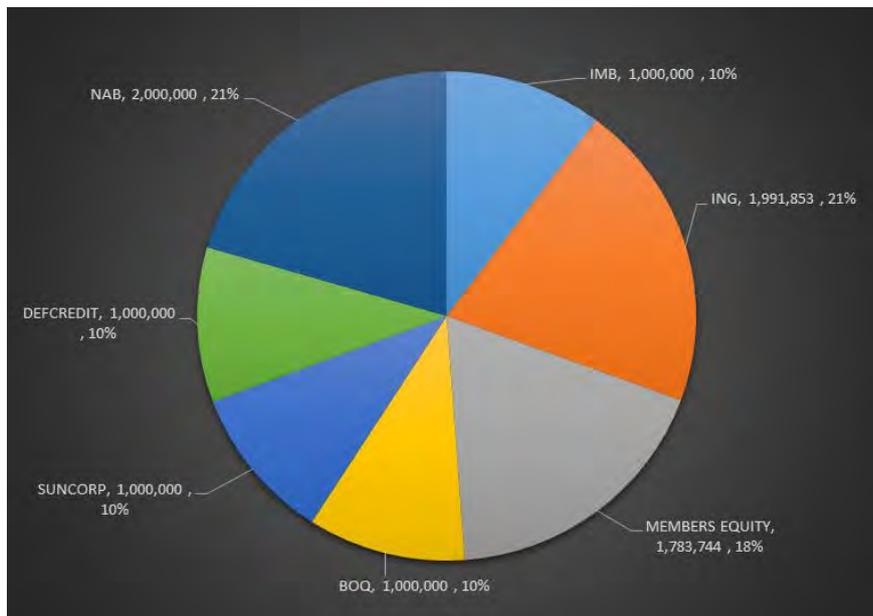
**FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014 (cont'd)**



**Current Investments as at 31 August 2014**

Bank	Deposit amount
IMB	1,000,000
ING	1,991,853
MEMBERS EQUITY	1,783,744
BOQ	1,000,000
SUNCORP	1,000,000
DEFCREDIT	1,000,000
NAB	2,000,000
<b>Grand Total</b>	<b>9,775,598</b>

**Active Investment Spread as at 31 August 2014**



**Capital Works Snapshot – 31 August 2014**

**FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 9.1.2  
(ASSISTANT FINANCIAL ACCOUNTANT,  
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**FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014 (cont'd)**

Expenditure	Current Year Adopted Budget Incl Oncosts	YTD Actuals Incl Oncosts	Commitments	YTD Actuals Incl Commitments	Commentary
7000 - Plant Operations Purchase New Vehicles	610,550	32,066	-	32,066	Plant purchases in accordance with the Plant Replacement programme.
7001 - Plant Operations Purchase New Plant	162,000	-	-	-	Plant purchases in accordance with the Plant Replacement programme.
7002 - Small Replacement Plant > \$2000	27,900	-	-	-	Plant purchases in accordance with the Plant Replacement programme.
7014 - Kerb & Channel Renewal Various	400,000	-	-	-	Design for replacement works being undertaken.
7019 - Yarrowonga Landfill Rehabilitation	160,000	-	-	-	Works programmed for second half of financial year.
7020 - Swimming Pool/Centres Rehab Various	75,000	-	-	-	Quotes to be obtained in Sept/Oct.
7021 - Civic Buildings Upgrades	60,000	-	43,265	43,265	Works in accordance with Upgrade programme.
7022 - (R) Spot Resheeting Gravel Roads	377,000	106,381	41,366	147,747	Works commenced. Implementation in accordance with condition assessments.
7024 - Township Dust Suppression	105,000	-	-	-	Final seals on last years projects to be done with reseal contract.
7026 - Road Resealing (CRB)	1,380,000	-	-	-	Tender documents being prepared.
7027 - Footpath Renewal Program	65,000	-	-	-	Schedule being prepared.
7030 - Major Patching on Sealed Roads (CRB)	700,000	-	300,000	300,000	Patching works being undertaken in preparation for reseals later in the year.
7031 - Drainage Pump Renewals and Functional Up	50,000	-	5,395	5,395	Works commenced.
7034 - Gravel Road Resheeting 10 Year Cycle R2R	523,000	-	-	-	Schedule prepared. Works to commence November/December.
7035 - Gravel Shoulder Resheets R2R	120,000	-	-	-	Specification being prepared for tender.
7039 - Cobram Landfill Cell 6	10,000	-	-	-	Works programmed for second half of financial year.
7040 - Cobram Landfill Cell 1-4	10,000	217,952	618,412	836,364	Unspent funds from 2013/2014 not shown. Works progressing under Contract, following delays caused by wet weather.
7042 - Landfill Various Works	200,000	-	-	-	Works programmed for second half of financial year.
7045 - Numurkah Quinn Street Traffic Safety Work	-	70	-	70	Unspent funds from 2013/2014 not shown. Awaiting installation of lights to complete the project.
7046 - Numurkah Melville St Traffic Safety Work	-	4,024	-	4,024	Unspent funds from 2013/2014 not shown. Awaiting installation of lights to complete the project.
7050 - Drainage Works Various	-	-	7,070	7,070	Invoice received after end of financial year for works previously undertaken.
7067 - Kennedy Park Cobram	410,000	1,888	-	1,888	Design complete. Permit applied for. Tenders being prepared.
7072 - Roundabout Woods Road Yarrowonga	100,000	-	-	-	Design under way. Design to be completed prior to Christmas.
7073 - Road Reconstruction, Dookie Rd, Waggaran	300,000	-	-	-	Design under way. Design to be completed prior to Christmas.
7075 - Rowe Street Retension Basin Numurkah	250,000	-	199,236	199,236	Contract awarded. Works to start in September.
7078 - Upgrade to Municipal Pound Cobram	-	259	-	259	Unspent funds from 2013/2014 not shown. Invoice received after end of financial year for works previously undertaken.
7079 - Preschool Numurkah	320,000	161,236	211,968	373,204	Unspent funds from 2013/2014 not shown. Works well advanced. Completion by October.
7081 - Showgrounds Community Building/Mens Shed	293,333	30,385	92,688	123,073	Works under way.
7084 - Karook Street Safety Works	295,000	-	-	-	Tender awarded.
7087 - Numurkah Rail Park	-	(1)	-	(1)	
7089 - Cobram Library	1,210,000	47,661	-	47,661	Quotes for Architect being assessed.
7090 - LED Streetlight Replacement Program	111,406	-	-	-	Implementation in accordance with Contract.
7091 - Catona Crescent, Cobram	225,000	-	-	-	Works programmed for second half of financial year.
7092 - Netball Courts Upgrade Tungamah	200,000	-	-	-	Design complete. Tender to be done in Sept/Oct.
7093 - Yarrowonga Aerodrome Compliance Works	500,000	-	-	-	Awaiting advice of grant application.
7094 - Truck Wash Cobram Depot Compliance Works	50,000	-	-	-	Design under way. Design to be completed prior to Christmas.
7096 - Central Business Distict Cobram	1,210,000	-	2,211	2,211	Design Concept complete. Steering Committee advised. Services being located.
7097 - Witt Street Car Park Yarrowonga	10,000	-	-	-	Design complete. Works to be scheduled.
7098 - Hogans Road Yarrowonga	15,000	-	-	-	Legal agreement being drafted by Solicitors.
7099 - Scott Reserve Cobram	25,000	-	-	-	Environmental Scan being undertaken prior to seeking an Architect.
7100 - Pools Rehabilitation Renewal Strategy	50,000	-	-	-	Documentation for Quotes being prepared.
7101 - Electrical Safety Audit	50,000	-	-	-	Documentation for Quotes being prepared.
7102 - Nathalia Mens Shed	60,000	-	-	-	Being undertaken by Nathalia Mens Group.
<b>Expenditure Total</b>	<b>10,720,189</b>	<b>601,922</b>	<b>1,521,611</b>	<b>2,123,533</b>	

FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2  
(ASSISTANT FINANCIAL ACCOUNTANT,  
ANDREW WILSON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014 (cont'd)

### 3. Financial Implications

There are no financial implications outside of the normal quarterly review.

### 4. Risk Management

There are no risk management issues to consider within this report.

### 5. Internal and External Consultation

The following members of staff were consulted:

Director, Corporate Governance;  
Executive Engineer;  
Finance Manager;  
Team Leader, Financial Accountant  
Finance Analysts;  
Team Leader Revenue, Property and Valuation Services  
Corporate Management Team

Council's Financial Position Report is provided on a monthly basis for public viewing in accordance with Council's open and transparent governance policy.

### 6. Regional Context

There are no regional context issues to consider within this report.

### 7. Council Plan Strategy

The report assists Council to deliver on its organisation plan strategy by ensuring sound financial management practices.

### 8. Legislative / Policy Implications

The report complies with:

- the Local Government Act S.136; and
- Council's Budget and Financial Reporting Policy.
- The 2013/14 to 2016/17 Council Plan Strategic Goal 4 and Strategic Resource Plan

### 9. Environmental Impact

Council's sound financial position continues to allow Council to implement and maintain its environmental projects.

### 10. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

### 11. Conclusion

Council is in a good underlying financial position as at 31 August 2014 and will continue to be, provided capital income, capital expenditure and operational growth are managed prudently.

FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2  
(ASSISTANT FINANCIAL ACCOUNTANT,  
ANDREW WILSON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**FINANCIAL POSITION REPORT AS AT 31 AUGUST 2014 (cont'd)**

**Attachments**

Nil

**RECOMMENDATION**

That Council receives and notes the Financial Position Report as at 31 August 2014.

**MOTION**

CRS ED COX / ALEX MONK

That Council receives and notes the Financial Position Report as at 31 August 2014.

(CARRIED)

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF

### 1. Executive Summary

The instruments of delegation from Council to the Chief Executive Officer and to Members of Council Staff have been reviewed to include updates to legislation and any organisational changes. The reviewed instruments attached to this report will bring these delegations up to date.

### 2. Background and Options

#### About delegations

Delegating powers, duties or functions of a council under section 98 of the *Local Government Act 1989* (the Act) enables councils to run efficiently and effectively. The Council engages the Chief Executive Officer and provides broad delegations to facilitate that role.

The Chief Executive Officer then sub-delegates operational matters to directors, managers and other employees to distribute work across the organisation. Consideration is given to the appropriate level of delegation for a position and whether conditions and limitations should be applied.

In addition, the way some legislation is written requires delegation to come directly from Council to Council staff rather than to be sub-delegated by the Chief Executive Officer. Having appropriate delegations in place allows Council to use its formal meetings to deal with the most important and strategic decisions. Clauses within all instruments of delegation require delegates to observe the strategies, policies and guidelines adopted by Council. Section 98 of the *Local Government Act 1989* enables delegation:

#### 98. Delegations

- (1) 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 other than—
  - (a) this power of delegation; and
  - (b) the power to declare a rate or charge; and
  - (c) the power to borrow money; and
  - (d) the power to approve any expenditure not contained in a budget approved by the Council; and
  - (e) any power, duty or function of the Council under section 223; and
  - (f) any prescribed power.
- (2) The Chief Executive Officer may by instrument of delegation delegate to a member of the Council staff any power, duty or function of his or her office other than this power of delegation unless subsection (3) applies.
- (3) The instrument of delegation to the Chief Executive Officer may empower the Chief Executive Officer to delegate a power, duty or function of the Council other than the power of delegation to a member of the Council staff.
- (4) The Council must keep a register of delegations to members of Council staff.
- (5) A delegation under this section to a member of Council staff may be made to—
  - (a) a person named in the delegation; or
  - (b) the holder of an office or position specified in the delegation.
- (6) A Council must review within the period of 12 months after a general election all delegations which are in force and have been made by the Council under subsection (1).

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)

### **Maddocks delegation and authorisation service**

Council subscribes to the delegations and authorisation service offered by Maddocks lawyers which is used widely across local government in Victoria. The service includes a range of templates for instruments and resolutions, advice, and updates twice a year after parliamentary sessions. The two attached instruments of delegation are based upon templates included in the Maddocks service.

### **All delegations are reviewed concurrently**

To ensure certainty Council's instruments of delegation are reviewed and updated concurrently. This removes the possibility of delegations made at different times being open to a challenge in a court of law as a result of Commonwealth legislation differing from Victorian legislation.

### **Last update**

Council approved the last update of these two instruments of delegation on 17 February 2014.

### **Delegation to the Chief Executive Officer**

There have been no changes to the instrument through the Maddocks delegations and authorisation update service. However, as mentioned above it is necessary to refresh this instrument regularly to provide certainty to delegations from the Chief Executive Officer to Council staff. Additional clarification has been included under clause 4.1 to confirm the current practice of the Chief Executive Officer also awarding variations or extensions to contracts within the same financial limitations set for awarding a contract.

### **Delegations to Council staff**

No statutory amendments have affected the content of this instrument since the last update. However, minor amendment has been made to the instrument with the insertion of comments in the "Conditions and Limitations: column for section 64 of the Planning and Environment Act 1987. These additional comments merely clarify the application of this provision and do not affect the substance of the delegation. The position title of Statutory Planning Co-ordinator has been changed to Planning Co-ordinator and the position title of Director Infrastructure and Liveability is now Director Infrastructure.

### **3. Financial Implications**

There are no specific financial implications to consider within this report.

### **4. Risk Management**

The risk of decisions being made without delegation is mitigated by regularly reviewing delegates included in an instrument of delegation against their role and title within Council's organisational structure. The risk of ensuring delegations are current, complete and legally sound is addressed by subscribing to the Maddocks Lawyers delegations update service.

### **5. Internal and External Consultation**

Legal advice through the delegations and authorisations update service forms the basis of this report, together with consultation on organisational needs with the Corporate Management Team and other relevant Council officers.

As required under regulation 11(j) of the *Local Government (General) Regulations 2004* the Council keeps a register of delegations kept under sections 87 and 98 of the Act, including the

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)

date on which the last reviews under section 86(6) and 98(6) took place. This register is available for public inspection.

### 6. Regional Context

Not applicable to this report.

### 7. Council Plan Strategy

This report aligns with the strategic goal for governance within the Council Plan, which is: Moira will meet governance, communication, compliance and regulatory standards through its commitment to advocacy and effective decision making and demonstrate good governance by being consensus orientated, equitable, effective and efficient. The relevant strategic indicator is: Instruments of Delegation to Council staff renewed biannually and updated upon receipt of legal advice.

### 8. Legislative / Policy Implications

Section 98 of the *Local Government Act 1989* allows Council to delegate any power, duty or function of a Council by an instrument of delegation. This report is in accordance with section 98 of the *Local Government Act 1989*.

### 9. Environmental Impact

There are no environmental implications to consider within this report.

### 10. Conflict of Interest Considerations

There are no Council officer conflict of interest issues associated with this report.

### 11. Conclusion

The reviewed instruments of delegations attached to this report will provide the appropriate level of delegation to ensure that the duties and functions of the Chief Executive Officer and Council staff can be carried out effectively.

## Attachments

- 1 Instrument of Delegation to the Chief Executive Officer
- 2 Instrument of Delegation to Members of Council Staff

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL  
STAFF (cont'd)**

**RECOMMENDATION**

In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, Moira Shire Council (Council) resolves that:

**Chief Executive Officer delegations**

1. there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
2. the instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. it is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

**Council staff delegations**

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

**MOTION**

CRS KEVIN BOURKE / MARIE MARTIN

That this report be deferred until such time as Council has had a full briefing on this report.

(CARRIED)

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

ATTACHMENT No [1] - Instrument of Delegation to the Chief Executive Officer



**Moirashire Council**

**Instrument of Delegation  
to  
the Chief Executive Officer**

**September 2014**



FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [1] - Instrument of Delegation to the Chief Executive Officer**

S5 - Instrument of Delegation to the Chief Executive Officer



**Instrument of Delegation**

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* (the Act) and all other powers enabling it, the Moira Shire Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 15 September 2014 ;
2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until the Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

"The COMMON SEAL of the  
MOIRA SHIRE COUNCIL  
was affixed hereto by authority  
of the Council on the  
..... day of September 2014  
in the presence of:

.....Chief Executive Officer

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [1] - Instrument of Delegation to the Chief Executive Officer**

**S5 - Instrument of Delegation to the Chief Executive Officer**



**SCHEDULE**

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

**Conditions and Limitations**

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 4.1 awarding a contract exceeding a value of \$150,000 for contracts in relation to goods and services and \$200,000 for contracts in relation to works; [for the avoidance of doubt, the delegate is able to approve all variations and extensions to contracts where the value of such variation or extension does not exceed the above threshold amounts]
  - 4.2 making a local law under Part 5 of the Act;
  - 4.3 approval of the Council Plan under section 125 of the Act;
  - 4.4 adoption of the Strategic Resource Plan under section 126 of the Act;
  - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
  - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
  - 4.7 determining pursuant to section 37 of the Act that an extraordinary vacancy on Council not be filled;
  - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under section 81 of the Act;
  - 4.9 appointment of councillor or community delegates or representatives to external organisations; or
  - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action or thing which is required by law to be done by Council resolution;

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [1] - Instrument of Delegation to the Chief Executive Officer**

**S5 - Instrument of Delegation to the Chief Executive Officer**



6. 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;
7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 7.1 policy; or
  - 7.2 strategyadopted by Council; or
8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act, or otherwise; or
9. 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.

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [2] - Instrument of Delegation to Members of Council Staff**



## Moira Shire Council

### Instrument of Delegation to Members of Council Staff

September 2014



FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [2] - Instrument of Delegation to Members of Council Staff**

S6 - Instrument of Delegation to Members of Council Staff



**Instrument of Delegation**

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to abbreviations in column 3 means the following positions:

AE	Assets Executive	EHTO	Environmental Health Technical Officer
ASA	Administration Support Officer (Assets)	EMO	Executive Manager Operations
ASSA	Administration Support Officer Safety and Amenity	LUP	Land Use Planner
ASP	Administration Support Officer Planning	MCA	Manager Construction and Assets
ATO	Assets Technical Officer	MEO	Media Officer
BSP	Business Support Officer Planning	MF	Manager Finance
BSSA	Business Support Officer Safety and Amenity	MSAE	Manager Safety, Amenity and Environment
CGO	Corporate Governance Officer	MTPB	Manager Town Planning and Building
CO	Communications Officer	PC	Planning Co-ordinator
CSA	Co-ordinator Safety and Amenity	SAO	Safety and Amenity Officer
DCG	Director Corporate Governance	SP	Senior Planner
DCO	Development Compliance Officer	SFBP	Superintendent Fleet, Building Maintenance and Parks
DC	Director Community	SWS	Superintendent Works and Services
DI	Director Infrastructure	TLEH	Team Leader Environmental Health
EE	Executive Engineer	TLO	Team Leader Operations
EHO	Environmental Health Officer	TO	Technical Officer (Assets)
		TP	Town Planner

3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 15 September 2014 and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3 and the Schedule; and
    - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [2] - Instrument of Delegation to Members of Council Staff**

**S6 - Instrument of Delegation to Members of Council Staff**



- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategyadopted by Council; or
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; 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.

The COMMON SEAL of the  
MOIRA SHIRE COUNCIL  
was affixed hereto by  
authority of the Council on the  
day of September 2014  
in presence of:

.....Chief Executive Officer

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER,  
LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND  
COUNCIL STAFF (cont'd)**

**ATTACHMENT No [2] - Instrument of Delegation to Members of Council Staff**

S6 - Instrument of Delegation to Members of Council Staff



**SCHEDULE**

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s.41A(1)	power to declare a dog to be a menacing dog	DC, MSAE, CSA, SAO	<b>Council may delegate this power to an authorised officer</b> SAO delegated only when CEO, DC, MSAE or CSA unavailable and matter is considered urgent.

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	TLEH, EHO, EHTO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	TLEH, EHO, EHTO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	TLEH, EHO, EHTO	<b>refusal must be ratified by Council or it is of no effect.</b>
s.53M(6)	power to refuse to issue septic tank permit	TLEH, EHO, EHTO	<b>refusal must be ratified by Council or it is of no effect.</b>
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	TLEH, EHO, EHTO	<b>refusal must be ratified by council or it is of no effect</b>

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	TLEH, EHO	If section 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	TLEH, EHO	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	TLEH, EHO	If section 19(1) applies
s.19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with where the subject of the order has been attended to	TLEH, EHO	If section 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	TLEH, EHO	If section 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).	TLEH, EHO	where council is the registration authority
s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	TLEH, EHO	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	TLEH, EHO	where council is the registration authority

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(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19CB(4)(b)	power to request copy of records	TLEH, EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	TLEH, 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	TLEH, EHO, EHTO	where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	TLEH, EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	TLEH, EHO	where council is the registration authority
s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	TLEH	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	TLEH	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	TLEH, 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	TLEH, 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	TLEH, EHO	where council is the registration authority

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**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to register, renew or transfer registration	TLEH, EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the Chief Executive Officer (see section 58A(2))
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	TLEH, EHO	where council is the registration authority
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	TLEH	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	TLEH, EHO	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	TLEH, EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	TLEH, EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)- (b)	TLEH, EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	TLEH, EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)- (d)	TLEH, EHO	where council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38D(3)	power to request copies of any audit reports	TLEH, EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	TLEH, EHO	where council is the registration authority not exceeding the prescribed time limit defined under subsection (5)
s.38E(4)	duty to register the food premises when conditions are satisfied	TLEH, EHO	where council is the registration authority
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	TLEH, EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	TLEH, EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	TLEH, EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	TLEH, EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	CEO, TLEH	where council is the registration authority Must be reported to Council
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	TLEH, EHO	where council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	TLEH, EHO	where council is the registration authority
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	TLEH, EHO	where council is the registration authority

HERITAGE ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate Executive Director's functions	DI	must obtain Executive Director's written consent first.

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	DI, MTPB, PC	<b>if authorised by the Minister</b> once a decision approved by Council and Ministerial authorisation given
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	DI, MTPB, PC	
s.4H	duty to make amendment to Victoria Planning Provisions available	DI, MTPB, PC, SP, LUP, TP, DCO	
s.4I	duty to keep Victoria Planning Provisions and other documents available	DI, MTPB, PC, SP, LUP, TP, DCO	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DI, MTPB, PC	
s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	DI, MTPB, PC	
s.8A(5)	function of receiving notice of the Minister's decision	DI, MTPB, PC	
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	DI, MTPB	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DI, MTPB	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DI, MTPB, PC	DI must authorise expenditure and regularly report to Council to review any studies
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DI, MTPB	Council must approve the final Municipal Strategic Statement.
s.12B(1)	duty to review planning scheme	DI, MTPB	
s.12B(2)	duty to review planning scheme at direction of Minister	DI, MTPB	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DI, MTPB	
s.14	duties of the Responsible Authority as set out in subsections (a) to (d)	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.17(1)	duty of giving copy amendment to the planning scheme	DI, MTPB, PC	apply together if s.173 relates to amendment
s.17(2)	duty of giving copy s.173 agreement	DI, MTPB, PC	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DI, MTPB, PC	
s.18	duty to make amendment etc. available	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s19 to a planning scheme	DI, MTPB, PC, SP, LUP	Council approval to preparation of an amendment is required.
s.19	function of receiving notice of preparation of an amendment to a planning scheme	DI, MTPB, PC, SP, LUP	<b>where Council is not the planning authority and the amendment affects land within Council's municipal district; or</b> <b>where the amendment will amend the planning scheme to designate Council as an acquiring authority</b>
s.20(1)	power to apply to Minister for exemption from the requirements of s 19	DI, MTPB, PC, SP, LUP	once approved by Council
s.21(2)	duty to make submissions available	DI, MTPB, PC, SP, LUP, TP, DCO	
s.21A(4)	duty to publish notice in accordance with section	DI, MTPB, PC	
s.22	duty to consider all submissions	DI, MTPB, PC, SP, LUP	action must be reported to Council
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	DI, MTPB, PC	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	DI, MTPB, PC	Council must approve referral to a panel.
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DI, MTPB, PC, SP, LUP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	power to make report available for inspection	DI, MTPB, PC	
s.26(2)	duty to keep report of panel available for inspection	DI, MTPB, PC, SP, LUP	
s.27(2)	power to apply for exemption if panel's report not received	DI, MTPB, PC	once approved by Council.
s.28	duty to notify the Minister if abandoning an amendment	DI, MTPB, PC	<b>Note: the power to make a decision to abandon an amendment cannot be delegated</b>
s.30(4)(a)	duty to say if amendment has lapsed	DI, MTPB, PC	
s.30(4)(b)	duty to provide information in writing upon request	DI, MTPB	
s.32(2)	duty to give more notice if required	DI, MTPB, PC	
s.33(1)	duty to give more notice of changes to an amendment	DI, MTPB, PC	
s.36(2)	duty to give notice of approval of amendment	DI, MTPB, PC	action must be reported to Council
s.38(5)	duty to give notice of revocation of an amendment	DI, MTPB, PC	action must be reported to Council
s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	DI, MTPB, PC, SP, LUP, TP, DCO	VCAT determination to be reported to Council
s.40(1)	function of lodging copy of approved amendment	DI, MTPB, PC	
s.41	duty to make approved amendment available	DI, MTPB, PC, SP, LUP, TP, DCO	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.42	duty to make copy of planning scheme available	DI, MTPB, PC, SP, LUP, TP, DCO	
s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	DI, MTPB, PC	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DI, MTPB, PC, SP, LUP	in accordance with Development Contribution Plan
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DI, MTPB, PC, SP, LUP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DI, MTPB, PC	
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	DI, MTPB, PC	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Stays with Council	not delegated
s.46P(1)	power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured	DI, MTPB, PC	must have terms included in the agreement to adequately cover security
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Stays with Council	not delegated
s.46Q(1)	duty to keep proper accounts of levies paid	DCG, MF	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DI, MTPB, PC	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	DI, MTPB	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DI, MTPB	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	DI, MTPB	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	DI, MTPB	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	DI, MTPB	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	DI, MTPB, CFO	
s.47	power to decide that an application for a planning permit does not comply with that Act	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(2)	duty to make register available for inspection	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.50(4)	duty to amend application	DI, MTPB, PC, SP, LUP, TP, DCO	
s.50(5)	power to refuse to amend application	DI, MTPB, PC, SP, LUP	
s.50(6)	duty to make note of amendment to application in register	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.50A(1)	power to make amendment to application	DI, MTPB, PC, SP, LUP, TP, DCO	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	DI, MTPB, PC, SP, LUP, TP, DCO	
s.50A(4)	duty to note amendment to application in register	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.51	duty to make copy of application available for inspection	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
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	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
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	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
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	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.52(3)	power to give any further notice of an application where appropriate	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	must be notified on prescribed form

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.54(1)	power to require the applicant to provide more information	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.54(1A)	duty to give notice in writing of information required under s.54(1)	DI, MTPB, PC, SP, LUP, TP, DCO	
s.54(1B)	duty to specify the lapse date for an application	DI, MTPB, PC, SP, LUP, TP, DCO	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DI, MTPB, PC, SP, LUP, TP, DCO	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und s.54A(3)	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	DI, MTPB	must be reported to Council
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	DI, MTPB, PC, SP, LUP, TP, DCO	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(5)	duty to make available for inspection copy of all objections	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	DI, MTPB, PC, SP, LUP, TP, DCO	
s.57A(5)	power to refuse to amend application	DI, MTPB, PC	
s.57A(6)	duty to note amendments to application in register	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.57B(1)	duty to determine whether and to whom notice should be given	DI, MTPB, PC, SP, LUP, TP, DCO	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	DI, MTPB, PC, SP, LUP, TP, DCO	
s.57C(1)	duty to give copy of amended application to referral authority	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.58	duty to consider every application for a permit	DI, MTPB, PC, SP, LUP, TP, DCO	
s.58A	power to request advice from the Planning Application Committee	DI, MTPB, PC	
s.60	duty to consider certain matters	DI, MTPB, PC, SP, LUP, TP, DCO	

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(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.60(1A)	power to consider certain matters before deciding on application	DI, MTPB, PC, SP, LUP, TP, DCO	
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 – where no objection/s received	DI, MTPB, PC, SP, LUP, TP, DCO	must be reported to Council as permit issued under delegation <b>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i></b>
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 – where objection/s received	Stays with Council	not delegated <b>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i></b>
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Stays with Council	not delegated
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DI, MTPB, PC	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Stays with Council	not delegated <i>Coastal Management Act 1995</i> not relevant to Moira Shire
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Stays with Council	not delegated <i>Coastal Management Act 1995</i> not relevant to Moira Shire
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DI, MTPB, PC	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DI, MTPB, PC, SP, LUP, TP, DCO	if objection/s received delegation not valid – power stays with Council

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(2)	power to include other conditions	DI, MTPB, PC, SP, LUP, TP, DCO	if objection/s received delegation not valid – power stays with Council
s.62(4)	duty to ensure conditions are consistent with subsections (a),(b) and (c)	DI, MTPB, PC, SP, LUP, TP, DCO	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	DI, MTPB, PC, SP, LUP, TP, DCO	
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 section 173 agreement	DI, MTPB, PC, SP, LUP, TP, DCO	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DI, MTPB, PC, SP, LUP, TP, DCO	
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 s.62(5) or s.46N	DI, MTPB, PC, SP, LUP, TP, DCO	section 173 Agreement to be signed by Chief Executive Officer and be signed and sealed by Council.
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)	DI, MTPB, PC, SP, LUP, TP, DCO	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	DI, MTPB, PC, SP, LUP, TP, DCO	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	DI, MTPB, PC	<b>this provision applies also to a decision to grant an amendment to a permit – see section 75</b>
s.64(3)	duty not to issue a permit until after the specified period	DI, MTPB, PC, SP, LUP, TP, DCO	<b>this provision applies also to a decision to grant an amendment to a permit – see section 75</b>

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PLANNING AND ENVIRONMENT ACT 1987			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(5)	duty to give each objector a copy of an exempt decision	DI, MTPB, PC, SP, LUP, TP, DCO	this provision applies also to a decision to grant an amendment to a permit – see section 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	DI, MTPB, PC, SP, LUP	this provision applies also to a decision to grant an amendment to a permit - see section 75A (not yet in force)
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	DI, MTPB, PC, SP, LUP, TP, DCO	
s.66(1)	duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities	DI, MTPB, PC, SP, LUP, TP, DCO	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	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 section 64 or 65	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	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	DI, MTPB, PC, SP, LUP, TP, DCO	

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PLANNING AND ENVIRONMENT ACT 1987			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(1A)	function of receiving application for extension of time to complete development	DI, MTPB, PC, SP, LUP, TP, DCO	
s.69(2)	power to extend time	DI, MTPB, PC, SP, LUP, TP, DCO	
s.70	duty to make copy permit available for inspection	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.71(1)	power to correct certain mistakes	DI, MTPB, PC, SP, LUP, TP, DCO	
s.71(2)	duty to note corrections in register	DI, MTPB, PC, SP, LUP, TP, DCO	
s.73	power to decide to grant amendment subject to conditions	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.74	duty to issue amended permit to applicant if no objectors	DI, MTPB, PC, SP, LUP, TP, DCO	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DI, MTPB, PC, SP, LUP, TP, DCO	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	

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PLANNING AND ENVIRONMENT ACT 1987			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DI, MTPB, PC, SP, LUP, TP, DCO	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	DI, MTPB, PC, SP, LUP, TP, DCO	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	DI, MTPB, PC, SP, LUP, TP, DCO	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	DI, MTPB, PC, SP, LUP, TP, DCO	
s.83	function of being respondent to an appeal	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.83B	duty to give or publish notice of application for review	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	fee must be charged to the applicant for providing notice
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DI, MTPB, PC	if objection/s received delegation not valid – power stays with Council

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PLANNING AND ENVIRONMENT ACT 1987			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DI, MTPB, PC	
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	DI, MTPB, PC, SP, LUP, TP, DCO	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	DI, MTPB, PC, SP, LUP, TP, DCO	
s.86	duty to issue a permit at order of Tribunal within 3 working days	DI, MTPB, PC, SP, LUP, TP, DCO	must be reported to Council
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	DI, MTPB, PC	must be reported to Council
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	DI, MTPB, PC, SP, LUP, TP, DCO	
s.91(2)	duty to comply with the directions of the VCAT	DI, MTPB, PC, SP, LUP, TP, DCO	must be reported to Council
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DI, MTPB, PC, SP, LUP, TP, DCO	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.93(2)	duty to give notice of VCAT order to stop development	DI, MTPB, PC, DCO	must be reported to Council

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.95(3)	function of referring certain applications to the Minister	DI, MTPB, PC	must be reported to Council
s.95(4)	duty to comply with an order or direction	DI, MTPB, PC	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DI, MTPB	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DI, MTPB	must be reported to Council
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	DI, MTPB, PC	must be reported to Council
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DI, MTPB, PC	
s.96F	duty to consider the panel's report under section 96E	DI, MTPB, PC	
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 <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DI, MTPB, PC	must be reported to Council
s.96H(3)	power to give notice in compliance with Minister's direction	DI, MTPB, PC	
s.96J	power to issue permit as directed by the Minister	DI, MTPB, PC	must be reported to Council

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96K	duty to comply with direction of the Minister to give notice of refusal	DI, MTPB, PC	must be reported to Council
s.97C	power to request Minister to decide the application	Stays with Council	not delegated
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DI, MTPB, PC	
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	DI, MTPB, PC	
s.97G(6)	duty to make a copy of permits issued under s.97F available for inspection	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.97L	duty to include Ministerial decisions in a register kept under s.49	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.97MH	duty to provide information or assistance to the Planning Application Committee	DI, MTPB, PC	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DI, MTPB, PC	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DI, MTPB, PC	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DI, MTPB, PC, SP, LUP, TP, DCO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DI, MTPB, PC, SP, LUP, TP, DCO	
s.97Q(4)	duty to comply with directions of VCAT	DI, MTPB, PC, SP, LUP, TP, DCO	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DI, MTPB	must be reported to Council
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DI, MTPB	
s.101	function of receiving claim for expenses in conjunction with claim	DI, MTPB	
s.103	power to reject a claim for compensation in certain circumstances	DI, MTPB	must be reported to Council
s.107(1)	function of receiving claim for compensation	DI, MTPB	must be reported to Council
s.107(3)	power to agree to extend time for making claim	DI	
s.114(1)	power to apply to the VCAT for an enforcement order	DI, MTPB, PC, DCO	must be reported to Council
s.117(1)(a)	function of making a submission to the VCAT where objections are received	DI, MTPB, PC, DCO	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.120(1)	power to apply for an interim enforcement order where s.114 application has been made	DI, MTPB, PC, DCO	must be reported to Council
s.123(1)	power to carry out work required by enforcement order and recover costs	DI, MTPB, PC, DCO	must be reported to Council
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under s.123(1)	DI, MTPB, PC, DCO	<b>except Crown Land</b>
s.129	function of recovering penalties	DI, MTPB, PC, DCO	
s.130(5)	power to allow person served with an infringement notice further time	DI, MTPB, PC, DCO	
s.149A(1)	power to refer a matter to the VCAT for determination	DI, MTPB, PC	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DI, MTPB, PC	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (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 subsection (2B)), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DI, MTPB, PC	<b>where Council is the relevant planning authority</b>
s.171(2)(f)	power to carry out studies and commission reports	DI, MTPB	subject to approved budget
s.171(2)(g)	power to grant and reserve easements	DI, MTPB	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.173	power to enter into agreement covering matters set out in s.174	CEO, DI	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DI, MTPB, PC	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DI, MTPB, PC	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DI, MTPB, PC	
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO	
s.178A(1)	function of receiving application to amend or end an agreement	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	DI, MTPB, PC	

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PLANNING AND ENVIRONMENT ACT 1987			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DI, MTPB, PC, SP, LUP	
s.178A(5)	power to propose to amend or end an agreement	DI, MTPB, PC, SP, LUP	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	DI, MTPB, PC, SP, LUP	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	DI, MTPB, PC, SP, LUP	
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	DI, MTPB, PC, SP, LUP	
s.178C(4)	function of determining how to give notice under s.178C(2)	DI, MTPB, PC, SP, LUP	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	DI, MTPB, PC, SP, LUP	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	DI, MTPB, PC, SP, LUP	<b>If no objections are made under s.178D Must consider matters in s.178B</b>
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DI, MTPB, PC, SP, LUP	<b>If no objections are made under s.178D Must consider matters in s.178B</b>
s.178E(2)(c)	power to refuse to amend or end the agreement	DI, MTPB, PC, SP, LUP	<b>If no objections are made under s.178D Must consider matters in s.178B</b>
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	DI, MTPB, PC, SP, LUP	<b>After considering objections, submissions and matters in s.148B</b>

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ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	DI, MTPB, PC, SP, LUP	<b>After considering objections, submissions and matters in s.148B</b>
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	DI, MTPB, PC, SP, LUP	<b>After considering objections, submissions and matters in s.148B</b>
s.178E(3)(d)	power to refuse to amend or end the agreement	DI, MTPB, PC, SP, LUP	<b>After considering objections, submissions and matters in s.148B</b>
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	DI, MTPB, PC, SP, LUP	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	DI, MTPB, PC, SP, LUP	
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	DI, MTPB, PC, SP, LUP	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	DI, MTPB, PC	
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	DI, MTPB, PC	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DI, MTPB, PC, SP, LUP	
s.179(2)	duty to make available for inspection copy agreement	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	

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**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DI, MTPB, PC, SP, LUP, TP, DCO	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DI, MTPB, PC, SP, LUP	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DI, MTPB, PC, SP, LUP	
s.182	power to enforce an agreement	DI, MTPB, PC, DCO	must be reported Council
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DI, MTPB, PC, SP, LUP, TP, DCO	
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	DI, MTPB, PC	
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	DI, MTPB, PC, SP, LUP	
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	DI, MTPB, PC	
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	DI, MTPB, PC, SP, LUP, TP, DCO	

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**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184G(2)	duty to comply with a direction of the Tribunal	DI, MTPB, PC, SP, LUP, TP, DCO	
s.184G(3)	duty to give notice as directed by the Tribunal	DI, MTPB, PC, SP, LUP, TP, DCO	
s.198(1)	function to receive application for planning certificate	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.199(1)	duty to give planning certificate to applicant	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.201(1)	function of receiving application for declaration of underlying zoning	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
s.201(3)	duty to make declaration	DI, MTPB, PC	
---	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	DI, MTPB, PC, SP, LUP, TP, DCO	
---	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	DI, MTPB, PC	
---	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	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	

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**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to give written authorisation in accordance with a provision of a planning scheme	DI, MTPB, PC, SP, LUP, TP, DCO	

RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s.33	duty to comply with a direction of the Safety Director under this section	DI, EMO, SWS	where council is a utility under s3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DI, EMO, SWS	duty of council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s33(1)	DI, EMO, SWS	where council is a utility under s3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DI, EMO, SWS	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DI, EMO, SWS	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DI, EMO, SWS	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DI, EMO, SWS	where council is the relevant road authority

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RAIL SAFETY ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s.34E(1)(a)	duty to identify and assess risks to safety	DI, EMO, SWS	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DI, EMO, SWS	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, EMO, SWS	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DI, EMO, SWS	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DI, EMO, SWS	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DI, EMO, SWS	where council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DI, EMO, SWS	where council is the relevant road authority
s.34I	function of entering into safety interface agreements	DI, EMO, SWS	where council is the relevant road authority
s.34J(2)	function of receiving notice from Safety Director	DI, EMO, SWS	where council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DI, EMO, SWS	where council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	DI, EMO, SWS	where council is the relevant road authority

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	TLEH, EHO	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	TLEH, EHO	
s.142G(2)	power to enter certain information in the Rooming House Register	TLEH, EHO	
s.142(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	TLEH, EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Not applicable	<b>where council is the landlord</b>
s.262(1)	power to give tenant a notice to vacate rented premises	Not applicable	<b>where council is the landlord</b>
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Not applicable	Council is not a landlord
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	TLEH, EHO	
s.522(1)	power to give a compliance notice to a person	TLEH, EHO	
s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	CEO, DC	
s.525(4)	duty to issue identity card to authorised officers	CEO, DC, CGO	must be signed by Chief Executive Officer

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.526(5)	duty to keep record of entry by authorised officer under section 526	TLEH, EHO	
s.526A(3)	function of receiving report of inspection	TLEH, EHO	
s.527	authorise a person to institute proceedings (either generally or in a particular case)	CEO, DC	delegate to consult with Chief Executive Officer

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DI, MCA, AE, EE	subject to Council resolution declaring road; <b>obtain consent in circumstances specified in s11(2)</b>
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DI, MCA, AE, EE	subject to Council resolution to name the road
s.11(9)(b)	duty to advise Registrar	DI, MCA, AE, EE	subject to Council resolution to name the road
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	DI, MCA, AE	<b>clause subject to s11(10A)</b> subject to Council resolution to declare, name, discontinue etc
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	DI, MCA, AE	<b>where council is the coordinating road authority</b>
s.12(2)	power to discontinue road or part of a road	DI	<b>where council is the coordinating road authority</b> subject to Council resolution to discontinue the road

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DI, MCA, AE, EE	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DI, MCA, AE, EE	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	DI	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DI	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DI	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	DI, MCA, AE, EE	subject to Council resolution to fix a boundary road power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads	DI, MCA, AE, EE, EMO	
s.14(7)	power to appeal against decision of VicRoads	CEO	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(1)	power to enter into arrangement with another road authority, or a provider of public transport to transfer a road management function of the road authority to the other road authority or provider of public transport	Stays with Council	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	Stays with Council	not delegated
s.15(2)	duty to include details of arrangement in public roads register	DI, MCA, AE, EE	
s.16(7)	power to enter into an arrangement under s15	Stays with Council	not delegated
s.16(8)	duty to enter details of determination in public roads register	DI, MCA, AE, EE	
s.17(2)	duty to register public road in public roads register	DI, MCA, AE, EE	<b>where council is the coordinating road authority</b>
s.17(3)	power to decide that a road is reasonably required for general public use	Stays with Council	not delegated <b>where council is the coordinating road authority</b>
s.17(3)	duty to register a road reasonably required for general public use in public roads register	DI, MCA, AE	<b>where council is the coordinating road authority</b>
s.17(4)	power to decide that a road is no longer reasonably required for general public use	Stays with Council	not delegated <b>where council is the coordinating road authority</b>
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	DI, MCA, AE, EE	subject to Council resolution that road no longer reasonably required for general public use <b>where council is the coordinating road authority</b>

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18(1)	power to designate ancillary area	DI, MCA, AE, EE	where council is the coordinating road authority, and obtain consent in circumstances specified in s18(2)
s.18(3)	duty to record designation in public roads register	DI, MCA, AE, EE	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	DI, MCA, AE, EE	
s.19(4)	duty to specify details of discontinuance in public roads register	DI, MCA, AE, EE	
s.19(5)	duty to ensure public roads register is available for public inspection	DI, MCA, AE, EE	
s.21	function of replying to request for information or advice	DI	obtain consent in circumstances specified in s11(2)
s.22(2)	function of commenting on proposed direction	DI	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	DI, MCA, AE, CO	
s.22(5)	duty to give effect to a direction under this section.	DI, MCA, AE	
s.40(1)	duty to inspect, maintain and repair a public road	DI, EMO, SFBP, SWS, TLO, ATO, TO, MCA, AE	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DI, EMO, SFBP, TLO, ATO, TO, MCA, AE	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DI, MCA, AE, EMO, EE	
s.42(1)	power to declare, by public notice, a public road as a controlled access road	DI, MCA, AE, EE	subject to Council resolution to declare <b>power of coordinating road authority and Schedule 2 also applies</b>
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	DI, MCA, AE, MEO, EE	subject to Council resolution to amend or revoke <b>power of coordinating road authority and Schedule 2 also applies</b>
s.42A(3)	duty to consult with VicRoads before road is specified	DI, MCA, AE, EE	<b>where council is the coordinating road authority if road is a municipal road or part thereof</b>
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	DI, MCA, AE, EE	<b>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</b>
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)	DI, MCA, AE, EMO, SWS	<b>where council is the responsible road authority, infrastructure manager or works manager</b>
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	DI, MCA, AE, EMO	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	DI, MCA, AE, EMO, EE	
s.49	power to develop and publish a road management plan	DI, MCA, AE, EMO, EE	must be adopted by Council before publishing

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.51	power to determine standards by incorporating the standards in a road management plan	Stays with Council	not delegated
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DI, MCA, AE, EE	subject to Council resolution of amendment etc of document
s.54(2)	duty to give notice of proposal to make a road management plan	DI, MCA, AE, EE	subject to Council resolution of proposal to make a road management plan
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DI, MCA, AE, EMO, EE	
s.54(6)	power to amend road management plan	Stays with Council	not delegated
s.54(7)	duty to incorporate the amendments into the road management plan	DI, MCA, AE, EMO, EE	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DI, MCA, AE, EE	
s.63(1)	power to consent to conduct of works on road	DI, MCA, AE, EMO, SWS, ATO, ASA, EE	<b>where council is the coordinating road authority</b>
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	DI, MCA, AE, EMO, SFBP, SWS, TLO, EE	<b>where council is the infrastructure manager</b>
s.64(1)	duty to comply with clause 13 of Schedule 7	DI, MCA, AE, EMO, SWS, EE	<b>where council is the infrastructure manager or works manager</b>

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(1)	power to consent to structure etc	DI, MCA, EMO, EE	advertising signs are subject to consultation with Safety and Amenity / Town Planning <b>where council is the coordinating road authority</b>
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	DI, MCA, AE, EE, MSAE, CSA, SAO, BSSA, ASSA	<b>where council is the coordinating road authority</b>
s.67(3)	power to request information	DI, MSAE, CSA, SAO, BSSA, ASSA, EE	<b>where council is the coordinating road authority</b>
s.68(2)	power to request information	DI, MSAE, CSA, SAO, BSSA, ASSA, EE	<b>where council is the coordinating road authority</b>
s.71(3)	power to appoint an authorised officer	CEO	
s.72	duty to issue an identity card to each authorised officer	DC, MSAE, CSA, CGO, BSSA, ASSA	must be signed by Chief Executive Officer
s.85	function of receiving report from authorised officer	DC, MSAE, CSA, SAO, BSSA, ASSA	
s.86	duty to keep register re s85 matters	DC, MSAE, CSA, SAO, BSSA, ASSA	
s.87(1)	function of receiving complaints	DC, MSAE, CSA, SAO, BSSA, ASSA	
s.87(2)	duty to investigate complaint and provide report	DC, MSAE, CSA, SAO	

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(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.112(2)	power to recover damages in court	DC, MSAE, CSA	
s.116	power to cause or carry out inspection	DI, EMO, SWS, ATO, TO, MCA, EE	
s.119(2)	function of consulting with VicRoads	DI, EMO, MCA, AE, EE	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DI, EMO, EE, MCA, AE, TLO	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DI, EMO, SWS, MCA, AE, TLO, EE	
s.121(1)	power to enter into an agreement in respect of works	DI, EMO, MCA, AE, EE	
s.122(1)	power to charge and recover fees	DI, EMO, MCA, AE	Fees and charges set by Council during budget process
s.123(1)	power to charge for any service	DI, EMO, MCA, AE	Fees and charges set by Council during budget process
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DI	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Stays with Council	not delegated
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Stays with Council	not delegated
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DI, MCA, AE, EMO	

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 5	duty to publish notice of declaration	DI, MCA, AE, EMO, EE	
Schedule 7, Clause 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	DI, MCA, AE, EMO, SWS, EE	where council is the infrastructure manager or works manager
Schedule 7, Clause 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	DI, MCA, AE, EMO, SWS, EE	where council is the infrastructure manager or works manager
Schedule 7, Clause 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	DI, MCA, AE, EMO, SWS, EE	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DI, MCA, AE, EMO, SWS, EE	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DI, MCA, AE, EMO, SWS, EE	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DI, MCA, AE, EE, EMO	where council is the coordinating road authority

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DI, MCA, AE, EE, EMO	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DI, MCA, AE, EE	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	DI, MCA, AE, EE	where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DI, MCA, AE, EMO, EE	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DI, MCA, AE, EE	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DI, MCA, AE, EMO, EE	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DI, MCA, AE, ATO, ASA, EE	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	DI, MCA, AE, ATO, ASA, EE	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DI, MCA, AE, ATO, ASA, EE	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DI, MCA, AE, ATO, ASA, EE	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DI, MCA, AE, ATO, ASA, EE	where council is the coordinating road authority

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DI, MCA, AE, EE	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DI	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DI, MSAE, CSA, SAO, EMO, EE, AE	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DI, MSAE, CSA, SAO, EMO, EE, AE	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DI, MSAE, CSA, SAO, EMO, EE	where council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DI, MCA, AE, EE	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	DI, MCA, AE, EE	where council is the responsible road authority
Schedule 7A Clause 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	DI, MCA, AE, EE	where council is the responsible road authority
Schedule 7A Clause 3(1)(f),	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	DI, MCA, AE, EE	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



PLANNING AND ENVIRONMENT REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	DI, MTPB, PC, SP, LUP, TP, DCO, BSP, ASP	
r. 8	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	DI, MTPB, PC	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.22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	DI, MTPB, PC	
r.40	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of an amendment to a planning scheme	DI, MTPB, PC	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.55	duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement	DI, MTPB, PC	

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



PLANNING AND ENVIRONMENT (FEES) FURTHER INTERIM REGULATIONS 2013 * These regulations expire on 18 October 2014			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DI, MTPB, PC	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	DI, MTPB, PC	
r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	DI, MTPB, PC, SP, LUP, TP, DCO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	TLEH, EHO	
r.11	function of receiving applications for registration	TLEH, EHO	
r.13(1)	duty to grant registration if (a) and (b) are satisfied	TLEH, EHO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	TLEH, EHO	
r.13(4) & (5)	duty to issue a certificate of registration	TLEH, EHO	
r.15(1)	function of receiving notice of transfer of ownership	TLEH, EHO	

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15(3)	power to determine where notice of transfer is displayed	TLEH, EHO	
r.16(1)	duty to transfer registration to new caravan park owner	TLEH, EHO	
r.16(2)	duty to issue certificate of transfer of registration	TLEH, EHO	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	TLEH, EHO	
r.18	duty to keep register of caravan parks	TLEH, EHO	
r.19(4)	power to determine where the emergency contact person's details are displayed	TLEH, EHO	
r.19(6)	power to determine where certain information is displayed	TLEH, EHO	
r.22A(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	TLEH, EHO	
r.22A(2)	duty to consult with relevant emergency services agencies	TLEH, EHO	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	TLEH, EHO	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	TLEH, EHO	

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(3)	duty to consult with relevant floodplain management authority	TLEH, EHO	
r.26	duty to have regard to any report of the relevant fire authority	TLEH, EHO	
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	TLEH, EHO	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	TLEH, EHO	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	TLEH, EHO	
r.40(4)	function of receiving installation certificate	TLEH, EHO	
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	TLEH, EHO	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	TLEH, EHO	

FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of road management plan	DI, MCA, AE, EMO, EE	
r.302(2)	duty to give notice of review of road management plan	DI, MCA, AE, EMO, EE	
r.302(5)	duty to produce written report of review of road management plan and make report available	DI, MCA, AE, EMO, EE	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	DI, MCA, AE, EMO, EE	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	DI, MCA, AE, EMO, EE	
r.501(1)	power to issue permit	DI, MCA, AE, ATO, ASA, EMO, EE	<b>where council is the coordinating road authority</b>
r.501(4)	power to charge fee for issuing permit under r.501(1)	DI, MCA, AE, ATO, ASA, EMO, EE	as determined by Council <b>where council is the coordinating road authority</b>
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	DI, MCA, AE, EE	in consultation with Manager Operations <b>where council is the coordinating road authority</b>
r.508(3)	power to make submission to Tribunal	DI	<b>where council is the coordinating road authority</b>
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DC, DI, EMO, SFBP, SWS, TLO, MSAE, CSA, SAO	<b>where council is the responsible road authority</b>

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FILE NO: F13/202  
6. GOVERNANCE

ITEM NO: 9.1.3  
(CORPORATE GOVERNANCE OFFICER, LISA DEAYTON)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF (cont'd)**

S6 - Instrument of Delegation to Members of Council Staff



ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with r.509(3))	DC, EMO, MSAE, CSA, SAO	<b>where council is the responsible road authority</b>
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	DC, MSAE, CSA, SAO, EMO	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	power, where consent given under s.63(1) of the Act, to exempt a person from requirement under clause 13(1) of Schedule 7 to that Act to give notice as to the completion of those works	DI	<b>where council is the coordinating road authority and where consent given under section 63(1) of the Act</b>
r.18(2)	power to waive whole or part of fee in certain circumstances	DI	<b>where council is the coordinating road authority</b>

FILE NO: F13/25  
2. COMMUNITY

ITEM NO: 9.2.1  
(ADMINISTRATION SUPPORT OFFICER -  
S86 COMMITTEES (HOME BASE), FIONA  
MULQUINEY)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

## SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS - AMENDMENTS

### 1. Executive Summary

At Council's meeting held 16 September 2013, Council, in exercise of the powers conferred by sections 86 of the *Local Government Act 1989* (the Act), resolved to appoint persons as Community or User Group representatives on various Special Committees, for the four (4) year period which commenced on 1 October 2013 and concludes on 30 September 2017.

Even though representatives are initially appointed for a period of four years, should they wish to relinquish their position, they are not obliged to remain on the Committee for the entire period, and a replacement representative would be appointed.

### 2. Background and Options

It is expected that, during the four (4) year term, individuals who represent the Community and/or User Groups on the Committee of Management will change.

Some User Groups feel it is more appropriate to change their representative on a regular basis, annually for example. Also the situations of individuals may change, requiring their appointment to be rescinded and another individual to be appointed as a replacement.

Also, it is important to have representation on the Committee of Management from those user groups who utilise the facility, as such the composition may change.

Detailed below are any amendments to the current composition and/or Community or User Group representation for those Committees of Management specified.

#### **Wunghnu Recreation Reserve**

Lloyd Healey has been nominated to replace Robin Close as a Goulburn Valley Vintage Tractors and Farm Machinery Club representative.

#### **Yarrowonga Eastern Foreshore**

Jarrod Sheridan has resigned as a Community representative, a replacement has not been nominated.

#### **Cobram Showgrounds / Victoria Park Reserve**

Paul Hyde has been nominated to replace Alison Brooks as a Cobram Cricket Club representative.

#### **Yarrowonga Showgrounds Reserve / Victoria Park**

John Beattie and Ashley Mulquiney have resigned as the Yarrowonga and Border Agricultural and Pastoral Association representative and alternate representative, John Tyrrell has been nominated as the representative and an alternate representative has not been nominated. Tanya Burgess has been nominated as the Yarrowonga and District Netball Association alternate representative.

### 3. Financial Implications

There are no financial implications to consider within this report.

### 4. Risk Management

There are no risk management implications to consider within this report.

FILE NO: F13/25  
2. COMMUNITY

ITEM NO: 9.2.1  
(ADMINISTRATION SUPPORT OFFICER -  
S86 COMMITTEES (HOME BASE), FIONA  
MULQUINEY)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

## SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS - AMENDMENTS (cont'd)

### 5. Internal and External Consultation

As the Section 86 Committees are in essence an extension of Council and are managing the facilities on behalf of Council, it is important for Council to maintain an appropriate balance of representation from user groups and the community and also maintain an accurate and up to date database of representatives on each of the Committees of Management.

To ensure the accuracy of the database, it is essential that each Committee advise Council when changes are required to individual representatives and also to user group representation. When changes do occur, a Council resolution is required.  
Council Officers are aware of the amendments

### 6. Regional Context

There are no regional context issues to consider within this report.

### 7. Council Plan Strategy

This report supports the Council Plan Strategy to provide quality facilities, open spaces and programs to increase participation and cater for the communities' needs and interests.

### 8. Legislative / Policy Implications

There are no legislative / policy implications to consider within this report.

### 9. Environmental Impact

There are no environmental implications to consider within this report.

### 10. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

### 11. Conclusion

As part of Councils efforts to ensure that interested and appropriate person(s) and user groups be appointed to the Section 86 Committees, it is recommended that the proposed amendments to the current composition and/or Community or User Group representation for those Committees of Management specified, be approved.

### Attachments

Nil

FILE NO: F13/25  
2. COMMUNITY

ITEM NO: 9.2.1  
(ADMINISTRATION SUPPORT OFFICER -  
S86 COMMITTEES (HOME BASE), FIONA  
MULQUINEY)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

**SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS  
- AMENDMENTS (cont'd)**

**RECOMMENDATION**

That Council:

1. Rescind the appointments of the following persons representing Community and/or User Groups on the Special Committee of Management, as indicated, for the four (4) year term which commenced 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
Wunghnu Recreation Reserve	Goulburn Valley Vintage Tractors and Farm Machinery Club	Robin	Close
Yarrawonga Eastern Foreshore	Community	Jarrod	Sheridan
Cobram Showgrounds / Apex Reserve	Cobram Cricket Club	Alison	Brooks
Yarrawonga Showgrounds Reserve / Victoria Park	Yarrawonga and Border Agricultural and Pastoral Association	John	Beattie
Yarrawonga Showgrounds Reserve / Victoria Park	Yarrawonga and Border Agricultural and Pastoral Association (Alternate)	Ashley	Mulquiney

2. Approve the appointments of the following persons representing Community and/or User Groups, on the Special Committee of Management, as indicated, for the remaining period of the four (4) year term which commenced on 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
Wunghnu Recreation Reserve	Goulburn Valley Vintage Tractors and Farm Machinery Club	Lloyd	Healey
Cobram Showgrounds / Apex Reserve	Cobram Cricket Club	Paul	Hyde
Yarrawonga Showgrounds Reserve / Victoria Park	Yarrawonga and Border Agricultural and Pastoral Association	John	Tyrrell
Yarrawonga Showgrounds Reserve / Victoria Park	Yarrawonga and District Netball Association (Alternate)	Tanya	Burgess

3. Write and thank outgoing Committee of Management members.

FILE NO: F13/25  
2. COMMUNITY

ITEM NO: 9.2.1  
(ADMINISTRATION SUPPORT OFFICER -  
S86 COMMITTEES (HOME BASE), FIONA  
MULQUINEY)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

**SECTION 86 COMMITTEE OF MANAGEMENT REPRESENTATIVE APPOINTMENTS  
- AMENDMENTS (cont'd)**

**MOTION**

CRS ALEX MONK / KEVIN BOURKE

That Council:

1. Rescind the appointments of the following persons representing Community and/or User Groups on the Special Committee of Management, as indicated, for the four (4) year term which commenced 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
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Yarrowonga Eastern Foreshore	Community	Jarrod	Sheridan
Cobram Showgrounds / Apex Reserve	Cobram Cricket Club	Alison	Brooks
Yarrowonga Showgrounds Reserve / Victoria Park	Yarrowonga and Border Agricultural and Pastoral Association	John	Beattie
Yarrowonga Showgrounds Reserve / Victoria Park	Yarrowonga and Border Agricultural and Pastoral Association (Alternate)	Ashley	Mulquiney

2. Approve the appointments of the following persons representing Community and/or User Groups, on the Special Committee of Management, as indicated, for the remaining period of the four (4) year term which commenced on 1 October 2013 and concludes on 30 September 2017.

Committee of Management	User Group	First Name	Last Name
Wunghnu Recreation Reserve	Goulburn Valley Vintage Tractors and Farm Machinery Club	Lloyd	Healey
Cobram Showgrounds / Apex Reserve	Cobram Cricket Club	Paul	Hyde
Yarrowonga Showgrounds Reserve / Victoria Park	Yarrowonga and Border Agricultural and Pastoral Association	John	Tyrrell
Yarrowonga Showgrounds Reserve / Victoria Park	Yarrowonga and District Netball Association (Alternate)	Tanya	Burgess

3. Write and thank outgoing Committee of Management members.

(CARRIED)

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

## PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH

### 1. Executive Summary

A petition containing 18 signatures requesting the reduction of speed in Queen Street, Numurkah has been received, and has been presented to Council.

In accordance with Section 66 of Meeting Procedures Local Laws 2007, the petition was received and considered at the ordinary meeting of Council on 18 August 2014. Council resolved at that meeting that;

*Council receive a petition containing 18 signatures requesting the reduction in speed at Queen Street Numurkah as per Section 66 of the Meeting Procedures Local Laws 2007.*

A speed study has been conducted within Queen Street, and has determined that there do not seem to be any extenuating circumstances in the street. The speeds are those normally expected in residential streets and the amount of traffic is well within expected values.

The speed study has however been conducted recently and there may be differences in the summer period. Another speed study will be conducted in the summer period to confirm the results of the recently conducted study.

The petition also mentions that it is difficult to negotiate the intersection of Jubilee Street with Tocumwal Road because cars park too close to the corner. The intersection is currently fitted with a STOP sign. The parking sign can be moved further away from the intersection to improve sight distance.

There is evidence of a few drivers driving at over 70km/hr in the street. It is recommended that the best solution to solving the problem of a few drivers not obeying the speed limit is to advise the residents about the procedures in place for the Police to attend to specific offenders.

### 2. Background and Options

#### a. The Petition

The petition calls on the Shire to consider measures to decrease the speed in Queen Street. It mentions that at night the speeds of vehicles are excessive.

The petition also mentions the issue of parked vehicles around the intersection of Jubilee Street and Tocumwal Road. Vehicles parked near the intersection within Tocumwal Road restrict the sight distance from Jubilee Street. Vehicles parked within Jubilee Street also restrict the flow of vehicles along Jubilee Street.

The petition calls for speed bumps to reduce the speed of the traffic. It also mentions that signs erected in the past have been removed.

#### b. Analysis of the traffic in Queen Street

It is generally accepted when considering developments, throughout the State of Victoria and elsewhere, by Traffic Engineers that the amount of traffic generated within a residential street averages at 10 trips per day per residence. This figure is an average and practical counts sometimes exceed this and sometimes do not.

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

### PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH (cont'd)

If this figure is used to predict the expected traffic in Queen Street, the average traffic would be 300 vehicles per day as there are 30 houses in the street.

An analysis of all traffic in the street has been carried out over a full week. That analysis has revealed;

- On weekdays there are 125 vehicles per day travelling in the street.
- On the weekend there are 94 vehicles per day travelling in the street.
- The average speed of vehicles is 35 km/hr, over the whole time.
- The day time mean speed is 35 km/hr
- The night time mean is 35 km/hr
- The 85 percentile speed is 46km/hr.
- There are less than 8% of vehicles travelling above the speed limit, and the mean speed of those exceeding the speed limit is 55km/hr.
- There was one vehicle recorded at 75km/hr, at midday, and the next highest speed of 72 Km/hr was recorded at 6:00pm.

If the expected traffic in the street is 300 vehicles per day (vpd) and the actual measured traffic is 125 vpd there is no evidence to suggest that the street is acting as a through route or is carrying additional traffic over that expected.

It would always be expected that traffic is greater on weekdays, as the residents of the street, are involved in travelling to work, school etc.

The fact that there is more traffic during the week is not evidence that others are travelling in the street or that the street is being used as a through route. For comparison purposes, within McCarthy Street, Numurkah, there are 27 houses and the traffic is 93vpd on weekdays, this represents a similar generation rate to Queen Street.

The average speed of vehicles in the street is 35km/hr and the speed limit is 50km/hr. This indicates good compliance with the law. It is also excellent that the speed is below 40Km/hr. 40km/hr is recognised as the target speed for ensuring that the effect of any accident is minimised. The speed limit around schools is set at 40 km/hr for this reason.

The 85 percentile speed, that is, the speed at which 85% of vehicles are travelling less than is, 46Km/hr. The 85 percentile speed is used by Traffic Engineers to gauge the speed limit and also to determine how the "normal" or average motorist is treating the street. The fact that this speed is less than the speed limit shows that the "normal motorist" recognises that the street is a residential street and travels accordingly.

This Speed Study was carried out recently to provide information to inform Council's response to the petition, an additional Speed Study will be carried out in the summer period to ensure that the results obtained are truly representative if the situation in the street.

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

## PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH (cont'd)

### c. Speed Limits and legislation

Speed limits are set by VicRoads after considering the adjacent development and the facilities provided in the surrounds. Standard speed limits are also set by VicRoads. All residential streets have automatically a maximum speed limit of 50 km/hr unless otherwise signed. In general, only streets recognised as carrying significant through traffic are signed at a different higher speed.

Areas around schools are signed at 40km/hr. This is done to help slow the speed of vehicles and to minimise the effects of any accident.

VicRoads will not approve lower speed limits than 50km/hr in residential streets. Lower speed limits are reserved for special cases such as the surrounds of schools and busy shopping centres.

There is specific legislation and a procedure available to cater for situations where there may be a few individuals who do not obey the law.

Anti-hoon laws have been introduced to target dangerous drivers. The Road Safety Amendment (Hoon Driving and Other Matters) Bill was effective from 1 July 2011. The law provides for Vehicle impoundment and other penalties to remove dangerous drivers from the roads.

Reports of hoon driving help Victoria Police target repeat offenders and focus on specific locations.

If a person knows the identity of a hoon driver, has knowledge of hoon driving activity, or is able to provide a description of the vehicles involved (make, model, colour, registration number) the matter can be reported to Crime Stoppers without revealing their identity.

The Crime Stoppers Hoon Hotline can be contacted on 1800 333 000 or reported online at [www.crimestoppersvic.com.au](http://www.crimestoppersvic.com.au).

### d. Intersection of Jubilee Street and Tocumwal Road.

This intersection is currently fitted with a STOP sign. The reason is the limited sight distance to Tocumwal Road. The existing situation is legal and meets all the requirements of the Road Traffic Regulations.

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

**PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH (cont'd)**



The parking sign on the south west corner of Tocumwal Road and Jubilee Street is quite close to the corner. This sign could be moved further away to prevent cars parking near the intersection. The car parking spaces could also be marked. This would provide additional sight distance at the expense of a car parking space, and would help those parking to see where parking was permitted.

Parking space is at a premium at this location during the time that school children are being taken to school or home, however at other times there is more than adequate parking available in the area.

If the parking sign were moved there will be little inconvenience to the public, as parking is currently prohibited in this area during peak times, however the intersection would be easier to negotiate and may therefore be safer.

There are no recorded accidents at the site.

### 3. Financial Implications

The recommendations arising from this report, moving a sign and undertaking a Speed Study are included within Council's operational budget.

### 4. Risk Management

The petition mentions road safety and the report discusses road safety matters. Road safety is a significant issue and any works carried out in respect of intersection sight distance and the changing of parking close to intersections must be done in accordance with the relevant standards.

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

## PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH (cont'd)

### 5. Internal and External Consultation

The Operations Department and the Infrastructure and Assets Department have been consulted in relation to this report, particularly with respect to the provision of funding for the recommended outcomes.

### 6. Regional Context

There are no regional issues to consider in relation to this report.

### 7. Council Plan Strategy

The Council Plan effects the recommendations of this report in many ways. The Strategic Goals of Infrastructure and Community are particularly relevant as the recommendation supports community safety, engagement and will help ensure that the infrastructure is meeting the needs of the community.

### 8. Legislative / Policy Implications

The predominant legislation that supports the recommendation outlined in this report is the Road Safety Act and related legislation.

Council's byLaws are also specifically referred to in relation to the procedure and consideration of the petition.

### 9. Environmental Impact

There are no environmental impacts arising from the recommendations within this report.

### 10. Conflict of Interest Considerations

There are no Officer conflicts of interest in relation to this report.

### 11. Conclusion

There may be a few individuals who are not showing respect for the community and are travelling at excessive speeds within Queen Street. A few unlawful motorists can be best controlled by specific legislation and procedures operated by the Victoria Police. It is recommended that the residents be helped to utilise the measures under the control of the police to address specific individuals.

A Speed Study has shown that most motorists are obeying the speed limit and travelling responsibly within the street. The speed study has been carried out recently. A further Speed Study will be undertaken in the summer period to confirm the findings of the recently conducted study.

The intersection of Jubilee Street with Tocumwal Road is fitted with a STOP sign. There is restricted sight distance at this intersection. The petition refers to the limitation of the sight distance by parked vehicles near the intersection and this can be helped by moving the parking sign further from the intersection.

## Attachments

- 1 Petition Queen Street, Numurkah

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

**PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH (cont'd)**

**RECOMMENDATION**

That:

1. The petition organiser be advised about the procedure for reporting "hoon behaviour" to the Police.
2. A further Speed Study be conducted in the summer period to confirm the findings of the recent Speed Study.
3. The Parking sign in Tocumwal Road on the south west side of the intersection, be moved further from the intersection to improve sight distance from Jubilee Road.
4. The petition organiser be thanked for their interest and the work involved in organising the petition and be advised of Council's decision.

**MOTION**

CRS MARIE MARTIN / KEVIN BOURKE

That:

1. The petition organiser be advised about the procedure for reporting "hoon behaviour" to the Police.
2. A further Speed Study be conducted in the summer period to confirm the findings of the recent Speed Study.
3. The Parking sign in Tocumwal Road on the south west side of the intersection, be moved further from the intersection to improve sight distance from Jubilee Road.
4. The petition organiser be thanked for their interest and the work involved in organising the petition and be advised of Council's decision.

(CARRIED)

FILE NO: D14/40429  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO: 9.3.1  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, ANDREW CLOSE)

**PETITION TO REDUCE SPEED IN QUEEN STREET, NUMURKAH (cont'd)**

**ATTACHMENT No [1] - Petition Queen Street, Numurkah**

*Formal petition Received 3/8/2014*

Residents / Ratepayers  
Queen Street  
NUMURKAH VIC 3636

Attention: Moira Shire Council

31<sup>st</sup> July 2014

4 AUG 2014

Referred to	
Copies to	

We the following would like the Shire to consider measures with regards to decreasing the Traffic Speed in our Street.

Some of us have resided in Queen Street for many years and during that time we paid for the road to be sealed.

Queen Street has been a quiet residential area but recently it seems to have attracted the attention of being a race strip. Late at night or early hours of the morning vehicles tend to use the street for their pleasure and no respect to the noise level that their vehicles make. It seems to be easier to swing in to Queen Street from either the South end or the North end and to let it rip.

Also noticeably is the drop off and pick up time of the local school. Jubilee has vehicles parked on both sides of the street. When you are trying to enter in to Tocumwal Road from Jubilee Street, the vehicles parked in Tocumwal Road block your view. This is a Traffic Hazard as your vehicle has to poke out nearly its full body length to be able to see the flow of traffic. When returning from Tocumwal Road into Jubilee/Queen Street the vehicles parked on both sides, make a very tight squeeze when someone is trying to enter Tocumwal Road. This also has increased the flow of Traffic along Jubilee/Queen Street.

Maybe the Shire could consider speed humps, to reduce the speed of the traffic. Signs for speed control have been erected in Jubilee Street but vandals have decided to pull these out.

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## ASSEMBLIES OF COUNCILLORS

### 1. Executive Summary

The records of the Assembly of Councillors reported during the month of August 2014 are attached to this report.

Inclusion of the attached records of Assembly of Councillors in the Council agenda, and incorporation into the Minutes ensures Council meets its statutory obligations under section 80A of the Local Government Act 1989 (the Act).

### 2. Background and Options

An Assembly of Councillors is defined under Division 1A – Conduct and interests in section 76AA of the Act:

**assembly of Councillors** (however titled) means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be -

- (a) the subject of a decision of the Council; or
- (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee—

but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

Section 80A of the Act requires the Chief Executive Officer to ensure that a written record of an assembly of Councillors is reported to an ordinary meeting of the Council as soon as practicable. The written record must include whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Section 80A(1) requires that a record is kept of:

- (a) the names of all Councillors and members of Council staff attending;
- (b) the matters considered;
- (c) any conflict of interest disclosures made by a Councillor attending under subsection (3); and
- (d) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.

### 3. Financial Implications

There are no financial implications with this report.

### 4. Risk Management

There are no risk implications with this report.

### 5. Internal and External Consultation

The community are able to access written records of assemblies of Councillors.

### 6. Regional Context

There are no regional contexts associated with this report.

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

## ASSEMBLIES OF COUNCILLORS (cont'd)

### 7. Council Plan Strategy

Ensuring Good Governance to meet legislative obligations

### 8. Legislative / Policy Implications

This report complies with the requirements under the *Local Government Act 1989*.

### 9. Environmental Impact

There are no environmental impacts with this report.

### 10. Conflict of Interest Considerations

There are no council officer conflict of interest issues to consider within this report.

### 11. Conclusion

The Assembly of Councillors records attached to this report are a true and accurate record of all assemblies of Councillors reported during August 2014. Their recording into the Council Minutes ensures Council meets its statutory obligations under section 80A of the Act.

### Attachments

- 1 Attachment 4 August
- 2 Attachment 5 August
- 3 Attachment 7 August
- 4 Attachment 11 August
- 5 Attachment 18 August
- 6 Attachment 25 August
- 7 Attachment 26 August

### RECOMMENDATION

That Council receive and note the attached Records of Assembly of Councillors.

### MOTION

CRS ED COX / ALEX MONK

That Council receive and note the attached Records of Assembly of Councillors.

(CARRIED)

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

**ATTACHMENT No [1] - Attachment 4 August**



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	4 August 2014
Name of meeting	Council Briefing
Councillors attending	Councillors, Wendy Buck, Ed Cox, Don McPhee, Gary Cleveland, Alex Monk, Kevin Bourke, Marie Martin
Council staff attending	Chief Executive Officer, Mark Henderson Director Development and Liveability, Andrew Close Director Community, Peter Bertolus Director Corporate Governance, Alison Coe Manager Governance, David Booth
Matters discussed	<ol style="list-style-type: none"> <li>1. Victorian Floodplain Management Strategy</li> <li>2. Roadside Fatality Memorials</li> <li>3. Youth Services Contract – Mission Australia</li> <li>4. Wunghnu Action Group – Community Action Plan</li> <li>5. Financial Statements and Audited Statement timeline</li> <li>6. Yarrawonga Holiday Park</li> </ol>
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

**ATTACHMENT No [2] - Attachment 5 August**



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	5 August 2014
Name of meeting	Disability Advisory Committee
Councillors attending	Councillor Don McPhee
Council staff attending	Community Services Officer, Hayley O'Loughlin Community Development Officer, Frank Malcolm
Matters discussed	<ol style="list-style-type: none"><li>1. Moira Shire Disability Action Plan</li><li>2. Disability Advisory Committee Terms of Reference</li><li>3. Cirkus Quirkus</li><li>4. International Day for People with a Disability</li></ol>
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

**ATTACHMENT No [3] - Attachment 7 August**



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	7 August 2014
Name of meeting	Multicultural Advisory Committee
Councillors attending	Councillor Marie Martin
Council staff attending	Annabelle Mendoza
Matters discussed	<ol style="list-style-type: none"> <li>1. Reports <ul style="list-style-type: none"> <li>- Refugee Week celebrations</li> <li>- Refugee Welcome Zone Declaration</li> <li>- Funding application for Multicultural Space at the proposed Cobram Library</li> </ul> </li> <li>2. Funding application for Multicultural Festivals and Events Grants</li> <li>3. Updates on achievements on Multicultural Action Plan and Revisit Action Plan priorities</li> <li>4. Harmony Day and Community Linkages</li> <li>5. General Business <ul style="list-style-type: none"> <li>- Australian Citizenship Ceremonies happening on 17 September 2014</li> <li>- Multicultural Senior Citizens Organisational Support Grants</li> </ul> </li> </ol>
Conflict of Interest Disclosures (indicate below if Nil or complete details)	Nil

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

ATTACHMENT No [4] - Attachment 11 August



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	11 August 2014
Name of meeting	Council Briefing
Councillors attending	Councillors, Wendy Buck, Ed Cox, Don McPhee, Gary Cleveland, Alex Monk, Kevin Bourke, Marie Martin
Council staff attending	Chief Executive Officer, Mark Henderson Director Development and Liveability, Andrew Close Director Community, Peter Bertolus Director Corporate Governance, Alison Coe Manager Governance, David Booth
Matters discussed	
	<ol style="list-style-type: none"> <li>1. YMCA – Pool contract presentation</li> <li>2. Tourism update</li> <li>3. Agenda review</li> <li>4. Councillor issues</li> </ol>
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

**ATTACHMENT No [5] - Attachment 18 August**



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	18 August 2014
Name of meeting	Council Briefing
Councillors attending	Councillors Peter Mansfield, Wendy Buck, Ed Cox, Marie Martin, Don McPhee, Gary Cleveland, Alex Monk, Kevin Bourke
Council staff attending	Chief Executive Officer, Mark Henderson Director Development and Liveability, Andrew Close Director Community, Peter Bertolus Manager Governance, David Booth
Matters discussed	
	1. Varapodio visit 2. Thales Munitions Factory update 3. Victorian Floodplain Management Strategy 4. Agenda review
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

ATTACHMENT No [6] - Attachment 25 August



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	25 August 2014
Name of meeting	Council Briefing
Councillors attending	Councillors Peter Mansfield, Wendy Buck, Ed Cox, Don McPhee, Gary Cleveland, Alex Monk, Kevin Bourke
Council staff attending	Chief Executive Officer, Mark Henderson Director Development and Liveability, Andrew Close Director Community, Peter Bertolus Manager Governance, David Booth
Matters discussed	
	<ol style="list-style-type: none"> <li>1. Yarrawonga Holiday Park discussion</li> <li>2. Yarrawonga Holiday Park presentation by Park Committee</li> <li>3. Rates notice error</li> <li>4. Governors visit</li> <li>5. Planning requirements for signs outside shopping strips</li> <li>6. Parking requirements for new businesses</li> </ol>
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
	Nil

FILE NO: 120.16.0001  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.1.1  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)

**ASSEMBLIES OF COUNCILLORS (cont'd)**

**ATTACHMENT No [7] - Attachment 26 August**



**RECORD OF ASSEMBLY OF COUNCILLORS**

Date held	26 August 2014
Name of meeting	Moirashire Junior Council
Councillors attending	Councillor Gary Cleveland
Council staff attending	Youth Trainee Officer, Erin Walmsley, Youth Development Officer, Hollie Barnes
Matters discussed	
<ol style="list-style-type: none"><li>1. Freeza Report</li><li>2. 'Paint your community' activity</li><li>3. Women in Trade presentation</li><li>4. Town Issues</li><li>5. Event planning</li><li>6. Celebrity heads</li></ol>	
Conflict of Interest Disclosures (indicate below if Nil or complete details)	
Nil	

FILE NO: FF13/444  
2. COMMUNITY

ITEM NO: 10.2.1  
(ADMINISTRATION SUPPORT OFFICER,  
JEANETTE MORRISON)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

## FOOD SAMPLING REPORT 2ND QUARTER 2014

### 1. Executive Summary

Councils are required by the Food Act 1984 to annually procure food samples from registered food businesses for the purpose of analysis. All Class 1 and 2 food businesses will be sampled during a 3 year period and the sampling schedule will continue to concentrate on the procurement of potentially hazardous foods. Moira Shire Council is required to submit a minimum of 70 food samples during the calendar year 2013–14. The sampling program is also required to obtain at least 10 food samples from Class 1 (eg. hospitals, child care centres) premises and 60 food samples from Class 2 premises (eg. hotels, restaurants, cafes).

### 2. Background and Options

The attached analyst's report details those samples submitted by Council for the second quarter and their accompanying results.

During the second quarter there were two samples which failed to meet satisfactory standards.

The two food samples were obtained from two different food businesses. One food sample was cooked roast pork, and the other food sample was an arancini ball. Arancini balls are stuffed rice balls coated with breadcrumbs and fried.

The cooked roast pork analysis revealed high levels of the bacterium Enterobacteriaceae with a reading of 49,000 cfu/g, and a Total Viable Count of 49,000,000 cfu/g. The presence of high levels of Enterobacteriaceae and a very high Total Viable Count indicates a number of compounding factors that have adversely affected the microbiological status of the food. This would include cross contamination, inadequate cooking of the food, and very poor food handling practices.

A satisfactory level of Enterobacteriaceae in foods should be no more than 100 cfu/g, and therefore this analysis result is 490 times higher than what is considered to be acceptable.

The analysis of the arancini ball revealed the presence of E.coli at levels 140 times higher than what is acceptable. E.coli is an indicator of faecal contamination and suggests poor handwashing, inadequate heating and possibly cross contamination having occurred as well during food preparation. E.coli is killed by adequate heating.

E.coli infection can cause watery diarrhoea, fever, vomiting and severe abdominal pain. All people are susceptible to foodborne disease caused by E.coli., but particularly children, the elderly and the immune-compromised.

An outbreak caused by E.coli 0111 occurred in Australia in 1995, and 23 persons (mainly children) were diagnosed with HUS, with one fatality. HUS is Haemolytic Uraemic Syndrome and is a toxic strain of E. coli bacteria. HUS causes acute renal impairment and can lead to chronic kidney damage or death from kidney failure. Children under 5 years of age are at greatest risk of developing HUS. The source of the outbreak was traced to contaminated smallgoods.

In 1996 E.coli 0157 was responsible for an outbreak which left 6 people ill on the Gold Coast. All persons affected had bloody diarrhoea. It was thought that cross-contamination from raw food to cooked food was the principle cause of the outbreak

FILE NO: FF13/444  
2. COMMUNITY

ITEM NO: 10.2.1  
(ADMINISTRATION SUPPORT OFFICER,  
JEANETTE MORRISON)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

## FOOD SAMPLING REPORT 2ND QUARTER 2014 (cont'd)

Council's procedures require Council's Environmental Health Officers (EHOs) to make direct contact with the food business proprietor upon receipt of an unsatisfactory food sampling analysis, as was in this instance. Council's EHO discusses with them the analysis result, the implications of the result, and conducts an examination of conditions and practices within the business and with the staff that may be responsible for the unsatisfactory result.

In those instances where there are consecutive failures to achieve satisfactory food sampling analyses, Council's EHOs will consider the issuing of penalty infringement notices and prosecution action.

### 3. Financial Implications

All costs of food sampling are expected to be within Council's adopted budget.

### 4. Risk Management

Not applicable

### 5. Internal and External Consultation

There is no formal internal or external consultation required.

### 6. Regional Context

Not applicable

### 7. Council Plan Strategy

Maintain and promote the environmental health of communities.

All registered premises inspected prior to the renewal of their registration including compliance enforcement as needed

### 8. Legislative / Policy Implications

In accordance with the requirements of S.32 of the Food Act 1984, the attached food sampling analyst's report is submitted for Council's information.

### 9. Environmental Impact

Notwithstanding the significant community health implications associated with the food sampling process, there are no direct (external) environmental impacts.

### 10. Conflict of Interest Considerations

The officers involved in food sampling have no conflicts of interest

### 11. Conclusion

Council's EHOs will continue to implement the food sampling programme and focus on those food premises that prepare and sell potentially hazardous foods, and monitor their compliance in respect to the requirements of the Food Standards Code.

## Attachments

FILE NO: FF13/444  
2. COMMUNITY

ITEM NO: 10.2.1  
(ADMINISTRATION SUPPORT OFFICER,  
JEANETTE MORRISON)  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

**FOOD SAMPLING REPORT 2ND QUARTER 2014 (cont'd)**

- 1 Analyst's Report April to June 2014

**RECOMMENDATION**

1. That Council receive and note the Food Sampling Report for April to June 2014

**MOTION**

CRS ALEX MONK / KEVIN BOURKE

1. That Council receive and note the Food Sampling Report for April to June 2014

(CARRIED)

FILE NO: FF13/444  
2. COMMUNITY

ITEM NO: 10.2.1  
(ADMINISTRATION SUPPORT OFFICER, JEANETTE MORRISON)  
(DIRECTOR, COMMUNITY, PETER BERTOLUS)

**FOOD SAMPLING REPORT 2ND QUARTER 2014 (cont'd)**

**ATTACHMENT No [1] - Analyst's Report April to June 2014**



Dairy Technical Services Ltd  
AMM 20/06/17  
PO Box 578  
Cobram VIC 3643  
Phone: 03 51 872 3013  
Fax: 03 51 872 3013

Postal Address  
PO Box 8  
Harrington VIC 3844  
Chemistry Laboratory  
52-55 Park Street  
Heathmont VIC 3107  
Phone: 03 94 33 4000  
Fax: 03 94 33 4000

Food Allergen  
Control Training  
Analysis (FACTA)  
20115-10000000  
Metropolitan Avenue  
Melbourne VIC 3000  
Phone: 03 9603 9930  
Fax: 03 9603 9930

Microbiology  
Laboratory Queensland  
7748 Forrasie  
Theodore QLD 4660  
Phone: 08 72 2816 2222  
Fax: 08 72 2816 2222

**QUARTERLY FOOD SAMPLING REPORT**

**FOR: MOIRA SHIRE COUNCIL**

**Project Received Between: 01/04/2014 to 30/06/2014**

P O Box 578  
Cobram VIC 3643

**Report Date: 1/07/2014**

DTS Job ID	Date Received	Council Sample ID	Council Sample Desc	Sample Type	Product Description	Chem	Micro	Labelling
CL1404378	11/06/2014	140008701	PUMPKIN PESTO SALAD	ROUTINE	Ready to eat / Composite foods			
CL1404379	11/06/2014	140008703	VEGETABLE LASAGNA	ROUTINE	Ready to eat / Composite foods			
CL1404380	11/06/2014	140008702	ARANCINI BALL	ROUTINE	Ready to eat / Composite foods		x	
CL1404381	11/06/2014	140008710	ROAST PORK	ROUTINE	Ready to eat / Composite foods		x	
CL1404382	11/06/2014	140008709	ROAST CHICKEN	ROUTINE	Ready to eat / Composite foods			
CL1404383	11/06/2014	140008708	SANDWICHES	ROUTINE	Ready to eat / Composite foods			
CL1404384	11/06/2014	140008707	SANDWICHES	ROUTINE	Ready to eat / Composite foods			
CL1404385	11/06/2014	140008712	VEGETABLE SOUP AND BARLEY	ROUTINE	Ready to eat / Composite foods			
CL1404386	11/06/2014	140008711	PENNE PASTA	ROUTINE	Ready to eat / Composite foods			
CL1404387	11/06/2014	140008715	ROAST BEEF	ROUTINE	Ready to eat / Composite foods			
CL1404388	11/06/2014	140008714	COLESLAW	ROUTINE	Ready to eat / Composite foods			
CL1404389	11/06/2014	140008713	BOILED EGG	ROUTINE	Egg - Shell, cooked & egg-based sauces			
CL1404390	11/06/2014	140008706	QUICHE LORRAINE	ROUTINE	Ready to eat / Composite foods			
CL1404391	11/06/2014	140008704	CHICKEN SCHNITZEL	ROUTINE	Ready to eat / Composite foods			

FILE NO: FF13/444  
2. COMMUNITY

ITEM NO: 10.2.1  
(ADMINISTRATION SUPPORT OFFICER, JEANETTE MORRISON)  
(DIRECTOR, COMMUNITY, PETER BERTOLUS)

**FOOD SAMPLING REPORT 2ND QUARTER 2014 (cont'd)**

**ATTACHMENT No [1] - Analyst's Report April to June 2014**



Dairy Technical Services Ltd  
ABN 30 004 319 171  
www.dtsfoodlabs.com.au  
Fax: +61 (3) 9372 2013  
5/352 Macaulay Road  
Kensington VIC Australia 3031  
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Microbiology  
Laboratory Queensland  
1/148 Tennyson  
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**QUARTERLY FOOD SAMPLING REPORT**

**MOIRA SHIRE COUNCIL**

DTS Job ID	Date Received	Council Sample ID	Council Sample Desc	Sample Type	Product Description	Chem	Micro	Labelling
CL1404392	11/06/2014	140008705	BOILED EGG	ROUTINE	Egg - Shell, cooked & egg-based sauces			

NUMBER OF FOOD SAMPLES: 15  
NUMBER OF OTHER SAMPLES: 0

#Samples  
TOTAL FOOD FAILED: 13.33 % 2  
MICRO: 13.33 % 2  
LABELLING: 0.00 % 0  
CHEM: 0.00 % 0  
NOTE: X = FAILED

Leonard Vivian Davies

FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

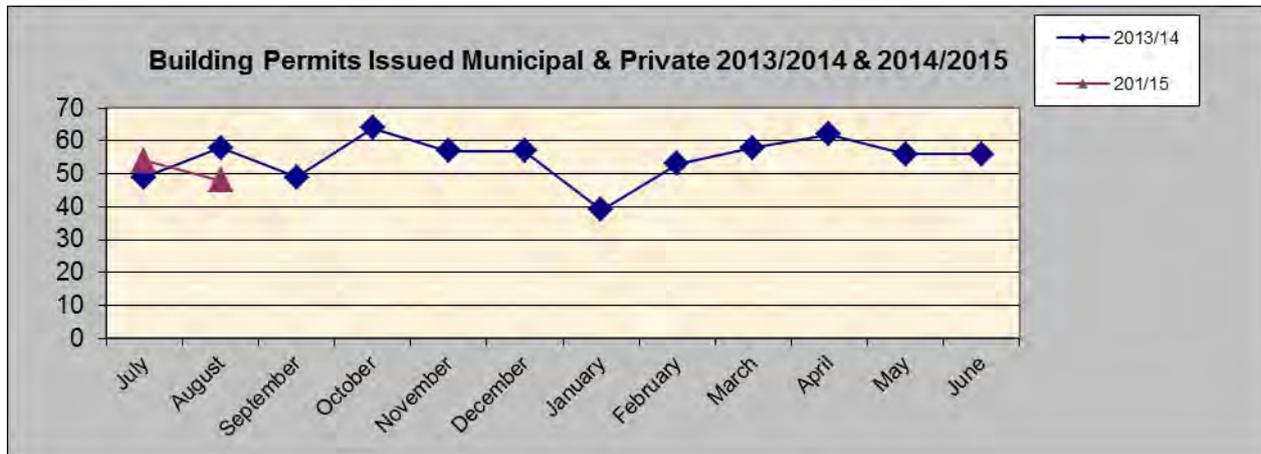
**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS**

**Building Permits**

For the period of 1 to 31 August 2014, Forty Eight (48) building permits were issued to the value of \$4,240,248.00.



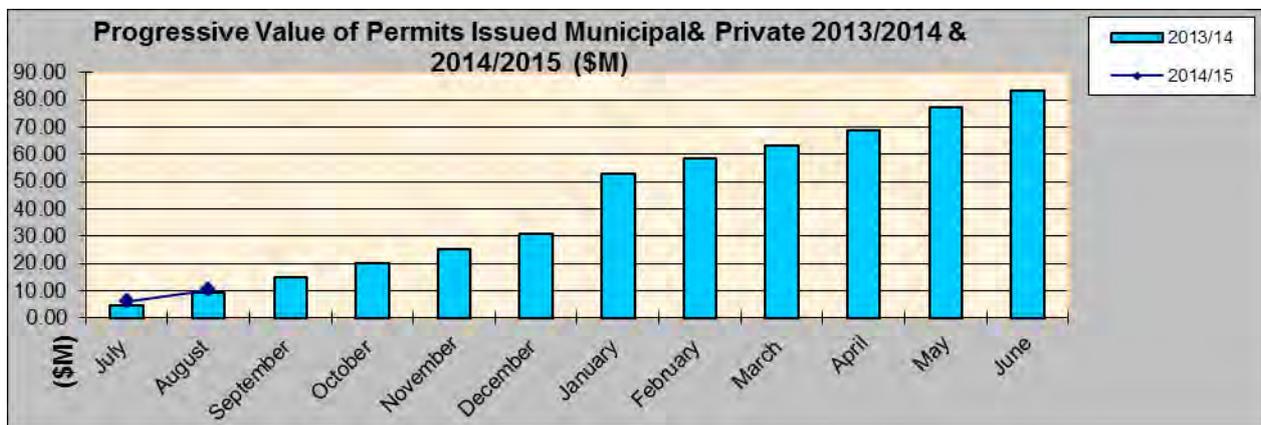
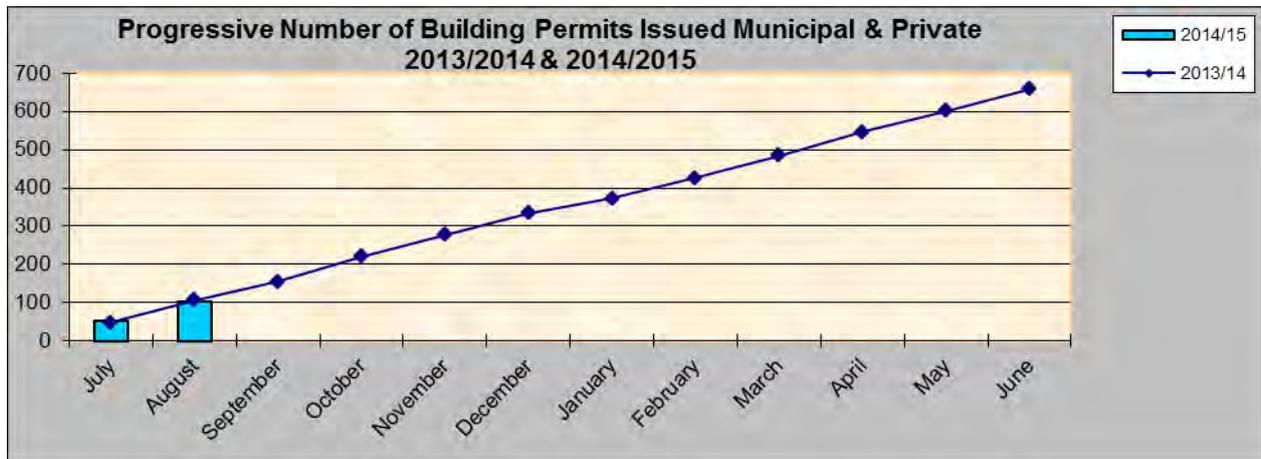
No building permits were issued outside Moira Shire during this month. Applications for building permits outside Shire boundaries vary.



FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)**



FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND PROCESSES

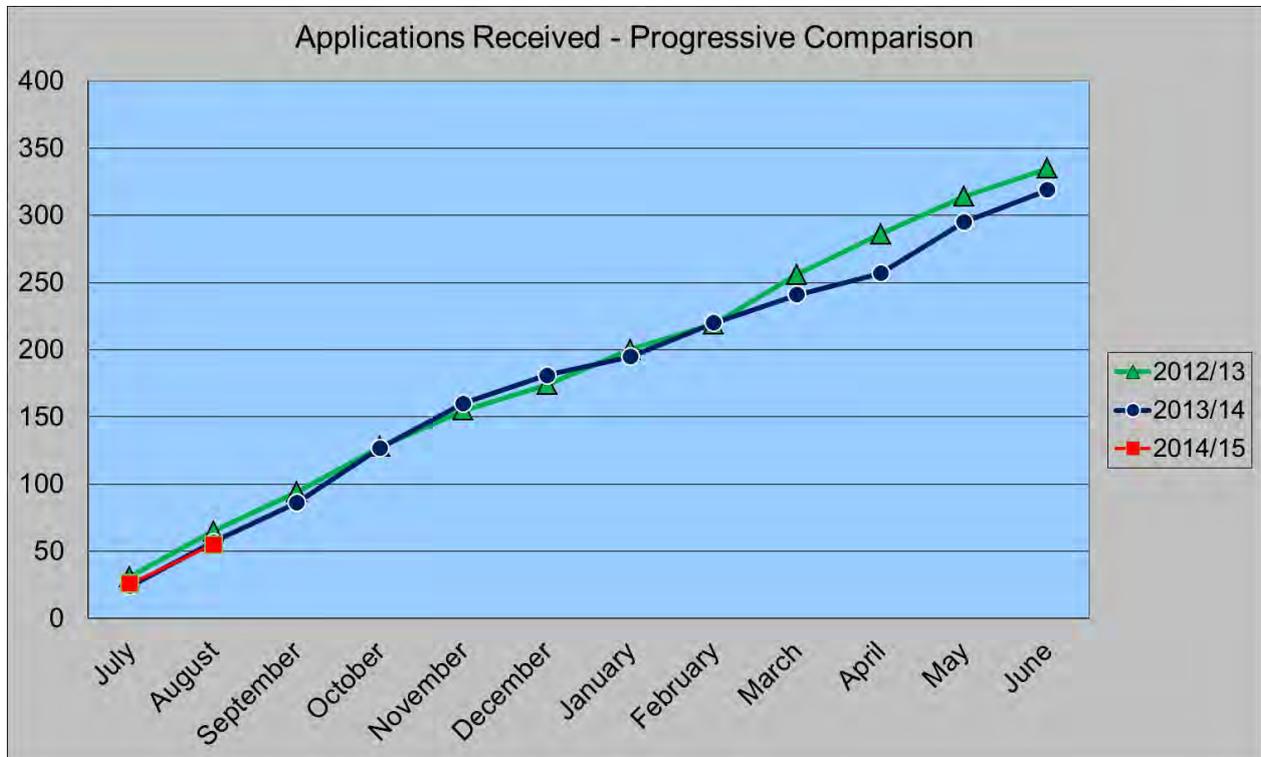
ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)**



**Planning Permits**

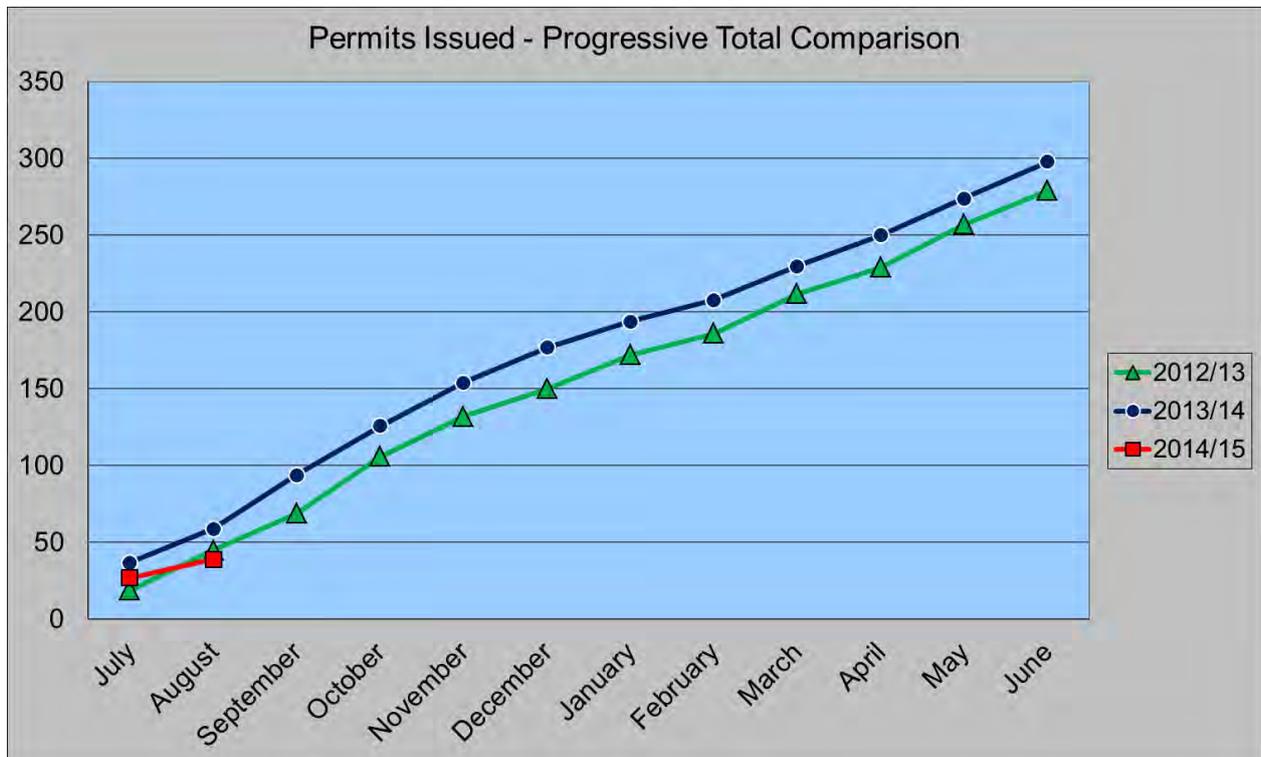
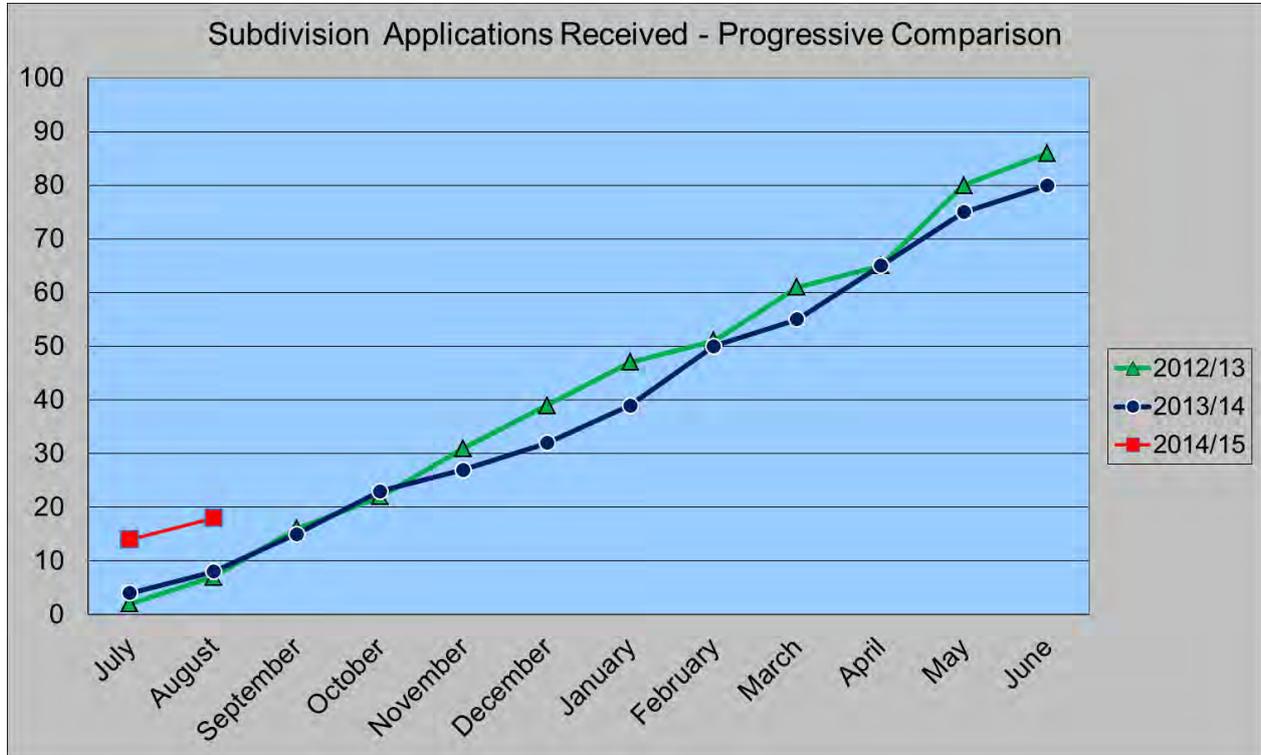
In August 2014, twelve (12) planning permits were issued to the value of \$29,044,620.00 and applications received for the month totalled twenty-nine (29).



FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

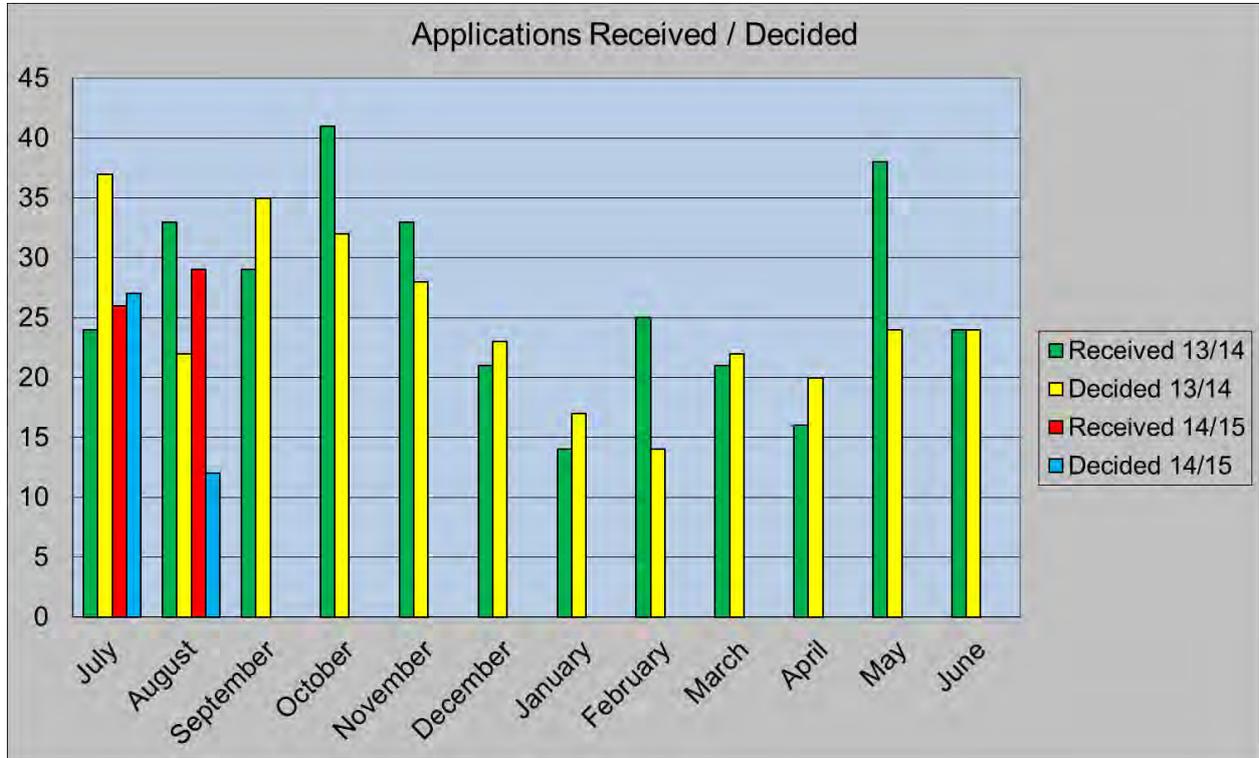
**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)**



FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)**



**Attachments**

- 1 Planning Permits Issued

**RECOMMENDATION**

That Council receive and note the combined Building and Planning Permit Activity Reports for the month of August 2014.

**MOTION**

CRS ED COX / BRIAN KEENAN

That Council receive and note the combined Building and Planning Permit Activity Reports for the month of August 2014.

(CARRIED)

FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, ANDREW CLOSE)

**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)**

**ATTACHMENT No [1] - Planning Permits Issued**



**Planning Permits issued - August 2014**

<u>Appl. No.</u>	<u>Date Received</u>	<u>Property Address</u>	<u>Use or Development</u>	<u>Date of Decision</u>	<u>Estimated Cost of Proposed Works</u>
005.2012.00000066.001	27/05/2012	8228 Murray Valley HWY BATHUMI	Six (6) Lot Subdivision	18/08/2014	\$ 0
005.2014.00000187.001	19/03/2014	7-11 Park ST NATHALIA	Removal of Native Vegetation	11/08/2014	\$ 85,000
005.2014.00000236.001	7/04/2014	9 McColl ST BATHUMI	two (2) lot re-subdivision	5/08/2014	\$ 0
005.2014.00000299.001	29/04/2014	46-50 McDonald ST NUMURKAH	Buildings & Works - Alteration to refining process, increase in stora	21/08/2014	\$ 28,000,000
005.2014.00000364.001	21/05/2014	151 Ryans RD NATHALIA	Removal of Native Vegetation (2 Trees)	5/08/2014	\$ 455,420
005.2014.00000401.001	28/05/2014	38 Wondah ST COBRAM	Two (2) Lot Subdivision	7/08/2014	\$ 0
005.2014.00000420.001	10/06/2014	5889 Benalla-Tocumwal RD MUCKATAH	Two (2) Lot Subdivision	18/08/2014	\$ 0
005.2014.00000428.001	11/06/2014	3325 Goulburn Valley HWY NUMURKAH	Subdivision - Realignment of Boundary	7/08/2014	\$ 0
005.2014.00000442.001	16/06/2014	1621 Bearii East RD STRATHMERTON	Buildings & Works - Dwelling	4/08/2014	\$ 350,000
005.2014.00000475.001	26/06/2014	332 Mannions RD YALCA	Buildings & Works	11/08/2014	\$ 22,400
005.2014.00000487.001	3/07/2014	233 Montgomery RD YARROWEYAH	Buildings & Works	18/08/2014	\$ 131,800

FILE NO: 250.08.0004  
3. OUR COMMUNICATIONS AND  
PROCESSES

ITEM NO: 10.3.1  
(ADMINISTRATION SUPPORT OFFICER,  
AMANDA MATHERS)  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, ANDREW CLOSE)

**BUILDING AND PLANNING PERMIT ACTIVITY REPORTS (cont'd)**

**ATTACHMENT No [1] - Planning Permits Issued**

<u>Appl. No.</u>	<u>Date Received</u>	<u>Property Address</u>	<u>Use or Development</u>	<u>Date of Decision</u>	<u>Estimated Cost of Proposed Works</u>
005.2014.00000510.001	14/07/2014	Centre RD NATHALIA	To remove a condition in the nature of an easement	7/08/2014	\$ 0

Applications Decided:	12	Total Estimated Value of Works:	\$ 29,044,620.00
Permits Approved under Delegation (APPD):	12		
Notice of Decision to Approve (AAPC):	0		
Notice of Decision to Refuse (APPR):	0		

**FILE NO: 100.01.0001  
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1  
(PERSONAL ASSISTANT TO CEO, ROBYN  
BONADDIO)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE, DOUG SHARP)**

**ACTION OFFICERS LIST**

**Attachments**

- 1 Action Officer List - September 2014

**RECOMMENDATION**

That Council receive and note the Action Officers List.

**MOTION**

CRS KEVIN BOURKE / GARY CLEVELAND

That Council receive and note the Action Officers List.

(CARRIED)

FILE NO: 100.01.0001  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 11.1  
(PERSONAL ASSISTANT TO CEO, ROBYN BONADDIO)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**ACTION OFFICERS LIST (cont'd)**

**ATTACHMENT No [1] - Action Officer List - September 2014**

ACTION OFFICERS LIST – September 2014

Meeting	Subject
Ordinary Council Meeting 18 August 2014	Requesting Ministerial Intervention to Amend the Moira Town Planning Scheme - Lots 15, 17 and 18 Punt Road, Cobram - Woolworths expansion proposal
<p><b>MOTION</b></p> <p>CRS ED COX / ALEX MONK</p> <p>That:</p> <p>Council request Ministerial intervention in terms of Section 20 Part 4 of the <i>Planning and Environment Act, 1987</i> to:</p> <ul style="list-style-type: none"> <li>Amend the Moira Town Planning Scheme (Clause 61.01) by deleting Sub-Clause 2.0 which reads as follows: “<i>The Minister for Planning is the responsible authority for administering and enforcing the Scheme at Lots 15, 17 and 18, Plan of Subdivision 216901 W, Punt Road Cobram</i>”; and</li> <li>Delete “<i>Lots 15, 17 and 18, Plan of Subdivision 216901 W, Punt Road, Cobram</i>” from Column 1 and “<i>car parking</i>” from Column 2 of the Schedule to the Public Use zone.</li> </ul> <p style="text-align: right;">(CARRIED)</p>	
<p><b>ACTIVITY</b></p> <p>Email and formal letter written to applicant together with progress report with respect to submission to Minister for Planning.</p>	
Meeting	Subject
Ordinary Council Meeting 18 August 2014	Draft Victorian Floodplain Management Strategy.
<p><b>MOTION</b></p> <p>CRS KEVIN BOURKE / MARIE MARTIN</p> <p>That Council invites Minister Walsh and the Shadow Minister for Water along with neighbouring municipalities to discuss the Draft Victorian Floodplain Management Strategy.</p> <p style="text-align: right;">(CARRIED)</p>	
<p><b>Activity</b></p> <p>Letters have been sent.</p>	

**FILE NO: 100.01.0001  
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1  
(PERSONAL ASSISTANT TO CEO, ROBYN BONADDIO)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)**

**ACTION OFFICERS LIST (cont'd)**

**ATTACHMENT No [1] - Action Officer List - September 2014**

ACTION OFFICERS LIST – September 2014

<b>Meeting</b>	<b>Subject</b>
Ordinary Council Meeting 18 August 2014	Petition – Queen Street, Numurkah
<b>MOTION</b>	
CRS MARIE MARTIN / KEVIN BOURKE	
That:	
1. Council receive a petition containing 18 signatures requesting the reduction in speed at Queen Street Numurkah as per Section 66 of the Meeting Procedures Local Laws 2007.	
(CARRIED)	
<b>ACTIVITY</b>	
Report submitted for the 15 September 2014 Ordinary Council Meeting.	
<b>Meeting</b>	<b>Subject</b>
Ordinary Council Meeting 23 June 2014	Numurkah Heritage Centre
<b>MOTION</b>	
CRS MARIE MARTIN / KEVIN BOURKE	
I move as a matter of urgency that our Shire's Engineering department carry out a costing of structural and cosmetic work and a framework with how to proceed to get this building into tip-top condition.	
(CARRIED)	
<b>Activity</b>	
Currently seeking quotes for building / heritage condition audit.	

FILE NO: 100.01.0001  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 11.1  
(PERSONAL ASSISTANT TO CEO, ROBYN BONADDIO)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)

**ACTION OFFICERS LIST (cont'd)**

**ATTACHMENT No [1] - Action Officer List - September 2014**

ACTION OFFICERS LIST – September 2014

Meeting	Subject
Ordinary Council Meeting 09 December 2013	Cobram Library
<b>MOTION</b>	
CRS GARY CLEVELAND / MARIE MARTIN That:	
<ol style="list-style-type: none"> <li>Council approve the Cobram Civic Centre as the location for the new Cobram Library/Community Hub.</li> <li>Authorise Council Officers to seek the services of a suitably qualified Architect to undertake the detailed design of a multiple staged 'Civic Centre Precinct' in order to meet with the projected future needs of the community, with Stage 1 of the project being a new Library facility and associated works.</li> </ol>	
(CARRIED)	
<b>ACTIVITY</b>	
Tenders for architectural services are being assessed.	
Meeting	Subject
Ordinary Council Meeting 20 May 2013	Lease to National Broadband Network Cobram
<b>MOTION</b>	
That Council:	
<ol style="list-style-type: none"> <li>Resolve to enter into a lease with the National Broadband Network Company to occupy part of the telecommunications tower and land located at 44 Station St Cobram.</li> <li>Authorise the Chief Executive Officer to sign and seal the lease documents</li> </ol>	
(CARRIED)	
<b>ACTIVITY</b>	
NBN Co advised of Council approval. Awaiting lease document from NBN.	
Meeting	Subject
Ordinary Council Meeting 17 September 2012	Bus Terminus - old Railway Station precinct
<b>MOTION</b>	
That Council:	
<ol style="list-style-type: none"> <li>Explore feasibility of establishing a bus terminus and lighted car parking area near the old railway station precinct; and</li> <li>Seek funding from the appropriate authority for a sided bus shelter at corner of Orr and Belmore Streets to protect people from the weather.</li> </ol>	
(CARRIED)	
<b>ACTIVITY</b>	
The area available at the old Railway Station will be dependent upon the option and alignment that VicRoads adopt for the new bridge at Yarrawonga. Current indications are that there will be no space available to develop the site.	

**FILE NO: 100.01.0001  
3. OUR COMMUNICATIONS AND PROCESSES**

**ITEM NO: 11.1  
(PERSONAL ASSISTANT TO CEO, ROBYN BONADDIO)  
(ACTING DIRECTOR CORPORATE GOVERNANCE, DOUG SHARP)**

**ACTION OFFICERS LIST (cont'd)**

**ATTACHMENT No [1] - Action Officer List - September 2014**

ACTION OFFICERS LIST – September 2014

<b>Meeting</b>	<b>Subject</b>
Ordinary Council Meeting 12 December 2011	Local Law 2007 Meeting Procedure
<p><b>MOTION</b> That Council review the Local Law 2007 Meeting Procedure.</p> <p style="text-align: right;">(CARRIED)</p>	
<p><b>ACTIVITY</b> Currently being reviewed with officers aiming to present the report to a October Briefing. Proposed Key changes: compliance with legislation changes and questions from the public gallery.</p>	
<b>Meeting</b>	<b>Subject</b>
Ordinary Council Meeting 20 June 2011	RV Friendly Shire
<p><b>MOTION</b> That Council endorse the establishment of a Community Stakeholder Steering Committee to explore the adoption of a RV friendly position and set a timeframe of 12 months for the Committee to develop a RV Friendly implementation Framework and Plan</p> <p style="text-align: right;">(CARRIED)</p>	
<p><b>ACTIVITY</b> Terms of Reference were approved by Council on 23rd June 2014. Advertisements have been placed in local newspapers calling for expressions of interest for community positions. First meeting of the Advisory Committee is anticipated to be in November 2014.</p>	
<b>Meeting</b>	<b>Subject</b>
Ordinary Council Meeting 10 December 2012	Transfer Station operating hours
<p><b>MOTION</b> That a review of Transfer Station operating hours be undertaken and presented to Council.</p> <p style="text-align: right;">(CARRIED)</p>	
<p><b>ACTIVITY</b> Following a review of patron behaviour a number of Councils transfer stations have been operating with new opening hours. These changes, effective since 1 November 2013 include Yarrowonga and Numurkah being open (and closing) 1 hour earlier and Nathalia being closed earlier on Saturdays.</p> <p>A further change implemented at this time included the Cobram Landfill tipping face being closed on weekends. Community feedback regarding the changes to opening hours has been positive. A more in-depth review of the landfill and transfer station operating hours is currently underway.</p>	

FILE NO: D14/45714  
5. INFRASTRUCTURE

ITEM NO: 13.1  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY , MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT AND  
LIVEABILITY, ANDREW CLOSE)

**MANNIONS ROAD AND SUTTONS LANE BEARII**

**1. Executive Summary**

A petition containing 20 signatures requesting a reduction in the speed limit and attention the dust emanating from traffic travelling along Mannions Road and Suttons Lane in Bearii has been received.

In accordance with Section 66 of Meeting Procedures Local Laws 2007, it is recommended that the petition be received and lay on the table and be considered at the next ordinary meeting of Council on 20 October 2014 where a report on the issues raised will be presented.

**Attachments**

- 1 Petition Mannions road and Suttons Lane Bearii, Vic, 3641

**RECOMMENDATION**

That:

- 1. Council receive a petition containing 20 signatures requesting a reduction in the speed limit and attention the dust emanating from traffic travelling along Mannions Road and Suttons Lane in Bearii.

**MOTION**

CRS KEVIN BOURKE / WENDY BUCK

That:

- 1. Council receive a petition containing 20 signatures requesting a reduction in the speed limit and attention the dust emanating from traffic travelling along Mannions Road and Suttons Lane in Bearii.

(CARRIED)

FILE NO: D14/45714  
5. INFRASTRUCTURE

ITEM NO: 13.1  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, ANDREW CLOSE)

**MANNIONS ROAD AND SUTTONS LANE BEARII (cont'd)**

**ATTACHMENT No [1] - Petition Mannions road and Suttons Lane Bearii, Vic, 3641**

28th August 2014

**Attention:** Cr Peter Mansfield - Mayor & Cr Wendy Buck - Deputy Mayor

**Re:** Concerns & issues to Mannions road and Suttons Lane Bearii, Vic, 3641

**From:** Local Residents of Mannions Road & Suttons Lane, Bearii.

We are writing to council again with great concerns and issues re Mannions road & Suttons Lane with major issues relating to dust, speed and safety to residents to both of these streets.

The holiday season is upon us again and we will see a large influx of holiday makers camping at the river. So the dust and speed issues will increase greatly.

As the roads are gravel the amount of dust it brings is concerning to us, due to many vehicles speeding both cars and trucks.

**Dust Issue.**

We cannot hang out our clothes on the line as the dust travels way into our properties and into our homes, windows and door cannot be opened for fresh air, as we get inundated with dust from speeding motorists. This also brings health problems with one our residents having to relocate back to Melbourne as they suffered from asthma due to high levels of dust and others having same issues or medical problems

**Speed issue**

We have had many issues of speeding motorists being trucks and cars that do not adhere to Speed & Dust signage clearly marked. We all fear of lives as the speeds are excessive at times and people are not considerate given these sections of the roads is still part of residential built up area of Bearii.

**Some recent incidents.....**

A family resident & grandchildren walking along roadside with children riding their push bikes and a passing motorist speeds at incredible speed narrowly missing the children. They fear bring their grandchildren up for holidays due to safety issues.

Stock & domestic trucks traveling at great speeds in the built up area of Mannions road, and speeding around the curves which you have to and almost at times weir of the road into the grass to move out of their way, in fear of them running into you.

Another resident was on his afternoon walk and close to the curve at 89-90 Mannions road, a vehicle had taken the bend too fast and lost control resulting in just missing the walking resident by a couple of feet, this is definitely not acceptable the car driver just said sorry took the curve to fast...not on.

FILE NO: D14/45714  
5. INFRASTRUCTURE

ITEM NO: 13.1  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, MARK FOORD)  
(ACTING DIRECTOR, DEVELOPMENT  
AND LIVEABILITY, ANDREW CLOSE)

**MANNIONS ROAD AND SUTTONS LANE BEARII (cont'd)**

**ATTACHMENT No [1] - Petition Mannions road and Suttons Lane Bearii, Vic, 3641**

Another incident again a speeding car coming towards her on the wrong side of the road, direct line causing a head on collision, luckily the resident was able to swerve away from the oncoming vehicle, but resulted in doing so in the wet condition her vehicle aqua-planned into the neighbor's fence causing her car to be written off, and the other car failing to stop. This has traumatized her, and for a while did not drive out of her driveway.

Suttons Lane main issue the speed & dust from speeding motorist going to the river, speeding then all of the sudden the entry to the forest is upon them and screech to slow down, most times the road has rough ripples on the dirt road but this does not stop them from speeding. This section of the road has a lot of Koala's in the trees that will be endanger.

Reports of speeding drivers and near cases of accidents were reported to police and they can not do anything.

and the list go on.....

We understand the speed issue signage is with Vic Roads, and we ask for your assistance in reducing the speed limit from Myers road intersection of Mannions road to the Cemetery from 60k then 80k after Suttons lane, and not 80k then 100k after the residence of 112 Mannions road. This part of the roads and corner of Suttons Lane have many people living here from all ages and need to be addressed as we all have children and grandchildren coming to stay and this is a safety issue that relates to us all.

People also going to the cemetery encounter issues with speeding drivers and dust. While you are behind that vehicle being car or truck it is impossible to see where you are going again a very important safety issue.

We had been promised in 2011 that Mannions road to the Cemetery was to be asphalted, but to date Myers road has been completed and leaving Mannions road uncompleted. We do have 20 or more close residences living here on small allotments and still part of the residential built up area of Bearii.

So here again we wish to have council review our case before someone gets killed on our roads, we do not want to right to you again with a death or someone gravely injured before something get done.

Please keep in mind holiday seasons are near us again and a lot of motorists will be coming into our area, so we wish to have something done as soon as possible.

Moving forward, we look forward to hear form yourselves soon.

You can contact us via my email or phone

We have also attached signed form of residents that hold this matter at an utmost urgency for some action.

FILE NO: F14/315  
3. DEVELOPMENT AND LIVEABILITY

ITEM NO:  
(EXECUTIVE MANAGER BUSINESS AND  
INNOVATION, BRUCE CONNOLLY )  
(DIRECTOR, COMMUNITY, PETER  
BERTOLUS)

**SALE OF 24 SCHUBERT STREET, COBRAM**

Procedural Motion (Clause 22 (2) Meeting Procedure Local Law)

**RECOMMENDATION**

That Council receive the late item.

**MOTION**

CRS ED COX / KEVIN BOURKE

That Council receive the late item.

(CARRIED)

**Attachments**

Nil

**RECOMMENDATION**

That Council authorise the Chief Executive Officer to sign and seal the transfer of land for 24 Schubert Street Cobram.

**MOTION**

CRS ED COX / ALEX MONK

That Council authorise the Chief Executive Officer to sign and seal the transfer of land for 24 Schubert Street Cobram.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

**GENERAL BUSINESS****Clause 62 of Council's "Meeting Procedures Local Law 2007 (No 1 of 2007) states:****62. Urgent or general business**

1. Business which has not been listed on a meeting agenda may only be raised as urgent or general business if the majority of Councillors are present and it is agreed to by a resolution of the Council.
2. Notwithstanding sub-clause (1), if all Councillors are not present, the Chairperson may rule the matter is of urgency and accept an urgency motion to deal with the business which has not been listed on the meeting agenda.
3. An urgency motion can be moved without notice.
4. Only the mover of an urgency motion may speak to the motion before it is put

**MOTION**

CRS KEVIN BOURKE / BRIAN KEENAN

That items of general business be received.

(CARRIED)

**MOTION**

CRS KEVIN BOURKE / MARIE MARTIN

That Council authorise the Chief Executive Officer to seek enforcement of the recent VCAT orders on the tyre storage facilities at Numurkah and Katunga.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 16

**QUESTIONS FROM THE PUBLIC GALLERY**

**Clause 63 of Council's "Meeting Procedures Local Law 2007 (No. 1 of 2007) states:**

**63. Question Time**

1. At every ordinary meeting of the Council a maximum of 30 minutes may be allocated to enable members of the public to submit questions to Council.
2. The time allocated may be extended by unanimous resolution of Council.
3. Sub-clause (1) does not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89 (2) of the Act.
4. To assist the accurate recording of minutes and addressing any questions that may require written response or follow up, the Chief Executive Officer may require questions to be submitted in writing on a form approved or permitted by Council.  
No person may submit more than two (2) questions at any one (1) meeting.  
The Chairperson or member of Council staff nominated by the Chairperson may read a question to those present.

No question must be so read unless:

- (a) the person asking the same is in the gallery at the time it is due to be read;  
and
- (b) the person asking the question reads the same when called upon by the Chairperson to do so.

A question may be disallowed by the Chairperson if it:

- (a) relates to a matter outside the duties, functions and powers of Council;
- (b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- (c) deals with a subject matter already answered;
- (d) is aimed at embarrassing a Councillor or a member of Council staff;
- (e) relates to personnel matters;
- (f) relates to the personal hardship of any resident or ratepayer;
- (g) relates to industrial matters;
- (h) relates to contractual matters;
- (i) relates to proposed developments;
- (j) relates to legal advice;
- (k) relates to matters affecting the security of Council property; or
- (l) relates to any other matter which Council considers would prejudice Council or any person.

All questions and answers must be as brief as possible, and no discussion may be allowed other than for the purposes of clarification.

The Chairperson may request a Councillor or member of Council staff to respond, if possible, to the question.

A Councillor or member of Council staff may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.

A Councillor or member of Council staff may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or member of Council staff must state briefly the reason why to reply should be so given and, unless Council resolves to the contrary the reply to such question must be so given.

17.1 **John Shorten - Yarrawonga**

Question: In the financial report section 3.4 what is the \$1.1million listed as other expenses?

FILE NO: VARIOUS

ITEM NO: 16

**QUESTIONS FROM THE PUBLIC GALLERY**

Answer: The Chief Executive Officer referred to the detailed budget submission response previously provided on this matter to Mr Shorten.

Question: Why did the Acting Chief Executive Officer Peter Bertolus not act immediately in February on the independent probity audit?

Answer: The Mayor responded that the advice received from Council's solicitors indicated that the process undertaken was flawed. Since that time, other audit functions of Council have been seen as being more cost effective for council.

**17.3 Leanne Pell - Nathalia**

Question: In relation to the Probity Audit and the fact that the majority of Councillors didn't want to proceed with it at last month's meeting, how does Council view this in light of the rates debacle, depreciation on road asset valuation and planning permit problems in Nathalia?

Answer: The Mayor responded by referring to the other means by which Council can monitor its operations including internal and external auditors.

**17.4 Leanne Pell - Nathalia**

Question: How much money has Moira Shire paid out to employees and former staff in the past 3.5years?

Answer: The Chief Executive Officer responded by saying that rumours circulating are factually incorrect. Payments to employees are personnel issues which in some cases are subject to a confidentiality agreement.

**17.5 Scott Olsen - Koonoomoo**

Question: I identified the \$500,00 rates debacle, do I get an extra question?

Answer: No

**17.6 Scott Olsen - Koonoomoo**

Question: What is Councils policy on blocking incoming emails to Councillors?

Answer: The Chief Executive Officer replied stating that there is no such policy. Council has an internet and email policy that states if an email is deemed to be insulting Councils filter system will block incoming mail for the safety and security of Councillors and staff. In such instances, the offending email address is not notified as it is seen as the responsibility of the sender to reflect on email content to Councillors and staff.

**17.7 John Lycett - Numurkah**

Question: Is there still a vacancy on the audit committee?

Answer: The Chief Executive Officer advised a vacancy does exist and a wider search for suitable candidates is being undertaken.

FILE NO: VARIOUS

ITEM NO: 16

**QUESTIONS FROM THE PUBLIC GALLERY**

17.8      **John Lycett - Numurkah**

Question:    What is Council doing about the sale of land at a Katunga tyre storage facility?

Answer:      The Chief Executive responded that Council is aware that the property may have been sold. Council is taking steps to identify the company/ individual but at this time Information Certificates have been applied for through Council's revenue department. The existing VCAT order remains with the property and not the owner.

FILE NO: VARIOUS

ITEM NO: 17

**STANDING ORDERS****RECOMMENDATION**

That meeting be adjourned for 10 minutes.

**MOTION**

CRS KEVIN BOURKE / BRIAN KEENAN

That the meeting be adjourned for 10 minutes.

(CARRIED)

**RECOMMENDATION**

That the meeting be resumed.

**MOTION**

CRS WENDY BUCK / KEVIN BOURKE

That meeting be resumed.

(CARRIED)

**RECOMMENDATION**

That pursuant to Section 89(2) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person.

**MOTION**

CRS KEVIN BOURKE / BRIAN KEENAN

That pursuant to Section 89(2) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 17

**STANDING ORDERS****RECOMMENDATION**

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

**MOTION**

CRS WENDY BUCK / KEVIN BOURKE

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting.

(CARRIED)

**RECOMMENDATION**

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person be adopted.

**MOTION**

CRS KEVIN BOURKE / BRIAN KEENAN

That the recommendations of the "Closed" Meeting of Council with regard to contractual, industrial and any other matters which the Council or Special Committee considers would prejudice the Council or any person be adopted.

(CARRIED)