

# Ordinary Council Meeting

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## Agenda

2:00 pm Tuesday 22 April 2025

Council Chambers, Mortlake Council Offices  
1 Jamieson Avenue, Mortlake

### **2040 Vision Statement**

The People of Moyne embrace the region's extraordinary cultural and ecological country.

Our fertile volcanic plains and pristine coast are the pride of Victoria's southwest.

From coast to country, our connected and vibrant communities are active stewards,  
working meaningfully towards protection and advancement of environment, history,  
social and economic vitality for present and future generations.

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## Summary of Officer Report Items

### 2.1 FY 2024 - 2025 Community Assistance Fund Round 2 p 26

Overview: This report presents grant applications for the Round 2 Under \$3,000 and over \$3,001 funding categories of the 2024-2025 Community Assistance Fund (CAF) for endorsement by Council. The CEO has delegation of the grants category under \$3000, presented for Council information. The over \$3,001 category applications are presented for Council endorsement.

### 2.2 Review of the Register of Public Roads - Proposed Public Highway declaration of Roads named Childers Street and Casino Street, Peterborough p 52

Overview: Council proposes to declare the roads known as Casino Street and Childers Street as public highways and consider elevating these roads to the Public Register of Roads.

### 2.3 Stock Underpass Fund Application - Swans Lane ALLANSFORD p 68

Overview: This report outlines an application to Council's Stock Underpass Fund program and is seeking support for this application.

### 2.4 Draft Council Plan 2025-2029 for Public Exhibition p 80

Overview: To provide the Draft Council Plan 2025-2029 to be endorsed by Council for public feedback.

### 2.5 S6 Council Delegations to members of Council Staff p 91

Overview: The report reviews and updates the Council's delegation of authority to members of council staff. Delegations are regularly updated to reflect changes to various legislation that impact operations of Local Government.

### 2.6 S11A Instrument of Appointment and Authorisation Planning & Environment Act 1987 p 226

Overview: This instrument can be used by a council to authorise officers to enforce the *Planning and Environment Act 1987* and institute proceedings on behalf of the council or represent the council.

## 2.7 Monthly Finance Report - March 2025

p 230

Overview: The purpose of the report is to inform the Council of the financial performance and position of the Council. This section provides a snapshot of some key financial indicators of our financial performance as at the end of the reporting period. It focuses on monitoring our operating performance, capital expenditure progress and the ready availability of/access to cash resources. It also provides a forecast of the year-end result.

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## 2.8 Transfer of Council managed land to GORCAPA - Discontinuance of unused Government Roads in Peterborough and Mepunga

p 261

Overview: This report provides an update on the Government's intention to transfer two unused Government Road reserves from Moyne Shire Council management to the Great Ocean Road Coast and Parks Authority (the Authority).

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## 2.9 Receipt of VEC Election Report 2024

p 267

Overview: To provide Council with the VEC Election Report 2024 for adoption at the May 2025 Ordinary Council Meeting

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## 1 Procedural

### 1.1 Live streaming of Council Meetings

Please note that today's meeting is being live streamed and can be viewed by the general public via Council's Facebook page, and later uploaded to Council's website. By participating in and addressing those present at the meeting, you consent to any information you disclose (including any personal information or sensitive information) being recorded and uploaded to the website.

### 1.2 Prayer

Almighty God, we humbly beseech your blessing on the Council, direct and prosper its deliberations for the welfare of the people of the Moyne Shire. Amen.

### 1.3 Acknowledgement of Country

We acknowledge the Traditional Custodians of the land on which we meet today and pay our respects to their Elders past and present. We extend that respect to Aboriginal and Torres Strait Islander peoples here today.

### 1.4 Apologies

The formal notification from Councillors unable to attend the meeting.  
A Motion is required to accept Apologies.

### 1.5 Declarations of Conflict Interest

Reference: Local Government Act 2020 – Sections 130 (1)(a) and 130(2) Disclosure of Conflict of Interest in respect of a matter to be considered at a Council Meeting

A relevant person who has a conflict of interest in respect of a matter must:

- a) disclose the conflict of interest in the manner required by the Council's Governance Rules [Refer to Part 6 (Conflict of Interest) – Division 2 (Councillor conflict of interest disclosures) of the Governance Rules] and;
- b) exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

### **Members of Staff**

If a member of Council staff has a conflict of interest in a matter which they are providing advice to Council:

- a) if the advice is included in a report, the report must disclose the conflict of interest
- b) if the officer is speaking in the council meeting, the officer must disclose the conflict of interest before speaking on the matter.

## 1.6 Confirmation of Minutes from previous meetings

### Recommendation

**That the Minutes of the Council Meeting held on 25 March 2025 be accepted and confirmed as correct.**

### Attachments

- |   |
|---|
| <ol style="list-style-type: none"><li>1. CONFIDENTIAL - 2025-03-25 Unconfirmed Confidential Council Meeting Minutes [1.6.1.1 - 3 pages]</li><li>2. 2025-03-25 Unconfirmed Ordinary Council Meeting Minutes [1.6.1.2 - 13 pages]</li></ol> |
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# Ordinary Council Meeting

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## Minutes

Held on Tuesday 25 March 2025

Council Chambers, Mortlake Council Offices  
1 Jamieson Avenue, Mortlake





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Unconfirmed Minutes of the Ordinary Meeting  
of Moyne Shire Council held on Tuesday 25 March 2025, at Council  
Chambers,  
Mortlake Council Offices, 1 Jamieson Avenue, Mortlake  
commencing at 2:00 pm.

Present

**Councillors**  
Cr Karen Foster (Mayor)  
Cr Jordan Lockett (Deputy Mayor)  
Cr Jim Doukas  
Cr Susan Taylor  
Cr Lloyd Ross  
Cr Lisa Ryan

**Officers**  
Mark Eversteyn, Chief Executive Officer  
Symonne Robinson, Acting Director Assets & Community  
Ed Small, Director Corporate & Governance Services  
Jodie McNamara, Director Environment, Economy & Place



## 1 Procedural

### 1.1 Live streaming of Council Meetings

The Mayor read the following statement:

Please note that today's meeting is being live streamed and can be viewed by the general public via Council's Facebook page, and later uploaded to Council's website. By participating in and addressing those present at the meeting, you consent to any information you disclose (including any personal information or sensitive information) being recorded and uploaded to the website.

### 1.2 Prayer

Cr Taylor read the Prayer:

Almighty God, we humbly beseech your blessing on the Council, direct and prosper its deliberations for the welfare of the people of the Moyne Shire. Amen.

### 1.3 Acknowledgement of Country

Cr Lockett read the following statement:

We begin by acknowledging the Traditional Custodians of the land on which we meet today and pay our respects to their Elders past and present. We extend that respect to Aboriginal and Torres Strait Islander peoples here today.

### 1.4 Apologies

Apologies were received from Cr Myra Murrihy.

**Cr Lisa Ryan moved, Cr Lloyd Ross seconded to accept the formal notification from Councillors unable to attend the meeting.**

**CARRIED UNANIMOUSLY 6 / 0**

### 1.5 Declarations of Conflict Interest

#### **Declarations made at this meeting**

Chief Executive Officer, Mark Eversteyn declared a conflict of interest in Item 2.7, Chief Executive Officer Employment and Remuneration Advisory Committee.



## 1.6 Confirmation of Minutes from previous meetings

**Resolution ID: OCM 202526**

**Cr Susan Taylor moved, Cr Lisa Ryan seconded that the Minutes of the Council Meeting held on 25 February 2025 be accepted and confirmed as correct.**

**CARRIED UNANIMOUSLY 6 / 0**

## 1.7 Public Participation

No public participants registered for this meeting.



## 2 Officers Reports

### 2.1 Emergency Services and Volunteers Fund Levy

Overview: The Council recognises that there is community concern in relation to the State Government's proposed *Emergency Services and Volunteers Fund Levy* and it is recommended that the Council write to Parliamentary representatives on this matter.

**Resolution ID: OCM 202527**

**Cr Susan Taylor moved, Cr Lloyd Ross seconded that Council resolves that:**

**1. The Moyne Shire Council write to:**

- the Premier of Victoria,
- the Treasurer of Victoria,
- the Victorian Minister for Local Government and,
- to our local Victorian Parliamentary representatives,

**to request that the Victorian Government reassess the *Emergency Services and Volunteers Fund Levy* model to ensure that it is equitable and does not disproportionately burden rural communities including farmers and agricultural businesses and the local Councils during this time of significant cost of living, cost of doing business, drought, and bushfire pressures.**

**2. Copies of these letters be forwarded to the Municipal Association of Victoria and Regional Councils Victoria.**

**CARRIED UNANIMOUSLY 6 / 0**

### 2.2 National General Assembly of Local Government - Motions 2025

Overview: The Australian Local Government Association (ALGA) will host the National General Assembly (NGA) of Local Government in Canberra 24-27 June 2025. Matters for consideration at the NGA are now open for submission and are due to be submitted by **31<sup>st</sup> March**. As part of its advocacy role to government, Council has previously submitted matters for consideration and the following draft motion has been prepared for resolution and to advocate for issues of concern associated with renewable energy transmission lines.

The theme for the 2025 National General Assembly is; ***"National Priorities Need Local Solutions"***.



Resolution ID: OCM 202528

Cr Jordan Lockett moved, Cr Lisa Ryan seconded that Council endorse the following three motions for submission to the Australian Local Government Association National General Assembly:

- 1. That the National General Assembly calls on the Australian Government to address the urgent need for quality, accessible, and affordable childcare in regional and rural communities. This includes developing a national early years reform strategy with increased federal funding for childcare infrastructure and workforce initiatives. Key actions should focus on expanding service capacity in underserved areas and implementing targeted incentives—such as scholarships, relocation grants, and professional development funding—to attract and retain qualified early childhood educators.***
- 2. That the National General Assembly calls on the Australian Government to establish a permanent, indexed funding stream to close the \$1 billion annual local road maintenance gap, enhance the Roads to Recovery program to provide greater support for rural and regional councils based on road length and need, and expand funding for community infrastructure projects that strengthen economic activity, service delivery, and resilience in rural areas.***
- 3. That the National General Assembly calls on the Australian Government to dedicate the additional funding required to restore the quantum of the annual federal Financial Assistance Grants to local government to 1% of Commonwealth taxation revenue.***

**CARRIED UNANIMOUSLY 6 / 0**



## 2.3 Road Management Plan and Register of Public Roads

Overview: The purpose of this report is to inform Council of the statutory requirement to review Councils Road Management Plan (RMP) and the Register of Public Roads (RPR), in accordance with sections 54(5) and 19 of the Road Management Act 2004 and the Road Management (General) Regulations 2016 by 31 October 2025.

This review process has been conducted and completed.

**Resolution ID: OCM 202529**

**Cr Jim Doukas moved, Cr Susan Taylor seconded:**

- 1. That Council seeks public comment regarding the proposed amendments to the Road Management Plan 2025, Version 6, advising where the report may be accessed; and**
- 2. That Council receive a further report following the end of the 28-day advertising period and consider any public submissions before the Road Management Plan and the Register of Public Roads be formally adopted.**

**CARRIED UNANIMOUSLY 6 / 0**

## 2.4 Public Toilet Service Review

Overview: A Shire-wide service review of Council's public amenities has been undertaken to inform future investment and service priorities for these important resident and visitor assets. The Draft Public Amenities Service Plan Review 2025 presents service level priorities and a 10-year action plan for public amenity management and improvement.

**Resolution ID: OCM 202530**

**Cr Jim Doukas moved, Cr Jordan Lockett seconded that Council approves the release of the draft Public Amenities Service Plan Review 2025 to seek community submissions and feedback for a period of three weeks from 28 March 2025 to 21 April 2025.**

**Officers to present a summary of community submissions received and provide a Final Draft of the Public Amenities Service Plan Review 2025 for formal adoption to the May 2025 Ordinary Council Meeting.**

**CARRIED UNANIMOUSLY 6 / 0**



## 2.5 Immunisation update 2025

Overview: A report to update councillors on Moyne Shire's Immunisation program.

**Resolution ID: OCM 202531**

**Cr Lisa Ryan moved, Cr Jordan Lockett seconded that Councillors note the information provided.**

**CARRIED UNANIMOUSLY 6 / 0**

## 2.6 Early Years Central Enrolment Scheme Policy

Overview: To strengthen Moyne Shire Council's approach to early years education and care services a Central Registration and Enrolment Scheme (CRES) policy had been established. The policy provides a clear, equitable, and transparent system for the registration and enrolment of children in funded early childhood programs and aligns with Victorian Government guidelines.

**Resolution ID: OCM 202532**

**Cr Lisa Ryan moved, Cr Jordan Lockett seconded that Councillors endorse the Central Registration and Enrolment Scheme (CRES) Policy**

**CARRIED UNANIMOUSLY 6 / 0**

## 2.7 Chief Executive Officer Employment and Remuneration Advisory Committee

Overview: This report provides the confidential minutes of the Chief Executive Officer (CEO) Employment and Remuneration Advisory Committee to the Council for consideration.

*Mark Eversteyn left the meeting at 2:32pm.*

**Resolution ID: OCM 202533**

**Cr Jordan Lockett moved, Cr Lloyd Ross seconded that Council notes the report and endorses the CEO Employment and Remuneration Advisory Committee confidential minutes of 4 March 2025.**

**CARRIED UNANIMOUSLY 6 / 0**

Mark Eversteyn returned to the meeting at 2:33pm.





## 2.8 CEC, EDAC, MSQAV, PoPFDC & PoPFHLAC Membership Appointments

Overview: This report presents nominations received for community representative positions on Council's Wind Farm Community Engagement Committees (CECs), Economic Development and Advisory Committee (EDAC), Mount Shadwell Quarry Advisory Committee, Port of Port Fairy Delegated Committee and Port of Port Fairy Historic Lifeboat Advisory Committee.

### Resolution ID: OCM 202534

**Cr Lisa Ryan moved, Cr Jordan Lockett seconded that Council consider and endorse the following community representative candidates for appointment to Wind Farm Community Engagement Committees, Economic Development Advisory Committee, Port of Port Fairy Delegated Committee, Mount Shadwell Quarry Advisory Committee and Port of Port Fairy Historic Lifeboat Advisory Committee:**

Wind Farm CECs	Candidates
Ryan Corner	Wendy Bickley Anthony Smith
Dundonnell	Greg Grant Karen Blackmore Timothy Hill
Woolsthorpe	Simon Poynton Terri Barnes Glenn Britnell
Hexham	Mark Madden Rod Jubb Lyn Baker Leanne McDonald Mifsud Lucy Gubbins
Mt Fyans	Pam Walmsley Yvonne Thomas
Willatook	Graeme Keane Paul Lewis Ken Johnston
Mortlake South	Bruce Donaldson Lisa Allen Neil Blain
Hawkesdale	Anne Maree Huglin (Hawkesdale and District Development Action Committee representative) Peter Hennig
Economic Development Advisory Committee	Candidates
	Mark Gervis Michael Steel



	Jade Bourke Tim Clingan Fiona Castley Peter O'Keefe David Knight
<b>Mt Shadwell Quarry Advisory Committee</b>	<b>Candidates</b>
	Andrew Whitson Mark Rantall Rod Macleod Tim Clingan
<b>Port of Port Fairy Delegated Committee</b>	<b>Candidates</b>
	Dan Hoey Russell Allardice Peter O'Keefe Peter Ryan Craig Fox
<b>Port Fairy Historic Lifeboat Advisory Committee</b>	<b>Candidates</b>
	Colin May Ross Knudsen Peter Ryan Greg Walker

**CARRIED UNANIMOUSLY 6 / 0**

## 2.9 Monthly Finance Report - February 2025

Overview: The purpose of the report is to inform the Council of the financial performance and position of the Council. This section provides a snapshot of some key financial indicators of our financial performance as at the end of the reporting period. It focuses on monitoring our operating performance, capital expenditure progress and the ready availability of/access to cash resources. It also provides a forecast of the year-end result.

**Resolution ID: OCM 202535**

**Cr Susan Taylor moved, Cr Lloyd Ross seconded that Council receive and note the Monthly Financial Report as at 28 February 2025.**

**CARRIED UNANIMOUSLY 6 / 0**



### 3 Councillors' Items

#### 3.1 Mayor and Councillor Activities

Council noted the report items Mayor and Councillor Activities.

#### 3.2 Councillor Notice of Motion

Overview: A Councillor may lodge a notice of motion on any matter the Councillor wants to be considered.

No Councillor Notice of Motion has been received for this meeting Agenda.

#### 3.3 General Matters

Overview: General Matters gives Councillors the opportunity to report on positive and good news items from around the Shire.

Cr Ryan - congratulations to Council team who organised the recent International Women's Day event, congratulated all of those nominated for an award and recognised all women who make a contribution across the Shire.

Cr Lockett - Shout out to Port Fairy Folk Festival, 48th year running. Shout out to Justin Rudge and staff, committee, 700 volunteers, 25,000 people through the gates, over 500 musicians from across the world to perform. A great boost to local economy and the culture it brings is priceless. Koroit Irish festival coming up from 25th - 27th April.

#### 3.4 Urgent Business

Overview: A Councillor may raise an urgent matter for consideration at a Council Meeting if the Councillors considers that the matter is extremely urgent and it was not possible for the matter to have been included in the agenda notice for the meeting.

No urgent business recorded for this meeting.



#### 4 CEO Meeting Schedule

Council noted the report item CEO Meeting Schedule From 21 February - 20 March 2025.

#### 5 CEO Activities Report

Overview: CEO Activities Report – 25 March 2025

Council noted the report item CEO Activities Report.

#### 6 Confidential Items

Overview: Under section 3 of the Act, the council may consider report items in closed business if they contain certain information which is defined to be confidential information because premature or improper release may cause harm to the Council or to a person or persons.

Confidential Information remains confidential unless it can lawfully be released and the Council has determined that it should be publicly available.

The following is a list of confidential Items:

6.1 Confirmation of Minutes from Previous Meetings

6.2 Supply and Delivery of Bulk Fuels MS993

**Cr Susan Taylor moved, Cr Lisa Ryan seconded that the meeting be closed in order to consider confidential items.**

**CARRIED UNANIMOUSLY 6 / 0**

#### 7 Close Meeting

The Ordinary Council Meeting was declared closed at 3:11 pm.

## 1.7 Public Participation

Refer to Governance Rules - Division 5 Public Participation

Members of the public attending the monthly Council Ordinary Meeting may address the meeting in respect of either:

- a) any item listed in the business paper; or
- b) any other matter relevant to the activities and projects of the Council.

The public participation segment for each Council meeting will be held after the confirmation of Minutes of previous meeting(s) and be considered in the order they were received.

Unless an extension is granted by a ruling of the Mayor, a member of the public asking a question or making a statement must not speak for more than 5 minutes.

If a question cannot be answered at the meeting, the Chief Executive

Officer must provide a written response to the question as soon as is practicable to the person asking the question and Councillors.

Any person wishing to address the Council must submit details in writing of the nature of the issue / question they wish to raise by 12 noon on the Monday prior to the meeting day.

### **Public Participation attendees for this meeting:**

None registered at time of printing.

## 2 Officers Reports

### 2.1 FY 2024 - 2025 Community Assistance Fund Round 2

*Directorate:* Assets & Community

*Report Author:* Community Development Officer

Overview: This report presents grant applications for the Round 2 Under \$3,000 and over \$3,001 funding categories of the 2024-2025 Community Assistance Fund (CAF) for endorsement by Council. The CEO has delegation of the grants category under \$3000, presented for Council information. The over \$3,001 category applications are presented for Council endorsement.

#### Officer Recommendation

##### That Council

1. Acknowledge the proposed applications to the under \$3,000 category Round 2 Community Assistance Fund 2024-2025 for CEO endorsement.
2. Approve applications to the \$3,001 and above category Round 2 Community Assistance Fund 2024-2025 as per Table One below.

*Table One - Applications to the Round 2 2024-2025 Over \$3,001 Community Assistance Fund category. Total project costs are over \$3,000 and requires a \$1:\$1 contribution. Recommend allocating \$39,832.54 to the following projects:*

Organisation	Has this organisation received CAF funding in the last 3 years?	Proposed funding allocation
Allansford Panmure Cricket Club	No	\$4,162.55
Southcombe Park Sporting Complex Committee of Management	Yes	\$11,059.00
Port Fairy Community Pool Management Group Inc	Yes	\$15,000.00
Laang Speedway Club Inc	No	\$4,798.49
Caramut Riding Club	No	\$4,812.50
Total		\$39,832.54

One application in the over \$3,000 category was deemed ineligible:

- The Northern Raiders Cricket Club requested \$4,239 for CCTV, WIFI and a replacement boundary Fence. Given the limited remaining Round 2 budget available for allocation and that the club received \$2,879 funding as part of Round 1 in 2024-2025 of funding it is recommended the Club consider resubmitting in the first round of the new Community Assistance Fund program in August 2025-2026. In addition, Council is currently developing a CCTV Policy to support CCTV in Council owned and managed facilities.

## Background

Moyne Shire Council's Community Grants Program aims to build stronger communities that benefit residents, local businesses and visitors. The Community Assistance Fund specifically supports the development, upgrade and renewal of community facilities, acquisition of equipment and assistance toward community programs and initiatives.

The assessment of applications to the Community Assistance Fund is in accordance with the adopted Fund Policy and the Guidelines assessment criteria and approval processes.

## Strategic Link

Council Plan 2021-2025

1.4 - PLACE - Town and Community Sustainability

Encourage collaboration and partnerships between communities to achieve mutual benefits and build community connections.

3.3 - PEOPLE - Inclusion, Diversity and Respect

Promote and provide opportunities for people of all identities and abilities to participate in community life, be respected, and have access to facilities and services

Promote grants and funding support through the Community Assistance Fund and the Festivals and Events Fund for community-led projects, facility improvements and local health and safety initiatives.

## Discussion

The Community Assistance Fund program received 10 applications for Round 2 of the under \$3,000 and over \$3,001 categories.

**Table Two - Applications to Round 2 FY 2024-2025 Under \$3,000 total project cost Community Assistance Fund category, allocating \$19,782.04 to the following projects, approved by the Chief Executive Officer:**

Organisation	Has this organisation received CAF funding in the last 3 years?	Proposed funding allocation
East Framlingham Golf Club	Yes	\$2741.40
Mortlake & District Historical Society	Yes	\$2336.36
Port Fairy Bowls Club	No	\$1478.00
Victoria Park Committee of Management	No	\$2250.00
Cudgee Primary School	No	\$2564.10
Beach Patrol Australia Incorporated	No	\$2500.00
Port Fairy Community Group Inc	Yes	\$2789.27
Mortlake Senior Citizens	No	\$2402.91
Koroit Croquet Club Inc	No	\$720.00
<b>Total</b>		<b>\$19,782.04</b>

One application in the Under \$3,000 category was deemed ineligible:

- The Koroit Football Netball Club applied for \$2,365 to purchase Gym equipment for Junior Members. Officers will meet with the Club to discuss the availability of the equipment for broader use at the Victoria Park Recreation Reserve to meet guidelines regarding community benefit and due to funding being fully exhausted will suggest a submission for round 1 in the 2025-2026 Community Assistance Fund.

The following table lists the combined value of the 14 eligible Round 2 applications within each category of the Under \$3,000 and the over \$3,001 of the Community Assistance Fund.



**Table 3 - combined Round 2 total overall project value**

<b>Funding Type</b>	<b>Amount</b>
Equipment Purchases	\$29,452.68
Community Strengthening Programs	\$2,500.00
Capital Works	\$25,097.80
Funded Organisation	\$2,564.10
<b>Total Round 2 CAF funding recommended</b>	<b>\$59,614.58</b>
<b>Total overall Project Costs Inc GST (includes community contribution)</b>	<b>\$125,619.60</b>

### Consultation

The funding program opened Monday 3 February 2025 and was promoted via Council's social media pages and one bulk email distribution to all community groups up to the fund closing Friday 7 February 2025.

Council officers engaged with applicants to advise on eligibility, the application process and requirements and specific project queries.

### Financial Implications

14 applications were assessed as eligible and are recommended for funding.

The total value of the \$59,832.54 projects is:

- Round 2 Under \$3,000 -	\$19,782.04
- Round 2 Over \$3,001 -	\$39,832.54
<b>TOTAL</b>	<b>\$59,614.58</b>

The approved funding amounts in the application summary attachments are based on the quotes provided by each of the applicants.

Total program budget breakdown is listed in the table below.

**Table 4 - 2023-2024 Community Assistance Fund budget breakdown.**

<b>Income</b>	<b>Amount</b>	<b>Expense</b>	<b>Amount</b>
2024/25 budget	\$202,500	2024-25 Round 1	\$147,849.00
		Less projects that did not proceed	-\$4,963.58
		2024-25 Round 2	\$59,614.58
<b>TOTAL</b>	<b>\$202,500</b>	<b>Total</b>	<b>\$202,500.00</b>

## Risk

A substantial media campaign has delivered a generous number of applications for community projects. Community groups rely heavily on financial assistance to maintain their operations and deliver services from “fit for purpose” facilities. Funding is assessed based on the Community Assistance Fund Policy and Guidelines adopted by Council.

## Conclusion

The Community Grants Program is a demonstration of Moyne Shire Council’s commitment to supporting the development of strong communities and nurturing the ideas and local groups that make the shire a desirable destination to both live and visit.

Funding opportunities are in place to champion and celebrate our region aiming to build stronger communities and benefit residents and visitors.

The Program assists to facilitate a self-help culture among community groups and encourage groups to work in partnership with Council to promote long-term outcomes that benefit the wider community.

*Council’s Cultural & Community Development Support Officers declared a perceived Conflict of Interest related to one of the projects.*

*Council’s Event Officer declared a perceived Conflict of Interest related to one of the projects.*

*This was documented in the grant management portal and these officers did not participate in the assessment of these applications.*

*A weighted score is provided to ensure all applications are scored fairly.*

## Attachments

1. CAF Round 2 Over \$3000 Assessment Summary F Y 2024-2025 [2.1.1 - 1 page]
2. CAF Round 2\_ Under 3000 Assessment Summary F\_ Y 2024-2025 [2.1.2 - 4 pages]
3. CAF Round 1\_ Under 3000 Assessment Summary F\_ Y 2024-2025 [2.1.3 - 2 pages]
4. CAF Round 1 Over \$3000 Assessment Summary F Y 2024-2025 [2.1.4 - 1 page]
5. Community Assistance Fund Guidelines 2024-2025 [2.1.5 - 12 pages]

#	Delivery Agent	Project Name	Eligibility Status	Assessment Status	Total Project Cost	Funding Requested	Funding Approved	Conflict of Interest	Assessment Score	Number of assessors	Weighted Score (Divided by the number of Assessors)	Other Comments
1	Allansford Panmure Cricket Club	Irrigation Upgrade at Panmure Recreation Reserve	Eligible	Approved	\$8,325.10	\$4,162.55	\$4,162.55	Nil Declared	167	4	41.75	Approved- Irrigation project to encourage safe participation
2	Southcombe Park Sporting Complex Committee of Management	Solar and Storage - Stage 2	Eligible	Approved	\$46,059.00	\$11,059.00	\$11,059.00	Nil Declared	188	4	47	Approved- Project supports sustainable energy. CAC will be responsible for maintenance and renewal. Co-contribution from another organisation.
3	Port Fairy Community Pool Management Group Inc	Pool Rollers and Covers	Eligible	Approved	\$35,066.01	\$15,000.00	\$15,000.00	One Declared	140	3	35	Approved-Equipment will remain an asset of the Belfast Aquatic Centre pool plant. Co-contribution from another organisation.
4	Northern Raiders Cricket Club	Upgrade CCTV Camera, WIFI & Road Fence	Eligible	Declined	\$8,478.00	\$4,239.00	\$0.00	Nil Declared	97	4	24.25	Not recommended to fund project as Club was previous funded in this financial year. currently have no CCTV policy to support cameras in Rec Reserves.
5	Laang Speedway Club Inc	Water Access and Sustainability Enhancement for Laang Community and Speedway	Eligible	Approved	\$9,596.99	\$4,798.49	\$4,798.49	Nil Declared	149	4	37.25	Approved- Project requirement and need is strong.
6	Caramut Riding Club	Replacement of Showjumping Wings	Eligible	Approved	\$4,812.50	\$4,812.50	\$4,812.50	Nil Declared	154	4	38.5	Approved- Project will support safe access.
Total Project Costs					\$112,337.60	Total Approved CAF Funding	\$39,832.54					

#	Delivery Agent	Project Name	Eligibility Status	Assessment Status	Total Project Cost	Funding Requested	Funding Approved	Conflict of Interest Declaration	No. of Assessors	Officer Comments
1	East Framlingham Golf Club	Replace Outdoor Area Blinds	Eligible	Approved	2741.40	2741.40	2741.40	Nil Declared	3	Approved- Framlingham Golf Club is a strong commercially viable operator providing cost effective exposure to golf for broad community use.
2	Mortlake & District Historical Society	Plumbing repairs	Eligible	Approved	2336.36	2336.36	2336.36	Nil Declared	3	Approved- Mortlake Historical Society are located in an asset that does not belong to council. There is no ongoing implications to Council.
3	Port Fairy Bowls Club	Bowls mats	Eligible	Approved	2956.00	1478.00	1478.00	Nil Declared	3	Approved-Support mat purchase for safety and continue activity for older participants
4	Victoria Park Committee of Management	Acquisition of Defibrillator	Eligible	Approved	2250.00	2250.00	2250.00	Nil Declared	3	Approved- External access to defibrillator is considerate of public use on non game days. Vic Park committee to be accountable for yearly maintenance inspections and replacement of consumables including battery and pads.

5	Cudjee Primary School	and installation of a table tennis table that can be used for all community members.	Eligible	Approved	2564.10	2564.10	2564.10	Nil Declared	3	Approved- A table tennis table located at the school for use by broader community as an initiative to actively engage broader community.
6	Beach Patrol Australia Incorporated	Shore Up – Strengthening Beach Patrol's future through skills and leadership training	Eligible	Approved	3000.00	3000.00	2500.00	Nil Declared	3	Approved- Application does not detail the number of Moyne community who will be engaged as volunteers for Moyne beaches and the training that is proposed for these people. Requested meeting expenses to be included, this has been removed from the funding cost.
7	Port Fairy Community Group Inc	Koroit Community Garden- Purchase of soil, seedlings and equipment	Eligible	Approved	2789.27	2789.27	2789.27	Nil Declared	3	Approved- Program meets demands from Koroit community to establish garden using temporary garden planter boxes. Should the garden not proceed with a full time installation after the 6 month trial the materials and tools can be returned to the PF community garden for use.

8	Mortlake Senior Citizens	Fitness Equipment	Eligible	Approved	2402.91	2402.91	2402.91	Nil Declared	3	Approved- Equipment will benefit senior community and with no gymnasium in Mortlake, could encourage broader community use. Senior Cits club would need to be considerate of ensuring suitable instructor and equipment use instructions are readily visible for all users.
9	Koroit Croquet Club Inc	Croquet Club Jackets	Eligible	Approved	720.00	720.00	720.00	Nil Declared	3	Approved- First time application for jackets. Would not consider funding additional jackets. Jackets to remain the property of the club not the individuals wearing them.

10	Koroit Football Netball Club	Gymnasium equipment	Eligible	Declined	2365.00	2365.00	0.00	Nil Declared	3	Declined- The Koroit Football Netball Club applied for \$2,365 to purchase Gym equipment for Junior Members. Officers will meet with the Club to discuss the availability of the equipment for broader use at the Victoria Park Recreation Reserve to meet guidelines regarding community benefit and due to funding being fully exhausted will suggest a submission for round 1 in the 2025-2026 Community Assistance Fund.
				Total Project Costs	\$24,125.04	Total Approved CAF Funding	\$19,782.04			

#	Organisation Name	Project Name	Eligibility Status	Assessment Status	Funding Requested	Funding Approved	Conflict of Interest Declaration	Assessment Score	No. of Assessors	Weighted score	Officer comments
1	Port Fairy Consolidated School	First Aid Uplift - equipment for community events	Eligible	Approved	\$1,500	\$1,500	Nil declared	18	3	6	Supported. A condition of funding that includes the First Aid kits being made available for broader community event use and that whilst these users would bear responsibility for restocking, the school needs to ensure the kits are kept in a usable condition.
2	Port Fairy RSL Sub Branch	Connecting Up Port Fairy RSL - wifi and Smart TV	Eligible	Approved	\$2,785	\$2,785	Nil declared	16	3	5.33	Support installation of hardware equipment for RSL and broader community use. Ongoing data costs will be covered by Port Fairy RSL
3	Koroit and District Primary School	Refurbishment of Historical Koroit Courthouse signs	Eligible	Approved	\$3,000	\$1,000	Nil declared	17	3	5.67	Applicant withdrew request for electrical work due to not being prepared. Funding for restoring the honour boards only.
4	Laang Recreation Reserve Committee Incorporated	Updating Laang's outdoor spaces - tennis nets and softfall	Eligible	Approved	\$1,059	\$1,059	Nil declared	21	3	7	Supported
5	Macarthur Pony Club	Macarthur Pony Club Horse Wash Bay	Eligible	Approved	\$3,000	\$3,000	Nil declared	21	3	7	Supported
6	Mortlake Community Development Committee Inc	Mortlake Swimming Pool History Board <del>Comfortable Seating Project.</del>	Eligible	Not approved	\$225	\$0	Nil declared	16	3	5.33	is a council asset. This project will require the group to work closely with officers to develop sign design and wording to comply with signage policy and guidelines for final Council approval. The sign will belong to council as an asset and will not necessarily be replaced at the end of the asset life. Whilst the concept of the design is agreed, the project requires additional budget for graphic design which has not
7	Mortlake Bowls Club	It's aim is to replace old rotting and unsuitable wooden benches/seats, and replace with new more	Eligible	Approved	\$3,000	\$3,000	Nil declared	17	3	5.67	Supported



8	Port Fairy Basketball Association	Representative Basketball Season Equipment	Eligible	Approved	\$2,719	\$2,719	Nil declared	18	3	6	Supported
9	Koroit Scouts	Upgrade of the Koroit Scout Hall Kitchen equipment	Eligible	Approved	\$2,700	\$2,700	Nil declared	20	3	6.67	support project for equipment only, not include installation.
10	WARRNAMBOOL OLYMPIC PISTOL CLUB INC	Club Security equipment	Eligible	Approved	\$2,407	\$2,407	Nil declared	18	3	6	Support project but request club to generate a policy that will address cctv privacy and monitoring policies.
11	Port Fairy to Warrnambool Rail Trail Inc.	Updating the furniture - meeting room chairs	Eligible	Approved	\$2,727	\$2,727	Nil declared	18	3	6	Supported
12	Friends of Tower Hill	Tower Hill Revegetation - cart & battery	Eligible	Approved	\$2,569	\$2,569	Nil declared	21	3	7	Supported
13	Port Fairy Little Athletics	Portable PA Speaker	Eligible	Approved	\$1,037	\$1,037	Nil declared	18	3	6	Supported
14	Hawkesdale Cricket Club	Marquees	Eligible	Approved	\$1,530	\$1,530	Nil declared	21	3	7	Supported
15	Wangoom Cricket Club	IT Upgrade	Eligible	Approved	\$1,941	\$1,941	Nil declared	21	3	7	Supported. Ongoing data costs to be covered by Wangoom Cricket Club
16	Northern Raiders Cricket Club	Turf Wicket Covers Super Sopper	Eligible	Approved	\$2,879	\$2,879	Nil declared	18	3	6	Supported
17	Friends of Griffiths Island	Training for community resilience and strengthening - First Aid and Chemcert training	Eligible	Approved	\$2,620	\$2,620	Nil declared	20	3	6.67	Supported
18	The Crystal Lee Foundation	Op Shop Point of Sale Equipment	Eligible	Approved	\$2,080	\$2,080	Nil declared	19	3	6.34	Supported. Ongoing data costs to be covered by Crystal Lee Foundation
			<b>Total Funding Requested Amount</b>		<b>\$39,778</b>	<b>Total Approved Funding Amount</b>	<b>\$37,553</b>	<b>Maximum Total Assessment Score</b>	<b>21</b>		

#	Delivery Agent	Project Name	Eligibility Status	Assessment Status	Total Project Cost	Funding Requested	Funding Approved	Conflict of Interest Declaration	Assessment Score	Number of Assessors	Weighted Score (divided by number of assessors)	Officer comments
1	South-West Makers Association Inc	Providing storage, safety and work equipment at Glyph Gallery and Creative Space for community workshops and creative groups.	Eligible	Approved	\$29,987	\$14,993	\$14,993	Nil declared	228	4	57	Support project for program delivery and safety in larger gallery space.
2	Port Fairy Ghost Stories Inc.	Digitisation of early Port Fairy (Belfast) newspapers	Eligible	Approved	\$35,866	\$15,000	\$15,000	Nil declared	195	4	48.75	Supported.
3	Purnim Recreation Reserve	Replace Pavilion roofing	Eligible	Approved	\$32,780	\$15,000	\$15,000	Nil declared	189	4	47.25	Support project subject to success of additional funding
4	Macarthur Mens Shed	Macarthur Mens Shed Workshop Accessible Toilet	Not Assessed	Ready for Approval	\$13,330	\$6,665	\$6,665	Nil declared	140	4	35	Application approved subject to approved plan by Council's assets team.
5	Koroit Bowls Club	Engineering investigation to put roof over the Koroit Bowls Club outdoor green	Eligible	Approved	\$8,773	\$3,988	\$3,998	Nil declared	214	4	53.5	Support project as an excellent means of preparing for future project delivery.
6	Port Fairy Football Netball Club	Zero Turn Mower	Eligible	Approved	\$11,275	\$5,125	\$5,125	Nil declared	166	4	41.5	Support project pending club capacity to meet other funding commitments for CW developments.
7	Winslow Recreation Reserve	Mower replacement	Eligible	Approved	\$25,094	\$12,547	\$12,547	One declared	175	3	35	Supported.
8	Warrnambool Model Aircraft Club	Replace old Kubota ride-on mower	Eligible	Approved	\$8,499	\$4,250	\$4,250	Nil declared	193	4	48.25	Support mower for group who have capacity to meet funding commitment
9	Port Fairy Agricultural Pastoral & Horticultural Society Inc	Repair of Ron Crow Pavilion	Eligible	Approved	\$29,655	\$14,827	\$14,828	Nil declared	210	4	52.5	Support project due to increasing community use of facility
10	Koroit Cricket Club	Jack Keane Oval cricket nets upgrade	Eligible	Ready for Approval	\$34,804	\$15,000	\$15,000	Nil declared	201	4	50.25	The Licensee is responsible for renewing cricket net infrastructure. Funding is supported pending agreement from the Victoria Park CAC to fund the additional contribution.
11	Hexham Community Association	New Mower	Eligible	Approved	\$5,849	\$2,900	\$2,900	Nil declared	155	4	38.75	Supported.
				<b>Total Project Costs</b>	<b>\$235,912</b>	<b>Total Approved CAF funding</b>	<b>\$110,296</b>					

**Moyne Shire Council**

# COMMUNITY Grants

## Community Assistance Fund 2024 - 2025 Program Guidelines

### Round 1

Applications open: Monday 8 July 2024 @ 10am

Applications close: Friday 2 August 2024 @ 5pm

### Round 2

Applications open: Monday 3 February 2025 @ 10am

Applications close: Friday 7 March 2025 @ 5pm



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## Purpose of the Community Assistance Program

Through the Moyne Shire Council's Community Grants Program, Council aims to build stronger communities and deliver benefits to residents and visitors. The Program assists to deliver on the following:

Council Plan 2021-2025:

Promote grants and funding support through the Community Assistance Fund and the Festivals and Events Fund for community led projects, facility improvements and local health and safety initiatives.

My Moyne, My Future 2040:

Describes the desired future based on shared values, goals and priorities to ensure Moyne Shire continues to grow more prosperous, connected, inclusive and resilient.

This program assists Council to deliver on adopted policies and plans such as Disability Inclusion and Access Plan, Aboriginal Engagement & Partnership Plan, Fair Access Policy and Arts and Culture Strategy.

Applicants should demonstrate in their application the economic, visitor, social and environmental benefits of their project to the applicant, the community and Moyne Shire Council. Particular reference to local supply of goods and services in your application in support of our local businesses and providers is favourable. Applicants must also consider and describe how their project encourages and supports the principles of access and equity.

Council recognise Community Assistance Fund contributions help community groups achieve their operational goals and objectives and as such, these groups will prioritise projects for application – **one per year**.

Council may request additional information about individual applications.

## Community Assistance Fund Program Funding Structure

	COUNCIL CONTRIBUTION	
	Up to \$3,000 (Total cost)	\$3,001 and over Maximum contribution from Council is \$15,000
Funding stream	COMMUNITY CONTRIBUTION	
Equipment	No applicant contribution required	\$1: \$1
Capital Works	No applicant contribution required	\$1: \$1
Community Strengthening	No applicant contribution required	\$1: \$1
Funded Organisations Program	No applicant contribution required	Not eligible

**\*\*In-kind contributions**

In-kind contributions are not included in program budgets and cannot be applied to project costs or budgets. All budgets are direct cost-based only.

## Key information

### ROUND 1

Round 1 opens: **8 July 2024 @ 10am**

Round 1 closes: **2 August 2024 @ 5pm**

*Applications to be approved at September Ordinary Council Meeting*

### ROUND 2

Round 2 opens: **3 February 2025 @ 10am**

Round 2 closes: **7 March 2025 @ 5pm**

*Applications to be approved at April Ordinary Council Meeting*

## Program Officers

Contact Program Officers listed below before applying to confirm your application is eligible.

Angela Northcott Program Officer

? Sport & Recreation Officer

Telephone enquiries 1300 65 65 64

Email [cafs@moyne.vic.gov.au](mailto:cafs@moyne.vic.gov.au)

## Online applications

All applications are completed online. Access is available at:

<https://www.moyne.vic.gov.au/Our-Community/Community-Grants/Community-Assistance-Fund>

## Before you start

- Check your eligibility – use the funding guidelines.
- Talk to Us! Engage with Council's Program Officers, to seek advice and support prior to making a submission.
- Check you have all required documents ready to upload and your budget balances.
- Answer all sections of the application form and focus on clear project justifications.

*\*\*Note that information contained in grant applications may be used in Council promotional material.*

## Feedback

Feedback on the Community Grants Program and the application process is always welcome. Please address your comments to the Program Officers using details above.

## Program timelines

The following table provides a guide to key dates for the program. These timelines may be subject to change and applicants will be advised accordingly.

Groups are encouraged to continue to check the grants page on Council's website for any changes / updates to key dates:

<https://www.moyne.vic.gov.au/Our-Community/Community-Grants/Community-Assistance-Fund>

ACTIVITY	KEY DATES
<b>ROUND 1</b>	Open: 8 July 2024 Closes: 2 August 2024
<b>ROUND 2</b>	Open: 3 February 2025 Closes: 7 March 2025
<b>Assessment period</b>	Applicants will be advised after the Ordinary Council Meeting in September and April
<b>Funding agreement</b>	Following formal funding approval, applicants will receive an email notifying them of the Funding Agreement available via the grant portal and a purchase order number. Funding will be released upon receipt of the issued invoice from the organisation, quoting the relevant purchase order.
<b>Acquittal of funds</b>	Within 2 months of the date of the funding agreement for Under \$3,000 application.  Within 8 months of the date of the funding agreement for \$3,001 and over applications.

## **Community Assistance Fund assessment guidelines**

### **Objectives:**

- Progress community driven projects that improve the quality and accessibility of community managed facilities in the Shire and enable equitable use for all genders and abilities.
- Improve and enhance equipment that is available to support the provision of community activities, programs and services.
- Increase the range of, and access to recreational, social, cultural and environmental activities, programs and services and creative pursuits
- Support capacity building initiatives and socially responsible community activities.
- Support community group projects that can provide maximum benefit to the Moyne community.
- Encourage and support the principles of fair access and equity.

### **What can be funded:**

#### **Equipment**

- Acquisition of equipment:
  - Used for facility maintenance such as mowers, trailers and maintenance tools
  - Used for delivering activities such as electrical, sporting & IT equipment, appliances, furniture, BBQs, etc.
  - Used to promote safety and first aid such as goal post padding.
  - Use to protect and promote the natural environment such as tools and volunteer equipment.

#### **Capital Works**

- Repair or renewal of existing facilities such as roofing, fencing, painting and other asset improvements.
- Upgrade, development or renewal infrastructure that addresses known barriers to participation and use of the facility including gender equitable amenities, accessible toilet, veranda, access ramps.
- Development of concept plans, building plans, asbestos audits, quantity surveyor costings, architect fees, planning and building permit fees and similar as part of project planning or implementation
- Other structures that would be regarded as permanent fixtures, or works / projects that require a planning, building or other statutory permit
- Energy efficiency and environmentally sustainable initiatives such as solar power or installation of rainwater tanks, water saving devices and irrigation systems

#### **Community Strengthening**

- Governance, strategic planning, professional development, conference registration fees or special activities / programs that support the sustainability and professionalism of community groups and associations and promotes diverse representation.
- Leisure and wellbeing activities that promote fitness and physical activity through sport and recreation activities or which promote and support the health and wellbeing of residents and groups within the Shire.
- Coaching clinics and education courses for Officials, Administrators or relevant community members that must be delivered by a recognised body or agency. These courses encourage diverse participation.
- Projects that support the cultural and social diversity of the community or assist the integration of people with recognised participation barriers.
- Programs that directly support the health, wellbeing and inclusion of young people (15-25 years) living in the Shire



### **Funded Organisations Program**

- All applicants who receive or have access to standard or regulatory-based funding or receive funding from a government authority must apply under this stream for projects or programs in the Equipment and Community Strengthening Streams. (Capital Works are ineligible)
- Applications up to \$3,000 only.
- Applicants must:
  - Be based in Moyne
- Organisations or agencies must be community-based, not-for-profit. These applicants can include:
  - Cemetery Trusts
  - Emergency services
  - School Councils
  - Not for Profit Health and wellbeing organisations
  - Leadership, arts, cultural, sport, recreation or environmental programs and services
  - Youth services
  - Church groups

**\*\*Wages, salaries and other on-costs associated with the delivery of core services will not be funded**

### **Who Can Apply Checklist?**

#### **Eligible applications**

In order to be considered for funding, the following items apply:

- ☐ Only one application per year per applicant is permitted.
- ☐ Applications must be made through the Moyne Shire Council online grant portal (<https://msc-cp.enquire.cloud/rounds>) and provide all supporting documentation when submitting the application. If an applicant has difficulty accessing the program, please contact one of the Program Officers.
- ☐ Be an incorporated organisation or community group or be auspiced by an incorporated association. If you are not incorporated and would like to become incorporated, you can contact the Office of Consumer Affairs Victoria on 1300 558 181 or visit [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au).
- ☐ Be located within the Moyne Shire municipal boundary or if an external group, clearly demonstrate predominant benefit to Moyne communities and residents.
- ☐ Clearly demonstrate the need for Council funding
- ☐ Applicants must have acquitted any previous funding provided under this program before applying.
- ☐ Enter into a funding agreement with Council and fully acquit funds within 2 months from date of Funding Agreement for the Under \$3,000 applications and within 8 months of date of Funding Agreement for the \$3,001 and over applications, unless otherwise formally agreed with Council.
- ☐ Applicants are to provide an Australian Business Number (ABN) unless proof is supplied they are exempt whereby, a "Statement by a Supplier" form should be completed and forwarded with the application.

### Ineligible applications

The following applicants or projects are not eligible for funding. This applies to all funding streams under the Community Assistance Fund.

- ☐ If you have not discussed your project with a Program Officer, your application will not be considered for funding.
- ☐ Previous Council funding has not been fully or appropriately acquitted or there are outstanding debts, financial or other disputes with Moyne Shire Council.
- ☐ Commercial and business entities and individuals, unincorporated groups and for-profit organisations are not eligible to apply.
- ☐ Capital projects proposed on private land or property, including permanent storage of equipment.
- ☐ Seeking retrospective funding for activities, programs and projects that have already started or are completed.
- ☐ The requested funding would otherwise be covered by insurance, or for programs and events that are more suited to funding by another level of government or agency.
- ☐ Activities or programs that would be better suited for funding under Council's Festivals and Events Program or other Council funding programs.
- ☐ The project promotes religious, discriminatory or party political views for the purpose of advocacy or membership growth.
- ☐ Have received funds for the current project or activity from other Moyne Shire Council contributions.
- ☐ Your project or activity is not going to be delivered within 2 months (Under \$3,000) or 8 months (\$3001 and over) of the date of your funding agreement unless otherwise formally agreed by Council.
- ☐ Applicants cannot apply for costs associated with travel, administration, recurrent operational costs including staffing, wages and utilities.
- ☐ Representative participation in sporting or recreation events.

### Other key considerations

- An application that meets the key selection criteria is not guaranteed funding and once the initial grant has been approved, no additional Council funding will be provided to meet cost escalations, or over-runs of the project.
- The Grantee will promptly advise Council of any changes to the project, funding structures, timelines or other factors that may affect the project and / or grant under the terms and conditions of the Funding Agreement between Council and the applicant.
- Should project costs be less than those submitted in the over \$3,000 application, an adjustment to the funding provided by Council will be made in line with funding structures. This will form part of the project acquittal stage.

Program Officers can advise you about aspects of your project such as planning, timeframes, management and implementation:

Important considerations:

- ☐ Do you need a planning or building permit?
- ☐ Do you need land or asset owner permission?
- ☐ What about quotes for works and services?
- ☐ How will funds be paid and distributed if you are successful?
- ☐ Who will be responsible for the asset or works once installed?
- ☐ Are you covered for insurance?
- ☐ Are there other funding programs that you could apply for to contribute to income for your project?

**\*\*Building relationships with funding providers is also good business, and it helps Program Officers to be aware of and understand your project before receiving your application.**

## **Key application documents checklist**

### **Mandatory documents**

- ☐ Supplier quotes for services, products and other project costs
- ☐ Your most recent annual financial statements such as treasurers report or current bank statements
- ☐ Current Public Liability Insurance Certificate.

*In most circumstances, Council requires applicants to hold current Public and Products Liability Insurance (unless you are covered under Moyne Shire Council's policy) to protect against legal liability for third party injury, death and/or damage to property caused by an occurrence in connection with the applicant's activity. You can purchase public and products liability insurance from any insurance provider deemed appropriate for the activity in connection with the funding or by contacting Local Community Insurance Services (<https://www.localcommunityinsurance.com.au/>, call 1300 853 800 or email [insurance@lcis.com.au](mailto:insurance@lcis.com.au)). Council provides one off event insurance if required.*

### **Other documents where applicable**

- ☐ Evidence of land / asset owner permission
- ☐ Permits and approvals if confirmed or references to applications required.
- ☐ Confirmation of any other funding sources being provided to the project or applied for but not yet confirmed
- ☐ Supporting documentation such as letters of support, project map, site plan, design plans and any other relevant documentation.

*If permits and approvals are yet to be undertaken, confirmation in the form of quote from building surveyor or email from Council's planning team are required.*

## Assessment Criteria

\*Officers that are part of the assessment panel must declare a conflict of interest prior to review.

Evaluation Criteria – Under \$3,000		Yes/ No
1	Does the application meet all of the funding guidelines and submission requirements?	
2	Has a quote been provided?	
3	Financial statement provided?	
4	Does the application clearly demonstrate need and benefits of the project?	
5	Are there any ongoing implications for Council from the funding such as, ongoing maintenance costs, asset ownership/management, risk and insurance, reputational issues etc. for Council?	
6	Has this applicant previously applied to the Community Assistance Fund stream in this financial year?	
6	Has the group received funding from the Community Assistance Fund Program in the last 3 years?	
7	Have previous projects been acquitted by this applicant?	

Evaluation Criteria - \$3,001 and over		Weighting
1	Does the application meet all of the funding guidelines and submission requirements including pre-submission discussion, permits, quotes and other documentation?	0 - 10
2	Does the budget include all associated costs e.g. installation, permits. Are all contributions confirmed with letters, financial statements, external funding applications, etc.?	0 - 10
4	Are there any implications for Council from the funding / project such as project implementation, ongoing maintenance costs, asset ownership/management, risk and insurance, reputational issues etc. ?	0 - 10
5	Does the applicant demonstrate a need and benefits of the project? ? Such as economic, social, environmental, participation or cultural benefits that support resilience of Moyne communities.	0 - 10
6	Does your organisation demonstrate the capacity to deliver the project?	0 - 10
	What extent does the project facilitate equitable access and inclusion?	0 - 10
7	Has the group been funded in the last 3 years from this Program?	Y/N
8	Is this project for a Council or Community Asset Committee asset?	Y/N

## **Next Steps (if your project is approved)**

### **Agreements, payments and acquittals**

Successful applicants will be sent the following:

- Confirmation email with instructions for signing Funding Agreement and Acquittal Report in the online grant portal.
- New Supplier form if your organisation's financial details have changed.

**\*\*Successful applicants are required to develop an invoice to Council and quote the designated purchase order number and bank account details as per the instructions in the confirmation email, then forward to the Program Officers.**

### **Acknowledgement guidelines**

Applicants will be required to acknowledge Moyne Shire Council's funding support provided through the Community Grants Program.

An approved logo should be included on appropriate materials including but not limited to project collateral, media releases and signage.

The Grantee must liaise with Moyne Shire Council to coordinate any announcements related to the project:

1. Any press releases or announcements regarding the project should recognise Moyne Shire Council's contribution, support, and the nature of funding, e.g. the Community Grants Program.
2. Any promotional material or other information such as newsletters published for the project should acknowledge Moyne Shire Council's contribution and support and the nature of funding, e.g. the Community Grants Program.
3. Recognise Moyne Shire Council at any activity recognising the building, upgrade or celebration of the project and provide invitations to Moyne Shire Councillors.
4. The Grantee is required to acknowledge the funding support provided by Moyne Shire Council using the following terminology: 'Project Supporter'.

Council reserves the right to publicise any aspect of the activity associated with its Community Assistance Funding program. Recipients must assist Council with publicity as required and adhere to the accompanying Moyne Shire Acknowledgment Guidelines.



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**Port Fairy Office**

Princes Street, Port Fairy

**Mortlake Office**

1 Jamieson Avenue, Mortlake

Phone: **1300 656 564**

Email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)

  [@moyneshirecouncil](https://www.facebook.com/moyneshirecouncil)

[www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)

## 2.2 Review of the Register of Public Roads - Proposed Public Highway declaration of Roads named Childers Street and Casino Street, Peterborough

*Directorate:* Corporate & Governance Services

*Report Author:* Property & Assets Officer

Overview: Council proposes to declare the roads known as Casino Street and Childers Street as public highways and consider elevating these roads to the Public Register of Roads.

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### Officer Recommendation

**That Council having previously resolved to commence the process to declare the roads named Childers Street and Casino Street, Peterborough as a public highway and having made a public Notice of Intention to declare the Public Highway in accordance with section 204(1) of the Local Government Act 1989 (the Act) and having received and considered the 1 submission in accordance with section 223 of the Local Government Act 1989 resolves to:**

- 1. Declare the roads known as Childers Street and Casino Street Peterborough to be a Public Highway in accordance with section 204(1) of the Act; and**
- 2. Direct Council officers to make a notice published in the Government Gazette to declare the roads to be as a Public Highway in accordance with section 204(1) of the Act: and**
- 3. Direct Council officers to subsequently make application to the Registrar of Titles to obtain title to the land in the road in accordance with section 59 of the Transfer of Land Act 1958; and**
- 4. Declare to elevate Childers Street and Casino Street, Peterborough to the Public Register of Roads and direct Council officers to make this notation on the Register of Public Roads.**

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### Background

The review of the current Road Management Plan (RMP) and the Register of Public Roads (RPR) is a statutory requirement. The review commenced in July 2023 in accordance with section 54(5) of the Road Management Act 2004.

As part of the review, officers have assessed multiple roads under section 17(3) of the *Road Management Act 2004* to determine whether they meet the criteria for public highway status. Based on this assessment, Council is being asked to consider whether

these roads are 'reasonably required for general public use.' If deemed necessary, Council may approve their elevation to—or, in some cases, removal from—the Register of Public Roads.

Council, at its 16 September 2024 meeting, resolved to proceed to notice of intention to advertise its intention to consider declaring Childers Street and Casino Street, Peterborough, as a public highway and consider elevating these roads to the Public Register of Roads – **attachment 1** (minutes).

The public notice period commenced 25 January and closed 28 February 2025 with 9 informal phone calls and 1 formal written submission received – **attachment 2**.

### [Strategic Link](#)

#### Council Plan 2021-2025

##### 1.3 - PLACE - Active and Connected Communities

Support transport, mobility and connections across the Shire through local roads, footpaths, tracks and trails

Council has powers and responsibilities under both the Local Government Act 1989/2020 and the Road Management Act 2004 regarding roads and road statuses, and the land contained within the roads, but there are no legislative tests in determining whether a road is or is not required for general public use.

Council has legislative functions and powers and expectations under the Local Government Act 1989 in relation to providing and maintaining community infrastructure and otherwise performing functions in connection with the peace, order, and good government of the municipality.

Council has specific legislative powers to protect its land, land vesting in Council, and in respect of protecting and declaring roads.

Under the Road Management Act 2004 s19 a road authority is required to keep a register of public roads which defines those roads for which they are the coordinating road authority.

The register must include amongst other things: (a) the name of the public road, or if unnamed, a description which enables the particular road to be easily identified; (b) the date on which the road became a public road; and (c) the classification of the public road.



## Discussion

### Public Highway status

In determining whether Childers Street and Casino Street, Peterborough are a public highway at common law, the Council needs to form an opinion that the Doctrine of Dedication and Acceptance Principle has been satisfied.

The essential characteristic of a public highway is that it is a '*way over which all members of the public are entitled to pass and repass on their lawful occasions*'.

The Supreme Court case *Anderson & Anor v City of Stonnington & Anor* [2016] VSC 374 confirms the tests for a laneway to be a public highway when-

- A landowner manifests an intention to dedicate land as a public highway; and
- The public accepts that dedication (*Permanent Trustee Company of New South Wales Limited v Council of the Municipality of Campbelltown* (1960) 105 CLR 401, 420).

The criteria for assisting council to assess and form an opinion for public highway status is described in **attachment 3**.

### Public Road for elevation to Register of Public Roads

The term for a road to be considered '*reasonably required for general public use*' is not prescriptively defined in the Road Management Act 2004 and is a decision to be determined by each individual Council when deciding on which road/s should be included or not included on the Council's Register of Public Roads.

Council must consider a non-exhaustive list when deciding on whether a road (or ancillary area) is '*reasonably required for general public use*' as described in **attachment 4**.

Council's Register of Public Roads defines the hierarchical classification of the road, and the associated level of service and maintenance Council provides under its Road Management Plan.

### Public Submissions

Council received nine (9) informal phone calls and 1 (one) formal written submission on the public notice.

The phone calls were from residents in the subject streets and were generally seeking information on why the process was being undertaken and if status quo of the roads would change.

Officers indicated that this is a procedural process in order to obtain title from the original subdivider.

One formal written submission was submitted to Council from the current landowner on title, who contacted the Council through the public notice advertisement.

The submission confirmed that the registered proprietor as a company had been extinguished but he still holds the titles to Casino Street and Childers Street, Peterborough.

This new information is advantageous for Council to consider formally continuing with the process of declaration and seeking title from the landowner given he is willing to transfer the titles into Council's name for management and ownership– **attachment 5**.

### Consultation

Where a Council proposes to declare a road as a public highway, section 204(1) of the Local Government Act 1989 (Act), sections 207A(c) and 223 of the Act require it give public notice of the proposal and consider all submissions received prior to making its decision.

This public notice period commenced 25 January and closed on 28 February 2025 and was advertised in the Warrnambool Standard Public Notice section on Saturday 25 January and Saturday 22 February 2025. Information was also posted on Council and Peterborough Community pages via Facebook.

Council wrote to residents of both streets via letter outlining the proposal and seeking comment – **attachment 6**.

Phone calls were received from residents in the subject streets and were generally seeking information on why the process was being undertaken and if status quo of the roads would change.

In particular, some were concerned that the roads would be opened to join with the roads in the adjacent subdivision (Loch Ard Street and Sutlej Court) to make a through road.

Officers indicated this is a procedural process in order to obtain title from the original subdivider.

One formal written submission was submitted to Council from the current landowner on title, who contacted the Council through the public notice advertisement.

The submission confirmed that the registered proprietor as a company had been extinguished but he still holds the titles to Casino Street and Childers Street, Peterborough.

### Financial Implications

Public Road status (i.e. elevating to the Register) imposes a statutory duty on Council to inspect, maintain and repair the road to the standard specified in the Road Management Plan (s. 40(1)).

Council is not however obligated to upgrade the road or maintain the road to a higher standard than the standard to which the road was constructed (s. 40(2)).

Any future renewal, inspections and maintenance would need to be met from existing and future budgets.

## Risk

Risk identified:

Risk: Environmental and Legal Compliance

Risk Appetite: **Low**

## Conclusion

The formal written submission brought new information to the issue of road status for the subject roads.

In considering the written submission, there appears no reason to alter Councils previous resolution to declare Childers Street and Casino Street as a Public Highway in accordance with the RM Act and elevating these roads to the Register of Public Roads putting its status, management and ownership beyond doubt.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

*A Gender Impact Assessment was not applicable.*

## Attachments

1. Review of the Register of Public Road Register - Childers and Casino minutes 16 Sept 2024 [2.2.1 - 2 pages]
2. Childers and Casino public notice [2.2.2 - 1 page]
3. Criteria for determining public highway status [2.2.3 - 2 pages]
4. Criteria for determining road reasonably required for public use [2.2.4 - 3 pages]
5. Childers Casion Public Submission Feb 2025 [2.2.5 - 1 page]
6. Casino and Childers St Letter to Owners [2.2.6 - 2 pages]

## 2.7 Review of the Register of Public Roads - Proposed declaration of Roads named Childers Street and Casino Street, Peterborough

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Overview: The purpose of this report is to progress the review of the current Road Management Plan (RMP) and the Register of Public Roads (RPR), as a statutory requirement. The review commenced in July 2023 in accordance with the section 54(5) of the Road Management Act 2004 – (**attachment 1**).

Council, in its capacity as a road authority, must, in accordance with the Road Management (General) Regulations 2016 (Regulations), conduct a review of its Road Management Plan and Register of Public Roads at prescribed intervals or within the period of 6 months after a general election or by October 2025, whichever is later.

The proposed review will provide an updated list of roads recommending any shift within the road hierarchy identifying material, status, financial or resource implications to Council.

As part of the current review, two roads named Childers Street and Casino Street Peterborough (**attachment 2**) have been nominated to be considered for declaration as a public highway and for the Council to consider elevating the two roads to the Register of Public Roads.

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**Resolution ID: OCM2024116**

**Cr Daniel Meade moved, Cr Jordan Lockett seconded**

**That Council having considered the information relating to the legislative requirements as part of its review of the Register of Public Roads, and the underlying road status regarding Childers Street, Peterborough and Casino Street, Peterborough, endorse the Chief Executive Officer to:**

- 1. In respect of the roads described in Volume 08889 Folio 402 Plan of Subdivision 094964 formally commence the process to declare the lands contained within the roads named Childers Street, Peterborough and Casino Street, Peterborough in accordance with section 11(1)(a) of the Road Management Act 2004, and in accordance with section 223 of the Local Government Act 1989 a public notice be made of the proposed declaration of a public highway and that submissions be received and considered by Council; and**
- 2. Commence the process to declare the lands contained within the roads known as Childers Street, Peterborough and Casino Street, Peterborough as Public Highways in accordance with section 204(1) of Local Government Act 1989 (the Act), and subsequently propose to consider to apply for title to the**

land in accordance with section 59 of Transfer of Land Act 1958, and in accordance with section 223 of the Local Government Act 1989 a public notice be made of the proposed declaration and that submissions be received and considered by Council; and

3. Commence the process to consider the lands contained within the roads known as Childers Street, Peterborough and Casino Street, Peterborough described in Volume 08889 Folio 402 Plan of Subdivision 094964 under section 205 of the Local Government Act 1989, which indicates roads for which Council is responsible for care and management; and
4. That Council receive a further report following the time of close of public submissions.

**CARRIED UNANIMOUSLY 6 / 0**

For	Against
Cr Jim Doukas	
Cr Karen Foster	
Cr Damian Gleeson	Nil
Cr Jordan Lockett	
Cr Daniel Meade	
Cr Ian Smith	

# Moyne Shire Council Community Update

## Wind farm community engagement committees

Council is seeking nominations for community representative positions on each of the following wind farm community engagement committees (CEC).

- Hawkesdale Wind Farm
- Ryan Corner Wind Farm
- Woolthorpe Wind Farm
- Dundernell Wind Farm
- Mortlake South Wind Farm
- Mt Fyans Wind Farm
- Wilstock Wind Farm
- Hexham Wind Farm

People who reside in districts in the vicinity of the above projects are encouraged to nominate.

The main purpose of a CEC is to enhance the timely flow of information about the wind farm project between the community, the proponent, council and other relevant stakeholders. (Please note that CECs do not administer or make decisions on individual wind farm community grant funds.)

More information, and an online nomination form can be found at [moyneshire.vic.gov.au/cec](http://moyneshire.vic.gov.au/cec) or by calling 1300 656 564.

Hard copy nomination forms are available from Moyne Shire offices in Mortlake and Port Fairy, or by calling 1300 656 564.

Nominations close 5pm, 7 February 2025.

## Have your say

We are developing our new council plan which will guide our actions and shape how we deploy resources over the next four years.

We want your input. We have a community survey and a series of popup listening posts and workshops planned across the next ten weeks to capture your thoughts on Moyne's challenges and priorities.

Visit [engage.moyneshire.vic.gov.au/council-plan-2025-2029](http://engage.moyneshire.vic.gov.au/council-plan-2025-2029) to complete the survey, which closes on 2 February 2025.

You can also visit council customer service offices, our libraries or the Port Fairy Visitor Information Centre to access the online survey or to collect a hard copy, or call 1300 656 564.

## Proposed Public Highway declaration - Peterborough

Proposed Public Highway declaration of roads and consideration for inclusion on the Register of Public Roads for Childers Street and Casino Street, Peterborough, Vic 3270

Notice is given pursuant to sections 204(1)(2) and 223 of the Local Government Act 1989 that the Moyne Shire Council, at its meeting held on 16 September 2024, proposes to declare the roads known as Casino Street and Childers Street on the plan below as public highways and consider elevating these roads to the Register of Public Roads.



Any person may make a submission on the proposal to Council. If a person wishes to be heard in support of their submission, they must include the request to be heard in their written submission and this will entitle them to appear in person or by a person acting on their behalf, at a Council meeting, scheduled to be held on Tuesday April 22, 2025, at the Mortlake Shire Office.

Written submissions should be marked "Proposed Public Highway declaration of roads and consideration for inclusion on the Register of Public Roads for Childers Street and Casino Street, Peterborough, Vic 3270" and addressed to the CEO, Moyne Shire Council, PO Box 31, Port Fairy by close of business Friday 26 February 2025. Written submissions will be available to the public through Council reports or public inspection.

Further enquiry please contact Manager - Assets and Infrastructure 1300 656 564.



[www.moyneshire.vic.gov.au](http://www.moyneshire.vic.gov.au)

  @moyneshirecouncil

Phone: 1300 656 564 Email: [moyneshire@moyneshire.vic.gov.au](mailto:moyneshire@moyneshire.vic.gov.au)

MOYNE  
SHIRE



## **Elements for determining whether a road is a public highway at common law.**

Council should assess the following elements to guide itself in the decision to determine whether Childers Street and Casino Street, Peterborough is a public highway at common law.

### **Element a) - Intention to dedicate**

The Courts have identified a number of circumstances to be considered in determining whether there was an intention by a landowner to dedicate land as a public highway, including:

- if a road is left in subdivision and runs into a public road system, the usual inference is that it was dedicated as a public road - unless access to the road is prevented by fencing or other action;
- the intention to dedicate can be express or inferred;
- if the landowner granted permission or a licence to the public to use the land this negates an intention to dedicate;
- if a landowner knows of public use of their land but neither permits nor stops it, this demonstrates an intention to dedicate. The public's ongoing use is acceptance of the dedication. The public's use in the absence of permission, is indicative of use 'as of right' and is consistent with a public dedication;
- proof a landowner had actual knowledge of public use (while acquiescing in such use) is not required - long term use of the land by the public may be used to infer the landowner had knowledge. There is no minimum fixed period, and it is determined on the circumstances;
- if, at any time, by any owner, a dedication (that is, a designed and intentional dedication) took place, that dedication could not afterwards be recalled, either by him or any subsequent owner;
- that land is designated as an easement does not mean it is not a road, nor that it has not become a highway under the common law.

### **Element b) - Public acceptance**

The overarching test for public acceptance is "*whether the public's use of the land as a 'way' would suggest to a reasonable landowner that they believed they were exercising a public right*".

Case law on public use of roads has provided both narrow and wide views of what constitutes 'public use', and in a case *Constante v City of Preston* (1994) Vincent J said

*"....In determining whether or not a road.....is reasonably required for public use the Council would primarily be concerned with present and future use. The extent and type of past use would possess relevance as would the availability of alternative means of access, a range of development and planning considerations....."*

The Courts have also identified the conduct of a public authority in managing and maintaining the relevant land as relevant to the question of public acceptance.

Any consideration and decision of a Council to declare a road a public highway and consider elevating a road to the Register of Public Roads would result in the road becoming a “Public Road” (s. 17(1)(e)), and consequently a public highway (LGA: s. 3(1)).

If declared Public Highway, the land contained within road reserve automatically vests in Council, but Council can, and it is recommended should seek title to the land from the Registrar of Titles under section 59 of the Transfer of Land Act 1958.



**Guidelines for determining whether a road is '*reasonably required for general public use*' within the meaning of section 17(3) of the Road Management Act 2004**

*Definition of "municipal road" (includes section 205 roads, which includes "public highways at common law").*

**Key words and definitions**

**Public Highway** - Land being a road over which the public has the right to pass (excluding parks and reserves).

**Public Road** - any road that the Coordinating Road Authority considers is reasonably required for general public use.

**Road** - The word "road" is not clearly defined by legislation. For the purposes of Council's Roads Register, a road is considered to be land that has the legal status of road (i.e. road reserve), regardless of whether the land contains a constructed road or is a public highway, and any other land specifically defined as being a road within the Act (e.g. being declared a road under s.11 of the Act).

**Roads Register** - The register of public roads that each Coordinating Road Authority is required by the Act to keep that lists all public roads for which it is the Coordinating Road Authority.

**Criteria list for assessment**

Council should then assess the following non-definitive list of factors to guide itself in the decision for a road (Childers Street and Casino Street) to be considered '*reasonably required for public use*': *(with commentary in Italics)*:

- **Does the Council own or control the land?** *(The level of control Council has, is subject to what legislative applications apply or satisfaction of the common law to which public highway doctrine of dedication and acceptance applies but also what agreements are in place, such as committee of management status, Section 173 agreements (Planning & Environmental Act), licences and leases to name a few.*

*In respect to Childers Street and Casino Street roads, council does not own title to the road/s and the true registered proprietor is in the name of the original developers.*

For council to hold freehold title to these roads, council would need to formally declare the roads a public highway and then undertake the title transfer process to obtain title to the road/s under section 59 of Transfer of Land Act 1958.

- **The number and nature of separately owned and occupied properties abutting the road or requiring the road for access purposes.** *(All properties contained within the estate directly abutt the road).*

- **A range of planning and land use and development considerations, including whether or not land abutting onto the road or requiring the road for access has been developed to its highest and best economic use.** *(It would appear that the land surrounding the road/s has or has been planned to reach its best economic use through expansion of the subdivision).*
- **The type of properties abutting the road including public open space, community facilities, sporting facilities, and car parking areas.** *(There are properties of a public nature that would require access).*
- **Whether the road connects into and forms part of a wider network of public roads.** *(Casino Street and Childers Street connects to the wider network of public roads).*
- **The usage patterns of the road in relation to the nature and frequency of past, present and future use. Whether the road is required for both vehicular and pedestrian use.** *(Both roads are currently in use and would be considered required for either vehicular or pedestrian use).*
- **Whether the Council or predecessors have constructed the road at public expense.** *(The roads were created through private subdivision, and it would be assumed that the construction of the road was at the developer's expense).*
- **Whether the Council has cared for, managed or controlled the road.** *(Council and its predecessor have previously undertaken repair and maintenance for the roads).*
- **Whether the properties which enjoy an abuttal to the road or require the road for access purposes have alternative access rights.** *(All properties contained within the subdivision directly abutt both Casino Street and Childers Street and have access to Old Peterborough Road).*
- **Whether there are designated carparking facilities and traffic control signs attaching to any public use of the road.** *(There are carparking facilities and traffic control signs attaching to any public use of the road).*
- **Whether the road has ever been required to be set aside for public use as a condition on any planning approval.** *(Planning approval was required for the road be set aside for public access or use).*
- **Whether the road has ever been formally dedicated or proclaimed to be a public highway under the Local Government Act or predecessor legislation.** *(The subdivision to create Childers and Casino Streets took place in 1972 under the then Local Government Act 1958. Because the Streets were not fully constructed, they fell under the LGAct 1958 (now not in force) definition of "Private Street", which prescribed the process under which Council could later require the road and drainage infrastructure to be fully constructed and paid for.*

*Council has not formally proclaimed public highway status for Childers and Casino Streets, Peterborough to the best understanding of officer's knowledge).*

- **Whether the road has ever been constructed under a special charge scheme or private street scheme.** *(It would appear that the roads were constructed under a special charge scheme or private street scheme).*
- **Whether the use is occurring “as of right”, in particular evidence of permission.** *(This past and present ‘as of right use’ does not of itself preclude Council from determining that the roads are or are no longer required for general public use).*
- **Whether the road contains assets owned or managed by public service authorities, gas, electricity, telecommunications, sewerage, water.** *(There are a number of authorities that have assets and rights over the road).*
- **Whether the road has fencing, barriers, signage.** *(Barriers and signage are present).*

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, 28 February 2025 10:51 AM  
**To:** Moyne  
**Subject:** Casino and Childers St Peterborough

Attn. CEO Moyne Shire ,

Further to my recent discussion with [REDACTED]

Please note that I hold the Certificates of Title for the land which both Childers and Casino streets Peterborough occupy . I note your intention to have these roads declared as public highways and added to the Register of Public Roads .

Please contact me to discuss the appropriate way for this to be achieved .

Kind Regards

[REDACTED]  
[REDACTED]  
Peterborough 3270  
[REDACTED]

25 January 2025



Name

Address

Town State Postcode

Dear Landowner,

**Re: Proposed Public Highway Declaration  
and Elevation to the Register of Public Roads**

Pursuant to sections 204(1)(2) and 223 of the Local Government Act 1989 ("the Act"), the Moyne Shire Council, at its meeting held on 16 September 2024, proposes to declare the roads known as Casino Street and Childers Street, Peterborough on the following plan, as public highways and consider elevating these roads to the Register of Public Roads.

Any person may make a submission on the proposal to Council. If a person wishes to be heard in support of their submission, they must include the request to be heard in their written submission. This will entitle them to appear in person, or by a person acting on their behalf, at a Council meeting scheduled to be held on **Tuesday April 22, 2025, at the Moyne Shire Offices in Mortlake.**

Written submissions should be marked "**Proposed Public Highway declaration of roads and consideration for inclusion to the Register of Public Roads for Childers Street and Casino Street, Peterborough, Vic 3270**" and addressed to the CEO, Moyne Shire Council, PO Box 51, Port Fairy Vic 3284 by **close of business Friday 28 February 2025**.

Written submissions will be available to the public through Council reports or public inspection.

If you have any queries regarding this proposal, please contact Mandy Bellman, Assets Technical Officer on 5558 7817.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Vicki Askew-Thornton".

Vicki Askew-Thornton  
**Acting Manager Assets & Infrastructure**

Enc: Plan of Roads

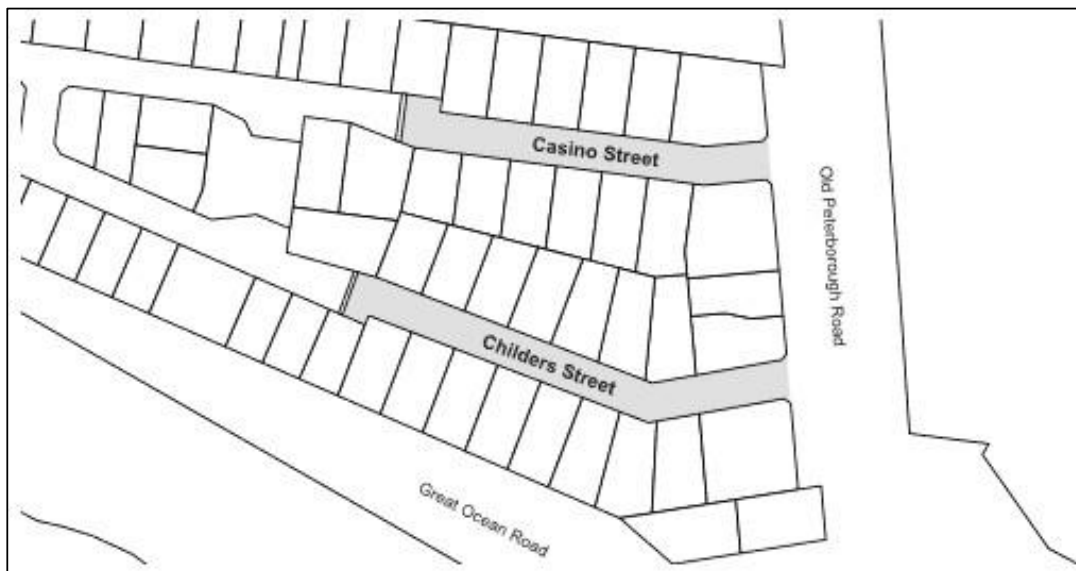
Phone: 1300 656 564

Email: [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au)  
[www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)

All correspondence to:  
PO Box 51 Port Fairy VIC 3284

### Plan of Roads

Casino Street and Childers Street, Peterborough



## 2.3 Stock Underpass Fund Application - Swans Lane ALLANSFORD

*Directorate:* Assets & Community

*Report Author:* Engineering Services Officer

Overview: This report outlines an application to Council's Stock Underpass Fund program and is seeking support for this application.

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### Officer Recommendation

**That Council endorse an allocation of \$10,000 to JA & S-J Rea as a contribution towards the installation of a stock underpass under Swans Lane, Allansford from Councils FY2024/2025 budget.**

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### Background

The Moynes Shire Council Stock Underpass Fund offers up to \$10,000 per underpass for farmers seeking to install stock underpasses. Council's annual budget commitment of \$30,000 for FY2024/2025 remains unallocated so far.

Stock underpasses improve road safety by removing the potential for livestock and vehicles to come into contact at livestock crossings. They also boost productivity for both the primary producer (freeing up staff that would otherwise have to monitor stock crossing activities) and the transport industry (removing delays having to give way to stock crossing the road reserve).

### Strategic Link

Council Plan 2021-2025

4.2 - ECONOMY - Agriculture, Food and Farming

Recognising and supporting the importance of agriculture our economy, trade and investment

Ensure continued support for agricultural and manufacturing industries and advocate for innovative and high value, sustainable agricultural growth

### Discussion

Council has allocated \$30,000 towards the Stock Underpass Fund in the FY2024/2025 budget.

The applicants own land on both the Northern and Southern sides of Swans Lane. They have lodged the necessary documentation (Deed of Agreement, Works Within Road Reserves Permit and Underpass design) which have been approved.

It is envisaged that the underpass will have been installed by the time this report is presented to the OCM, as both the applicant and the contractor were keen to avoid issues arising from detouring the Laang-Warrnambool school bus run and have elected to undertake the installation over the week of 7-11 April 2025.

Given previous approval of the same nature granted by Council, and the applicant's intention to minimise disruption to school bus routes by carrying out works during school holidays, applications submitted to Council prior to the commencement of installation should be considered for approval.

### Consultation

The details of the Council funding policy requirements have been discussed with the applicants, and the relevant documentation has been provided to Council.

### Financial Implications

This would be the first allocation of \$10,000 towards an underpass from the FY2024/2025 budget, leaving Council with a further \$20,000 unallocated at this time. At the time of writing, Council staff are unaware of any forthcoming applications.

### Risk

Risk identified:

Risk: Financial Impact

Risk Appetite: **Medium**

Risk: Impacts on Public Health and Safety

Risk Appetite: **Low**

Support through this fund addresses key safety risks (i.e. risk of livestock/vehicle crashes where livestock cross the carriageway).

### Conclusion and next steps

The intention of the Stock Underpass Fund is to assist primary producers to improve road safety for both staff and general road users by removing livestock from the road reserve. The safety benefits of stock underpass installations have a high cost-benefit ratio for a comparatively small amount of expenditure from Council.

Providing the applicant with a \$10,000 contribution towards the new underpass will therefore bring greater safety to the road users on Swans Lane.



Whilst the installation has occurred prior to the report being presented to Council for a decision on the Stock Underpass Fund application, the application itself was made before the installation works occurred, being received in late March 2025 and is in keeping with other similar applications funded in this way.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

*A Gender Impact Assessment was not applicable.*

## Attachments

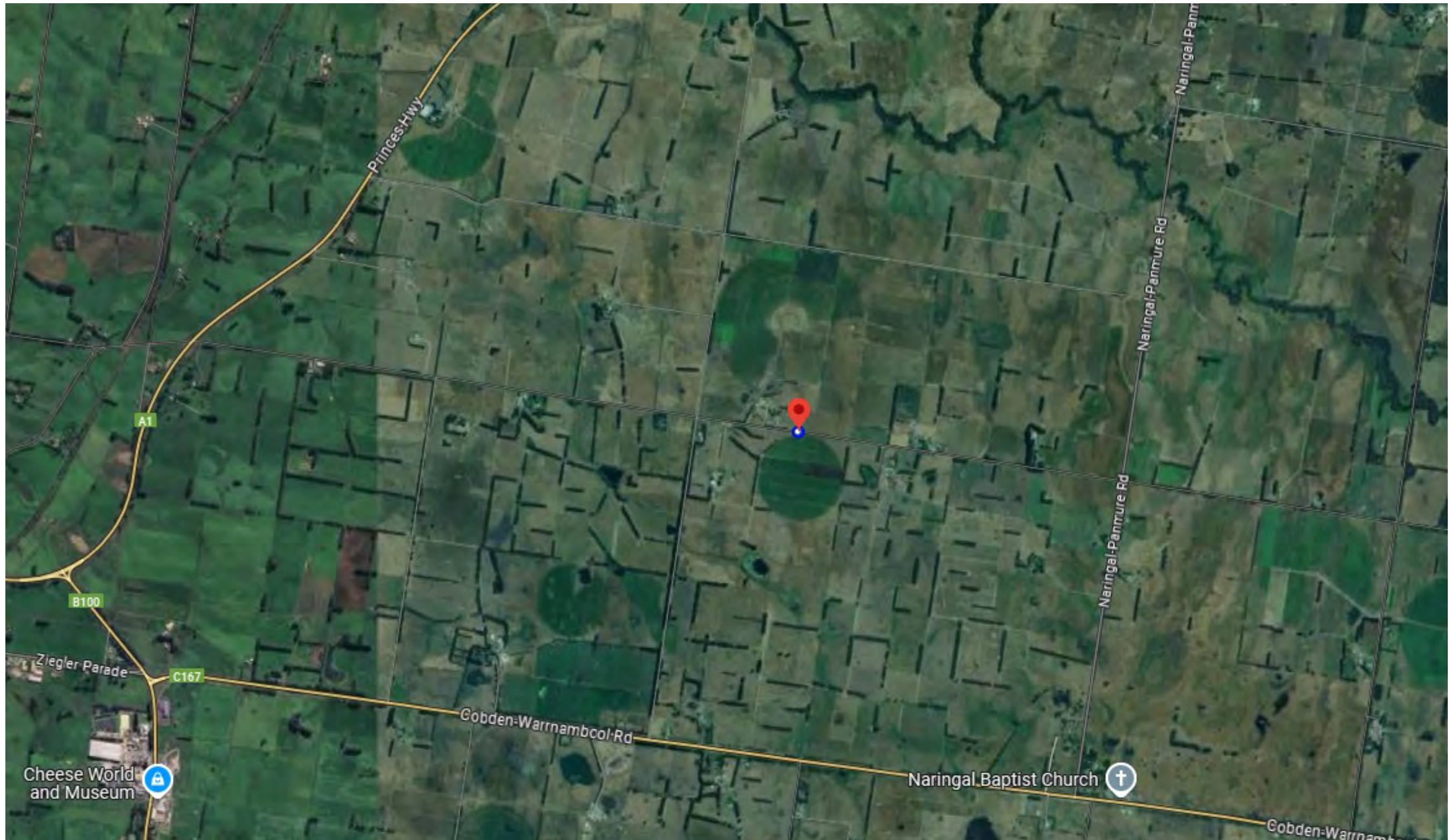
### Confidential Attachment

Reason for confidentiality - Local Government Act 2020, Section 3 - Personal information - Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released

### Confidential Attachment

Reason for confidentiality - Local Government Act 2020, Section 3 - Private commercial information - Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released

- |    |  |
|----|--|
| 1. | CONFIDENTIAL - Attachment 1 - JA & S- J Rea - Stock Underpass Fund Application [2.3.1 - 3 pages] |
| 2. | Attachment 2 - Proposed Location - JA & S- J Rea - Swans Lane ALLANSFORD [2.3.2 - 1 page]        |
| 3. | Livestock- Underpass-and- Grid- Policy- I E-06 [2.3.3 - 5 pages]                                 |



Attachment 2: Proposed Location—JA & S-J Rea Stock Underpass—Swans Lane ALLANSFORD



# Livestock Underpass and Grid Policy

Policy N°	IE-06	Doc ID	1248216
Version	002		
Approval Body	Council		
Endorsement date	19 December 2023		
Next review date	November 2027		

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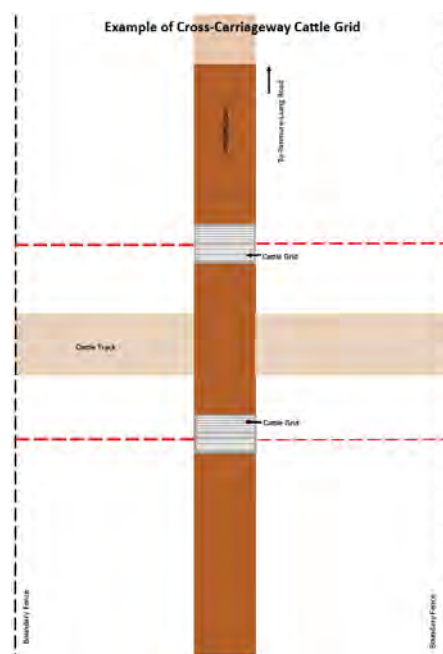


## 1. Introduction

**Livestock underpasses** are structures constructed under roads to enable livestock to cross the road reserve safely without disrupting road and pedestrian traffic.



**Livestock grids** are an obstacle that may be installed within a road or roadside to prevent stock from straying onto the road or to control stock being moved across a road from one property to another. Livestock grids generally consist of a pit cut into the road surface which is transversed by metal bars or rails forming a grid. The grid gaps are wide enough to deter livestock from crossing but sufficiently wide enough for a vehicle to cross unimpeded.



As Council has legal obligations for road safety under the Road Management Act, Council is required to ensure livestock underpasses and grids are effective in controlling livestock, are installed appropriately and do not pose a risk to road users.



Livestock underpasses and grids are not Council assets rather are owned by the landowner, however, may be permitted by Council within a Council managed road reserve for the intended purpose of controlling livestock crossing the road.

The landowner installing the underpass/grid is responsible for the structure and is responsible for rectifying any faults with the structure. Council encourages geotechnical investigations to be undertaken as part of the design phase for an underpass/grid.

## 2. Purpose and intent of the Policy

The purpose of this policy and related procedures is to:

- a) Detail the appropriate procedure, funding arrangements for livestock underpasses and ongoing responsibility associated with the construction of livestock underpasses and grids.
- b) Define the circumstances whereby Council will provide consent to install a livestock underpass or grid within a Council Road reserve.
- c) Provide information on the application process required and any funding available.
- d) Outline the installation requirements, maintenance and removal responsibilities.

This policy only relates to livestock underpasses and grids installed or to be installed within Council managed roads and road reserves and does not apply to private land, VicRoads or other agencies land.

## 3. Policy details

- a) Prior to a livestock underpass or grid being installed in a Council controlled road reserve, the benefiting landowner must obtain written approval via an application process through Council.
- b) Council's Assets and Engineering Services department will assess all applications to determine that an underpass or grid can be located in a suitable location to allow for current and future traffic requirements of the road, be of suitable width to meet road safety requirements, and consideration of potential impacts to roadside vegetation.
- c) The owners of selected properties (as selected by Council) having access to the road, directly impacted by the application must be consulted with and any comments or feedback to be considered during the assessment of an application. This should be provided by the applicant within the application.
- d) As part of Council's Road Management Plan inspection regime, livestock underpasses and grids will be registered and inspected periodically to ensure that they are properly maintained, achieve their intended purpose and do not pose a risk to road users, with the benefiting landowner(s) holding relevant public liability insurance of at least \$10M.



- e) All costs associated with the construction, ongoing maintenance, renewal, and repair of livestock underpasses and grids are the responsibility of the owner of the land deriving benefit from the livestock grid or underpass.
- f) The location of livestock grids is generally limited to “No-Through” Access/Minor Roads as defined by Council’s Road Management Plan with a traffic count not exceeding 20 vehicles per day. Where vehicle movements per day exceed 20, an underpass may be considered as the preferred infrastructure. As the road authority, it is Councils decision to stipulate whether a grid or underpass is required.
- g) In situations where a landowner wants to improve safety for the movement of livestock across a road and the traffic count for the road exceeds 50 vehicles per day, the installation of a stock underpass should be considered.
- h) Each year Council sets aside a nominal amount through the annual budget contributing to the construction of a livestock underpass of \$10,000 per application. Council does not contribute to the cost of installing a livestock grid.
- i) Upon the sale of the benefiting landowners’ property, the livestock underpass or grid ownership, maintenance and or termination obligations fall to the new landowner as with the transfer of other assets disposed of as part of the sale of land.  
Where a landowner is leasing land on one side of the underpass or grid, and there is a change of ownership or tenure of the leased land, and the purchaser does not agree to the conditions set forth in the Deed of Agreement, Council can withdraw its consent for use of the underpass/grid, and can direct the applicant to remove the underpass/grid and reinstate the road reserve.

#### 4. Relevant legislation / references

- Road Management Act 2004
- Livestock Management Act 2010
- Local Government Act 2020
- VicRoads Road Design Guidelines

#### **Moyne Shire documents:**

- Community Engagement Policy
- Road Management Plan
- Local Laws

#### 5. Gender Impact Assessment

A Gender Impact Assessment was not undertaken. The policy, program or service was deemed to not have a direct and significant impact on the public.



## 6. Human Rights commitment

It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006).

## 7. Policy owner

Manager Assets and Infrastructure

## Document history

Version	Date Endorsed	Reason for change	To be reviewed (date)
(001)	November 2021	IE-06 Cattle Underpasses Policy reviewed	
002	Council Meeting 19 December 2023	Policy reviewed and updated to include Livestock Grids and re-named	Dec 2027

*\*It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. **However, any change or update which materially alters this document must be by resolution of Council.***

## Definitions of key terms and acronyms used within this Policy

Term	Definition / Explanation
None detailed in this policy	

## 2.4 Draft Council Plan 2025-2029 for Public Exhibition

*Directorate:* Corporate & Governance Services

*Report Author:* Manager Governance & Corporate Planning

Overview: To provide the Draft Council Plan 2025-2029 to be endorsed by Council for public feedback.

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### Officer Recommendation

**That Council endorse the Draft Council Plan 2025-2029 (including the Community Vision) for public exhibition and feedback.**

---

### Background

The *Local Government Act 2020* (Vic) ("the Act"), requires that Council reviews its Community Vision (s88), and develop the Council Plan (s90) by October 31 of the year subsequent to an election.

Through a process of deliberative engagement, in line with the Moyne Shire Community Engagement Policy, as required by s90(3) of the Act, Moyne Shire has provided opportunity for review of the Community Vision and has drafted the Draft Council Plan 2025-2029 (including the Community Vision) through a series of deliberate engagement sessions and online submission options.

### Strategic Link

Council Plan 2021-2025

5.1 - ORGANISATIONAL GOVERNANCE AND POLICY - Governance and Leadership  
Adhere to principles and requirements of the Local Government Act 2020 to deliver strong representative local government for Moyne Shire

### Discussion

The Draft Council Plan 2025-2029 (including Community Vision) attached, is provided to Council for endorsing the draft for public exhibition and feedback.

The draft, upon endorsing by Council, is expected to be published on April 24th, 2025, for the community to provide feedback until Sunday 11th May 2025.

The Community will be able to provide feedback via an online submission or will be able to access the draft document and submission form at Moyne Shire Council Offices.



## Consultation

The community and stakeholders were consulted throughout an extensive period of deliberative engagement activities, including online survey/submissions, community engagement sessions at Mortlake, Koroit, and Port Fairy, and a range of listening posts with Councillors at a range of towns and villages across the Shire.

This phase of the consultation process includes online and hard copy access to the draft for submissions and feedback by the community.

These activities have met the deliberative engagement requirements of the Act and Moyne Shire's Community Engagement Policy.

## Financial Implications

Budget allocation already exists for the development of the Council Plan.

## Risk

Risk identified: No Identified Risk

## Conclusion and next steps

Public exhibition will occur commencing immediately after the endorsement at Council through:

- Online feedback via the MyEngage platform on Moyne Shire Council website
- Hard copy of draft and feedback form located at Mortlake and Port Fairy reception for review and submission
- Distribution of the draft to all contributors to engagement sessions for feedback including:
  - All attendees at the three community sessions
  - All attendees at the partner/stakeholder session.

Public will be notified of the opportunity to provide submissions through social media and traditional media (public notices in paper).

Feedback will be collated for any required amendments to the draft for final endorsing at the June Ordinary Council Meeting.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

*A Gender Impact Assessment is being undertaken in parallel to the development of the plan to ensure Moyne Shire Council services and programs are inclusive and gender equitable.*

## Attachments

- |  |
|--|
| 1. DRAFT Council Plan v 10 [2.4.1 - 8 pages] |
|--|

# Moyne Shire Council Plan 2025-2029



## Strengthening our foundations and setting us up for growth

### ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Eastern Maar and Gunditjmara People as the Traditional Owners of the land and pay our respects to their Elders past and present, as well as Aboriginal peoples from other nations who reside in Moyne Shire.

### OUR PRIORITIES FOR THE NEXT FOUR YEARS

The Council Plan sets out Moyne Shire's priorities for the current term of Council. It is the key guide for all Council's activities.

Our ultimate goal is to support the community's long term vision, which is:

*The people of Moyne embrace the region's extraordinary cultural and ecological country. Our fertile volcanic plains and pristine coast are the pride of Victoria's southwest. From coast to country, our connected and vibrant communities are active stewards, working meaningfully towards the protection and advancement of environment, history, social and economic vitality for present and future generations.*

This Council Plan has two priorities to further these aspirations:

1. Strengthen our foundations – by improving our asset management and service delivery, and
2. Set us up for growth – by doing long term planning and capacity building to position Moyne for success.

As we do this we will aspire to:

- Strengthen relationships with Traditional Owners and First Nations communities
- Honour the unique cultures and contexts of each town, village and community
- Be brave and creative in our approach
- Balance social and environmental outcomes with economic sustainability, and
- Follow through on our commitments.

This is because we want Moyne to be a place where everyone can thrive.

## OUR COUNCIL PLAN

STRENGTHENING OUR FOUNDATIONS	SETTING US UP FOR GROWTH
1. Effectively manage our assets	5. Connect and activate our communities
2. Make Council more accessible	6. Improve access to services
3. Enhance our environment	7. Identify and support major projects to transform our region
4. Optimise how Council works	8. Leverage the benefits of renewable energy

The following pages have details on the areas of focus and how we will track our progress.

## HOW WE DEVELOPED THE PLAN

This Council Plan has been developed by the Councillors, drawing on feedback from the community, data on the Shire, and consideration of trends impacting the region.

Throughout January and February 2025 a range of community, partner and staff engagements took place. These were informed by detailed analysis of economic, social and environmental data, as well as a review of strategic plans and initiatives from other branches of government and key organisations across the region.

Detailed data on the community and challenges facing the region can be viewed in the Community Profile: [\[LINK\]](#).





## THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN

All local governments are required to prepare a Municipal Public Health and Wellbeing Plan. This Council Plan incorporates the required elements into a combined document. The following table outlines the relevant components of the Victorian Government Public Health and Wellbeing Plan the Council Plan responds to.

VICTORIAN PUBLIC HEALTH AND WELLBEING PLAN PRIORITIES	ALIGNMENT WITH MOYNE'S COUNCIL PLAN
Priority 2: Improving wellbeing	Strategic objective 6: Improve access to services
Priority 5: Increasing active living	Strategic objective 5: Connect and activate our communities
Priority 7: Tackling the health impacts of climate change	Strategic objective 3: Enhance our environment Strategic objective 8: Leverage the benefits of renewable energy
Priority 8: Preventing all forms of violence	Strategic objective 5: Connect and activate our communities Strategic objective 6: Improve access to services
Priority 10: Reducing injury	Strategic objective 1: Efficiently manage our assets

The Victorian Public Health and Wellbeing Plan 2023-2027 can be viewed at: [www.health.vic.gov.au/](http://www.health.vic.gov.au/)



Photo: Hawkesdale Memorial Hall mural

Photo: Port Fairy looking towards Deen Maar Island

# STRENGTHENING OUR FOUNDATIONS

## 1. EFFECTIVELY MANAGE OUR ASSETS

Managing the roads, buildings and public land under Council's care is one of our biggest challenges – and one of the most important things we do for the community. That is why getting on top of it is our first priority.

- 1.1. Proactively manage our road networks to improve maintenance, use and safety
- 1.2. Explore new ways to manage, maintain and fund our assets
- 1.3. Review Council's assets mix to provide maximum community value

### This will contribute to:

A decrease in the asset renewal funding gap

A decrease in percentage of roads requiring maintenance

An increase in community satisfaction with roads and assets

A decrease in complaints about roads and assets

## 2. MAKE COUNCIL MORE ACCESSIBLE

The community's aspirations and expectations drive everything Council does. That is why we are going to strengthen connections with residents, industry and community groups across the Shire to ensure they have a say about what matters most to them.

- 2.1. Communicate more clearly about what Council does and why to increase transparency and build trust
- 2.2. Enhance engagement practices to strengthen participation in Council decisions
- 2.3. Share stories of success that champion our strengths

### This will contribute to:

An increase in community satisfaction with Council's consultation and engagement

An increase in community satisfaction with Council's decision making

A decrease in the number of complaints lodged with Council relating to decision making



### 3. ENHANCE OUR ENVIRONMENT

We live in one of the most beautiful parts of the world. Our coast and country make us who we are and sustain us. Caring for this environment is vital to both our wellbeing and economic prosperity. That is why we will maximise the environmental health of our region.

- 3.1. Work with the community and partners to undertake revegetation and protection projects
- 3.2. Expand weed management and fire preparedness programs
- 3.3. Strengthen circular economy practices to minimise waste and reduce Council's carbon footprint

#### This will contribute to:

An increase in percentage of green space considered to be healthy and sustainable across the Shire

An increase in percentage of Council land actively managed for weeds

An increase in appropriate sorting of waste by residents and tourists

An increase in percentage of materials reclaimed through waste services

A decrease in emissions from Council activities

A decrease in complaints relating to weed management and fire preparedness

### 4. OPTIMISE HOW COUNCIL WORKS

We need an effective and well-functioning Council to deliver the services the community needs and expects – now and into the future. Our organisation is smaller than most other local governments. That is why we will take a smart and efficient approach to how we work and use our limited resources.

- 4.1. Maximise use of Council resources and deliver financially sustainable services
- 4.2. Streamline processes to improve customer experiences with Council
- 4.3. Establish a culture of excellence to enable new and entrepreneurial ways of working

#### This will contribute to:

Maintenance of a balanced Council budget

An increase in staff satisfaction with working conditions

An increase in income from new revenue streams

An increase in Council's customer service rating



# SETTING US UP FOR GROWTH

## 5. CONNECT AND ACTIVATE OUR COMMUNITIES

Our people are our greatest strength. Whether out on the farm, part of a village, or in town, the health and wellbeing of our community is key to Moyne's resilience. That is why we will use Council's resources to bring people together and encourage participation in community life.

- 5.1. Identify opportunities for connected, healthy and active lifestyles across Moyne's towns and villages
- 5.2. Encourage community-led initiatives and enhance the capabilities of community groups and clubs
- 5.3. Support and assist the growth of volunteering opportunities

### This will contribute to:

An increase in community led initiatives supported by Council

An increase in volunteering opportunities taken up by the community.

An increase in activation rates for community assets

An increase in use of trails and outdoor spaces

An increase in community satisfaction with Council's recreation and library services

A decrease in the percentage of adults experiencing loneliness

A decrease in the percentage of adults who do no moderate physical activity

## 6. IMPROVE ACCESS TO SERVICE

Access to community, health and essential services are a challenge for Moyne residents. We know this can limit the ability of parents to go to work, older people to stay in their homes, and businesses to flourish. That is why we are going to find ways to increase the capacity of the services we provide and work with our partners to bring more of their services into the Shire.

- 6.1. Explore opportunities for enhancing access to early years services and positive aging initiatives
- 6.2. Work with partners to improve access to health, community and family violence services and supports
- 6.3. Advocate for enhancements to enabling infrastructure such as water, power and digital connectivity

### This will contribute to:

A decrease in ratio of children to childcare places

An increase in health services available across the Shire

An increase in referrals to support services

An increase in residents reporting value for money in services and infrastructure

An increase in infrastructure upgrades happening across the Shire

## 7. IDENTIFY AND SUPPORT MAJOR PROJECTS TO TRANSFORM OUR REGION

There are a wealth of opportunities to grow Moyne's economy by capitalising on our natural, agricultural and industrial strengths. However, they can take a long time to realise. That is why we will plan for and shape transformative initiatives and bring together the required stakeholders to deliver them in a timely way.

- 7.1. Advocate for and support major initiatives to grow tourism
- 7.2. Identify opportunities for unlocking existing industry strengths and build partnerships to advocate for them
- 7.3. Work to attract suitable new industries to the Shire

### This will contribute to:

An increase in external grants to explore major initiatives

An increase in number of businesses and enterprises located in the Shire

An increase in economic output of the Shire

An increase in the number of jobs located in the shire

An increase in visitation rates

An increase in economic contribution made by the tourism sector

## 8. LEVERAGE THE BENEFITS OF RENEWABLE ENERGY

We understand it is a complex and sometimes contentious topic, but Moyne is a major – and growing – renewable energy production zone. As it is controlled by State and Federal Governments we have very little control. However, we want to broker better outcomes for our community, so they can share in the benefits of hosting this key industry.

- 8.1. Advocate for improved outcomes and increased benefit for community and individuals from the renewable energy sector
- 8.2. Explore innovative partnership opportunities with industry, government and the community
- 8.3. Participate in setting standards for the sector, drawing on our experiences with development, operation and decommissioning

### This will contribute to:

An increase in funding for community benefit projects from renewable energy operators

An increase in participation of renewable energy programs and offerings

A decrease in cost to Council to enforce industry regulations



Photo: Budj Bim National Park



## MONITORING OUR PROGRESS

This Plan sets out the goals and areas of focus for the next four years.

Annual action plans will be developed to outline specific initiatives and activities to be undertaken over a 12-month period.

Progress against these actions will be reported each year.

DRAFT



Photo: Tea Tree Lake, Mortlake

## 2.5 S6 Council Delegations to members of Council Staff

*Directorate:* Corporate & Governance Services

*Report Author:* Governance Coordinator

Overview: The report reviews and updates the Council's delegation of authority to members of council staff. Delegations are regularly updated to reflect changes to various legislation that impact operations of Local Government.

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### Officer Recommendation

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Moyne Shire Council (Council) **RESOLVES THAT –**

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

---

### Background

Instrument of Delegation, Council to members of Council Staff can be used by Council to delegate powers to members of staff pursuant to Local Government Act 2020. This instrument can be used by a council to delegate to members of its staff those powers that are contained in legislation which have their own power of delegation (but no express power of sub-delegation). If it is intended that the CEO also be able to exercise these powers, then the CEO must be named in this instrument as a delegate (notwithstanding any other delegation to the CEO). The Council is a legal entity composed of its members (i.e. the Councillors). Because it is not a "natural person", the Council can act in only one of two ways: by resolution; or through others acting on its behalf.

Where the latter is to occur, the authority to act needs to be formalised through written “Instruments of Delegation”. The Local Government Act 2020 (the Act), as well as other legislation makes express provision for the appointment of delegates to act on behalf of the Council.

This report relates to the delegation of authority to members of staff. The Chief Executive Officer is also a member of Council staff—see section 44(5) of the Local Government Act 2020.

The delegation of powers is considered essential to enable day-to-day decisions to be made to ensure the operations of Council are enacted efficiently and effectively.

Delegations are standard practice across all councils.

The Council has utilised the delegation powers since its inception in 1994.

### Strategic Link

Council Plan 2021-2025

5.1 - ORGANISATIONAL GOVERNANCE AND POLICY - Governance and Leadership  
Adhere to principles and requirements of the Local Government Act 2020 to deliver strong representative local government for Moyne Shire  
Innovative, transparent, and accountable operation and service delivery

The Local Government Act 2020, section 11: Power of Delegation

### Discussion

The Instrument of Delegation to Other Members of Staff relates to various Acts and Regulations that contain a specific power of delegation. The delegations to staff are structured by reference to provisions of legislation, so that each power can be allocated individually or made subject to specific conditions and Limitations.

Nomination of a position rather than a person ensures that a new delegation is not required upon the retirement or resignation of the person currently in the position.

The delegations directly from Council to Members of Staff requires the resolution of Council.

To allow for clarity, the role of CEO has been added to each of the provisions delegated to staff members. This ensures the CEO is able to exercise the powers to act as a delegate on each provision. Maddocks recommend for the S6 Instrument, if it is intended that the CEO also be able to exercise these powers, then the CEO must be named in this instrument as a delegate (notwithstanding any other delegation to the CEO).

**The following changes have been made to the S6 Instrument of Delegation:**

- 1.1. Removal of sections 12(2), 12(4)-(7) of the Road Management Act 2004, as we recommend that Councils use the powers under the Local Government Act 1989 instead to discontinue a road.
- 1.2. Deletion of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020, as they have been revoked pursuant to regulation 4(a) of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024. Those new regulations commenced on 29 June 2024 and have been included.
- 1.3. The Food Act 1984 was amended pursuant to the Regulatory Legislation Amendment (Reform) Act 2024, which commenced on 6 March 2024, the day after it received Royal Assent. As a result we have:
  - 1.3.1. Included 19(4)(a)(ia) and 19(4)(a)(ib), and amended 19(4)(a)(ii), which relates to Council's power to direct that a copy of an order be affixed, displayed or published.
  - 1.3.2. Included section 19FA(1), which relates to Council's power to direct a proprietor of a food premises to revise the foods safety program for the premises or comply with any requirements specified in the food safety program.
  - 1.3.3. Included section 19FA(3)(a), which relates to Council's power to refuse to approve an application for registration or renewal of premises, where a proprietor of a food premises fails to comply with a direction given under section 19FA(1). Please note that, adopting a conservative approach, we have inserted a comment that this is subject to ratification in accordance with s 58A(2).
  - 1.3.4. Included section 19FA(3)(b), which relates to Council's power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under section 19FA(1).
- 1.4. Included section 19FA(3)(c), which relates to Council's power to suspend a registration of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1).
- 1.5. Inserted section 12(2)(b) of the Road Management Act 2004 to provide for Council to provide consent to the Head, Transport for Victoria to discontinue a road or part of a road; 1.6. Removed the limitation for the powers in sections 19FA(1) and 19FA(3)(a)-(c) of the Food Act 1984 being delegated "only in relation to temporary food premises or mobile food premises"; and 1.7. Amended a typographical error in s 12(1) of the Residential Tenancies (Caravan Parks and Moveable Dwellings Registration and Standards) Regulations 2024.

## Consultation

This is a statutory process. The instrument of delegation has been developed in line with Maddocks Delegations and Authorisations service.

## Financial Implications

No relevant issues identified.

## Risk

Risk identified: Image, Reputation and Public Support

Reviewing delegations is good practice. Without delegations, the decision-making processes would be subject to extreme delays and impose an untenable burden on Council reporting and meeting system.

## Conclusion and next steps

Delegations assist with good governance and enable a range of responsibilities to be carried out in a timely manner. The resolution will ensure that the Council's statutory requirement to review delegations is met. Delegations are reviewed biannually; in a general election year delegations must be reviewed within 12 months of the election.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

*A Gender Impact Assessment was not applicable.*

## Attachments

- |   |
|---|
| 1. 20250402 S 6 Instrument of Delegation_-_ Members of Staff OCM 22 April 2025<br>[2.5.1 - 131 pages] |
|---|



MOYNE SHIRE COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF  
STAFF

02 APRIL 2025

Moyne Shire Council

## Preamble

### Instrument of Delegation

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

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

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

Abbreviation	Position
CEO	Chief Executive Officer
CCS	Coordinator Community Safety
DAC	Director Assets and Community
DCG	Director Corporate and Governance
DEEP	Director Environment Economy Place
ECSO	Engineering Customer Service Officer
EHO	Environmental Health Officer
GC	Governance Coordinator (FOI Officer & Privacy Officer)
LLO	Local Laws Officer
MAI	Manager Assets and Infrastructure
MDS	Manager Development Services
MET	Manager Economy and Tourism



## Moyne Shire Council

Abbreviation	Position
MEE	Manager Environment and Energy
MGCP	Manager Governance & Corporate Planning
MPC	Manager People and Culture
MBS	Municipal Building Surveyor
Not applicable	Not applicable
Not delegated	Not delegated
PO	Planning Officer
PDP	Principal Development Planner

3. declares that:

3.1 this Instrument of Delegation is authorised by resolution of Council passed on **22 April 2025**; and

3.2 the delegation:

3.2.1 comes into force immediately when the common seal of Council is affixed to this

Instrument of Delegation or where the Chief Executive Officer of Council is

authorised under resolution, the Chief Executive Officer executes the Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

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

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

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

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

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



Moyne Shire Council

(a) policy; or

(b) strategy

adopted by Council;

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

3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Council resolution **22 April 2025** authorises the CEO to sign the instrument, insert:

Signed by the Chief Executive Officer of Council

in the presence of:

)

)

.....

Witness

Date: .....

Moyne Shire Council

**Delegation Sources**

- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

**Positions**

Abbreviation	Position
CEO	Chief Executive Officer
CCS	Coordinator Community Safety
DAC	Director Assets and Community
DCG	Director Corporate and Governance
DEEP	Director Environment Economy Place
ECSO	Engineering Customer Service Officer
EHO	Environmental Health Officer
GC	Governance Coordinator (FOI Officer & Privacy Officer)
LLO	Local Laws Officer
MAI	Manager Assets and Infrastructure

## Moyne Shire Council

Abbreviation	Position
MDS	Manager Development Services
MET	Manager Economy and Tourism
MEE	Manager Environment and Energy
MGCP	Manager Governance & Corporate Planning
MPC	Manager People and Culture
MBS	Municipal Building Surveyor
Not applicable	Not applicable
Not delegated	Not delegated
PO	Planning Officer
PDP	Principal Development Planner

Moyne Shire Council

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

<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 7	Power to enter into a written agreement with a caravan park owner	CEO, DEEP, EHO, MET, MDS	
r 10	Function of receiving application for registration	CEO, DEEP, EHO, MET, MDS	
r 11	Function of receiving application for renewal of registration	CEO, DEEP, EHO, MET, MDS	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DEEP, EHO, MET, MDS	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	CEO, DEEP, EHO, MET, MDS	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DEEP, EHO, MET, MDS	

## Moyne Shire Council

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DEEP, EHO, MET, MDS	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO, DEEP, EHO, MET, MDS	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DEEP, EHO, MET, MDS	
r 14(1)	Function of receiving notice of transfer of ownership.	CEO, DEEP, EHO, MET, MDS	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, DEEP, EHO, MET, MDS	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, DEEP, EHO, MET, MDS	

## Moyne Shire Council

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, DEEP, EHO, MET, MDS	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	CEO, DEEP, EHO, MET, MDS	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, DEEP, EHO, MET, MDS	
r 17	Duty to keep register of caravan parks	CEO, DEEP, EHO, MET, MDS	
r 21(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	CEO, DEEP, EHO, MET, MDS	
r 21(2)	Duty to consult with relevant emergency services agencies	CEO, DEEP, EHO, MET, MDS	

## Moyne Shire Council

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, DEEP, EHO, MET, MDS	
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, DEEP, EHO, MET, MDS	
r 24(2)	Power to consult with relevant floodplain management authority	CEO, DEEP, EHO, MET, MDS	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	CEO, DEEP, EHO, MET, MDS	
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, DEEP, EHO, MET, MDS	
r 38(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, DEEP, EHO, MET, MDS	

## Moyne Shire Council

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2024			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 39(3)	Function of receiving installation certificate	CEO, DEEP, EHO, MET, MDS	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	CEO, DEEP, EHO, MET, MDS	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	CEO, DEEP, EHO, MET, MDS	

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



## Moyne Shire Council

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

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEO, DEEP, EHO, MDS	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEO, DEEP, EHO, MDS	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, DEEP, EHO, MDS	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	CEO, DEEP, EHO, MDS	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

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Only in relation to temporary food premises or mobile food premises
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	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	CEO, DEEP, EHO, MDS	Where Council is the registration authority  Subject to s 19FA(2), which requires a time limit for compliance to be specified
s 19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEO, DEEP, EHO, MDS	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEO, DEEP, EHO, MDS	Where Council is the registration authority  Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19N(2)	Function of receiving notice from the auditor	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, DEEP, EHO, MDS	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	CEO, DEEP, EHO, MDS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, DEEP, EHO, MDS	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

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

## Moyne Shire Council

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



## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38E(2)	Power to register the food premises on a conditional basis	CEO, DEEP, EHO, MDS	Where Council is the registration authority  not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEO, DEEP, EHO, MDS	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	CEO, DEEP, EHO, MDS	Where Council is the registration authority  Only if satisfied of matters in s 39A(2)(a)-(c) <hr/> Where Council is the registration authority

## Moyne Shire Council

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

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEO, DEEP, EHO, MDS	
s 40F	Power to cancel registration of food premises	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEO, DEEP, EHO, MDS	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEO, DEEP, EHO, MDS	Where Council is the registration authority  Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 45AC	Power to bring proceedings	CEO, DEEP, EHO, MDS	
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	CEO, DEEP, EHO, MDS	Where Council is the registration authority

## Moyne Shire Council

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

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CEO, DEEP, MEE, MDS	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO, DEEP, MEE, MDS	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	CEO, DEEP, MEE, MDS	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	CEO, DEEP, MEE, MDS	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, DEEP, MEE, MDS	



## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, DEEP, MEE, MDS	
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, DEEP, MEE, MDS	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO, DEEP, MEE, MDS	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not delegated	Retained by Council

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and 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	CEO, DEEP, MEE, MDS	
s 12B(1)	Duty to review planning scheme	CEO, DEEP, MEE, MDS	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DEEP, MEE, MDS	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CEO, DEEP, MEE, MDS	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, DEEP, MEE, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21A(4)	Duty to publish notice	CEO, DEEP, MEE, MDS	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, DEEP, MDS	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CEO, DEEP, MEE, MDS	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, PDP, DEEP, MEE, MDS	After Council resolution
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, DEEP, MEE, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(1)	Duty to notify the Minister if abandoning an amendment	CEO, PDP, DEEP, MEE, MDS	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CEO, PDP, DEEP, MEE, MDS	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CEO, PDP, DEEP, MEE, MDS	
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, PDP, DEEP, MEE, MDS	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, DEEP, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 32(2)	Duty to give more notice if required	CEO, PDP, DEEP, MEE, MDS	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, PDP, DEEP, MEE, MDS	
s 36(2)	Duty to give notice of approval of amendment	CEO, PDP, DEEP, MEE, MDS	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, PDP, DEEP, MEE, MDS	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, DEEP, MEE, MDS	



## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Strategic Plan which is expressed to be binding on the responsible public entity		
s 46AW	Function of being consulted by the Minister	CEO, DEEP, MDS	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	CEO, DEEP	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CEO, DEEP	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when	CEO, DEEP	Where Council is a responsible public entity

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CEO, DEEP, MEE, MDS	
s 46GP	Function of receiving a notice under s 46GO	CEO, DEEP, MEE, MDS	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CEO, DEEP, MEE, MDS	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CEO, DEEP, MEE, MDS	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, DEEP, MEE, MDS	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CEO, DEEP, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CEO, DEEP, MEE, MDS	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CEO, DEEP, MEE, MDS	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CEO, DEEP, MEE, MDS	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CEO, DEEP, MEE, MDS	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CEO, DEEP, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	CEO, DEEP, MEE, MDS	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, DEEP, MEE, MDS	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CEO, DEEP, MEE, MDS	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	CEO, DEEP, MEE, MDS	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CEO, DEEP, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CEO, DEEP, MEE, MDS	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CEO, DEEP	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	CEO, DEEP	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	CEO, DEEP, DCG, MEE, MDS	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CEO, DEEP, DCG	Where Council is the collecting agency

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	CEO, DCG	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	CEO, DEEP, DCG	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	CEO, DEEP, DCG	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency



## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	CEO, DEEP, DCG	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	CEO, DEEP, DCG	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	CEO, DEEP, DCG	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CEO, DEEP	Where Council is a collecting agency or development agency

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	CEO, DEEP	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	CEO, DEEP	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, PDP, DEEP, PO, MEE, MDS	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, PDP, DEEP, PO, MEE, MDS	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, PDP, DEEP, PO, MEE, MDS	



## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, PDP, DEEP, PO, MEE, MDS	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, PDP, DEEP, PO, MEE, MDS	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, PDP, DEEP, MEE, MDS	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, PDP, DEEP, MEE, MDS	
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, PDP, DEEP, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and 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 or plan preparation costs incurred by a development agency	CEO, PDP, DEEP, MEE, MDS	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CEO, PDP, DEEP, MEE, MDS	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, PDP, DEEP, MEE, MDS	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CEO, PDP, DEEP, MEE, MDS	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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CEO, PDP, DEEP, MEE, MDS	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, DEEP, MEE, MDS	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	CEO, DEEP, MEE, MDS	
s 46QD	Duty to prepare report and give a report to the Minister	CEO, DEEP, MEE, MDS	Where Council is a collecting agency or development agency

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not applicable	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Not applicable	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Not applicable	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Not applicable	

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CEO, PDP, DEEP, PO, MEE, MDS	
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	CEO, PDP, DEEP, PO, MEE, MDS	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CEO, PDP, DEEP, PO, MEE, MDS	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, PDP, DEEP, PO, MEE, MDS	
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	CEO, PDP, DEEP, PO, MEE, MDS	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CEO, PDP, DEEP, PO, MEE, MDS	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, PDP, DEEP, PO, MEE, MDS	



## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(3)	Power to give any further notice of an application where appropriate	CEO, PDP, DEEP, PO, MEE, MDS	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, PDP, DEEP, PO, MEE, MDS	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO, PDP, DEEP, PO, MEE, MDS	
s 54(1)	Power to require the applicant to provide more information	CEO, PDP, DEEP, PO, MEE, MDS	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, PDP, DEEP, PO, MEE, MDS	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	CEO, PDP, DEEP, PO, MEE, MDS	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, PDP, DEEP, PO, MEE, MDS	
s 57A(5)	Power to refuse to amend application	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	CEO, PDP, DEEP, MEE, MDS	
s 60	Duty to consider certain matters	CEO, PDP, DEEP, PO, MEE, MDS	
s 60(1A)	Duty to consider certain matters	CEO, PDP, DEEP, PO, MEE, MDS	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, PDP, DEEP, PO, MEE, MDS	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, PDP, DEEP, PO, MEE, MDS	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, PDP, DEEP, PO, MEE, MDS	
s 62(2)	Power to include other conditions	CEO, PDP, DEEP, PO, MEE, MDS	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, PDP, DEEP, PO, MEE, MDS	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CEO, PDP, DEEP, PO, MEE, MDS	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, PDP, DEEP, PO, MEE, MDS	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CEO, PDP, DEEP, PO, MEE, MDS	
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)	CEO, PDP, DEEP, PO, MEE, MDS	



## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, PDP, DEEP, PO, MEE, MDS	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, PDP, DEEP, PO, MEE, MDS	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CEO, PDP, DEEP, PO, MEE, MDS	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CEO, PDP, DEEP, PO, MEE, MDS	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the	CEO, PDP, DEEP, PO, MEE, MDS	This provision applies also to a decision to grant an amendment to a permit - see s 75A

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	application, if a relevant recommending referral authority has objected to the grant of a permit		
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CEO, PDP, DEEP, PO, MEE, MDS	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, PDP, DEEP, PO, MEE, MDS	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, PDP, DEEP, PO, MEE, MDS	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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, PDP, DEEP, PO, MEE, MDS	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CEO, PDP, DEEP, PO, MEE, MDS	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	CEO, PDP, DEEP, PO, MEE, MDS	
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(2)	Power to extend time	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	CEO, PDP, DEEP, PO, MEE, MDS	
s 71(1)	Power to correct certain mistakes	CEO, PDP, DEEP, MEE, MDS	
s 71(2)	Duty to note corrections in register	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73	Power to decide to grant amendment subject to conditions	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 74	Duty to issue amended permit to applicant if no objectors	CEO, PDP, DEEP, PO, MEE, MDS	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, PDP, DEEP, PO, MEE, MDS	Subject to Council Call In Policy
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, PDP, DEEP, PO, MEE, MDS	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	CEO, PDP, DEEP, PO, MEE, MDS	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CEO, PDP, DEEP, PO, MEE, MDS	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	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 83	Function of being respondent to an appeal	CEO, PDP, DEEP, PO, MEE, MDS	
s 83B	Duty to give or publish notice of application for review	CEO, PDP, DEEP, PO, MEE, MDS	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Not delegated	Retained by Council
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	CEO, PDP, DEEP, PO, MEE, MDS	
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	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CEO, PDP, DEEP, PO, MEE, MDS	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DEEP	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CEO, PDP, DEEP, PO, MEE, MDS	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, DEEP, MDS	Subject to Council Call In Policy
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, PDP, DEEP, PO, MEE, MDS	



## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 95(4)	Duty to comply with an order or direction	CEO, PDP, DEEP, PO, MEE, MDS	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, DEEP, MEE, MDS	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DEEP, MEE, MDS	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	Not delegated	Retained by 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	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96F	Duty to consider the panel's report under s 96E	CEO, PDP, DEEP, MEE, MDS	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	CEO, PDP, DEEP, PO, MEE, MDS	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, PDP, DEEP, PO, MEE, MDS	
s 96J	Duty to issue permit as directed by the Minister	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, PDP, DEEP, PO, MEE, MDS	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CEO, PDP, DEEP, PO, MEE, MDS	
s 97C	Power to request Minister to decide the application	CEO, PDP, DEEP, PO, MEE, MDS	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, PDP, DEEP, PO, MEE, MDS	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	CEO, PDP, DEEP, PO, MEE, MDS	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, PDP, DEEP, PO, MEE, MDS	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CEO, PDP, DEEP, PO, MEE, MDS	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, DEEP, MDS	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, PDP, DEEP, MEE, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, PDP, DEEP, PO, MEE, MDS	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, PDP, DEEP, PO, MEE, MDS	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, PDP, DEEP, MEE, MDS	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, PDP, DEEP, MEE, MDS	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CEO, DEEP, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, PDP, DEEP, MEE, MDS	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, DEEP, MEE, MDS	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DEEP, MEE, MDS	
s.107(1)	Function of receiving claim for compensation	CEO, DEEP, MEE, MDS	
s 107(3)	Power to agree to extend time for making claim	CEO, DEEP	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CEO, DEEP	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, PDP, DEEP, MEE, MDS	After referral and discussion with Council
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, PDP, DEEP, MEE, MDS	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, PDP, DEEP, MEE, MDS	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, DEEP, MEE, MDS	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DEEP, MEE, MDS	Except Crown Land



## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	CEO, DEEP	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.
s 129	Function of recovering penalties	CEO, DEEP, MEE, MDS	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, PDP, DEEP, PO, MEE, MDS	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, PDP, DEEP, MEE, MDS	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO, PDP, DEEP, MEE, MDS	
s 149B	Power to apply to the Tribunal for a declaration.	CEO, DEEP	

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	CEO	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	CEO	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, DEEP, MDS	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and	CEO	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority		
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CEO, PDP, DEEP, PO, MEE, MDS	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DEEP	
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	CEO, PDP, DEEP, PO, MEE, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

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



## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, DEEP	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, PDP, DEEP, PO, MEE, MDS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, PDP, DEEP, PO, MDS	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	CEO, PDP, DEEP, PO, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, DEEP	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DEEP, MDS	
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	CEO, PDP, DEEP, PO, MDS	
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	CEO, PDP, DEEP, PO, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, PDP, DEEP, PO, MDS	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, PDP, DEEP, PO, MDS	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	CEO, PDP, DEEP, PO, MDS	
s 198(1)	Function to receive application for planning certificate	CEO, PDP, DEEP, PO, MDS	
s 199(1)	Duty to give planning certificate to applicant	CEO, PDP, DEEP, PO, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, PDP, DEEP, PO, MDS	
s 201(3)	Duty to make declaration	CEO, PDP, DEEP, MDS	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CEO, PDP, DEEP, MDS	
	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	CEO, PDP, DEEP, MDS	
	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	CEO, PDP, DEEP, MDS	

## Moyne Shire Council

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, PDP, DEEP, MDS	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, DEEP, MDS	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CEO, DEEP, MDS	

## Moyne Shire Council

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

## Moyne Shire Council

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526A(3)	Function of receiving report of inspection	CEO, DEEP, MET	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DEEP	

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



## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(9)(b)	Duty to advise Registrar	CEO, DAC	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, DAC	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, DAC	Where Council is the coordinating road authority
s 12(2)(b)	Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road	Not delegated	
s 12(10)	Duty to notify of decision made	CEO, DAC	Duty of coordinating road authority where it is the discontinuing body

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			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	CEO, DAC	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, DAC	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, DAC	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DAC	

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, DAC	
s 15(2)	Duty to include details of arrangement in public roads register	CEO, DAC	
s 16(7)	Power to enter into an arrangement under s 15	CEO, DAC	
s 16(8)	Duty to enter details of determination in public roads register	CEO, DAC	
s 17(2)	Duty to register public road in public roads register	CEO, DAC, MAI	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DAC	Where Council is the coordinating road authority

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CEO, DAC	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, DAC	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CEO, DAC	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DAC	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(3)	Duty to record designation in public roads register	CEO, DAC, MAI	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	CEO, DAC	
s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, DAC	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, DAC	
s 21	Function of replying to request for information or advice	CEO, DAC	Obtain consent in circumstances specified in s 11(2)

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 22(2)	Function of commenting on proposed direction	CEO, DAC	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CEO, DAC	
s 22(5)	Duty to give effect to a direction under s 22	CEO, DAC	
s 40(1)	Duty to inspect, maintain and repair a public road.	CEO, DAC	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CEO, DAC	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CEO, DAC	

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42(1)	Power to declare a public road as a controlled access road	CEO, DAC	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, DAC	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CEO, DAC	Where Council is the coordinating road authority  If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, DAC	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

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO, DAC	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CEO, DAC	
s 49	Power to develop and publish a road management plan	Not delegated	Retained by Council
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, DAC, MAI	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DAC	



## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 67(3)	Power to request information	CEO, DEEP	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, DEEP	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO, DAC	
s 72	Duty to issue an identity card to each authorised officer	CEO, DAC, GC, MGCP, MPC	
s 85	Function of receiving report from authorised officer	CEO, DAC	
s 86	Duty to keep register re s 85 matters	CEO, DAC	

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 87(1)	Function of receiving complaints	CEO, DAC	
s 87(2)	Duty to investigate complaint and provide report	CEO, DAC	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, DAC	
s 112(2)	Power to recover damages in court	CEO, DAC	
s 116	Power to cause or carry out inspection	CEO, DAC	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, DAC	

## Moyne Shire Council

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

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, DAC	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, DAC	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DAC	
sch 2 cl 5	Duty to publish notice of declaration	CEO, DAC	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CEO, DAC	Where Council is the infrastructure manager or works manager

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, DAC, MAI	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CEO, DAC, MAI	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CEO, DAC, MAI	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO, DAC	Where Council is the infrastructure manager or works manager

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	CEO, DAC	Where Council is the works manager



## Moyne Shire Council

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

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, DAC	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, DAC	Where Council is the coordinating road authority

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CEO, DAC	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, DAC	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CEO, DAC	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	CEO, DAC	Where Council is the responsible road authority

## Moyne Shire Council

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	CEO, DAC	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	Not applicable	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Not applicable	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Not applicable	

## Moyne Shire Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not applicable	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not applicable	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not applicable	
r 30(2)	Power to release cremated human remains to certain persons	Not applicable	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not applicable	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not applicable	

## Moyne Shire Council

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

## Moyne Shire Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Not applicable	
r 40	Power to approve a person to play sport within a public cemetery	Not applicable	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not applicable	
r 42(1)	Power to approve hunting within a public cemetery	Not applicable	
r 43	Power to approve camping within a public cemetery	Not applicable	
r 45(1)	Power to approve the removal of plants within a public cemetery	Not applicable	

## Moyne Shire Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Not applicable	
r 47(3)	Power to approve the use of fire in a public cemetery	Not applicable	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Not applicable	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Not applicable	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	Not applicable	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	Not applicable	See note above regarding model rules



## Moyne Shire Council

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Not applicable	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	Not applicable	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	Not applicable	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	Not applicable	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	Not applicable	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Not applicable	See note above regarding model rules

## Moyne Shire Council

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

## Moyne Shire Council

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

## Moyne Shire Council

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CEO, DEEP, MDS	where Council is not the planning authority and the amendment affects land within Council's municipal district; or  where the amendment will amend the planning scheme to designate Council as an acquiring authority.

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

## Moyne Shire Council

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CEO, DEEP, MDS	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	CEO, DAC	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, DAC	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CEO, DAC	Where Council is the coordinating road authority

## Moyne Shire Council

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CEO, DAC	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, DAC	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CEO, DAC	
r 16(3)	Power to issue permit	CEO, DAC	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CEO, DAC	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DAC	Where Council is the coordinating road authority

## Moyne Shire Council

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

## Moyne Shire Council

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



## 2.6 S11A Instrument of Appointment and Authorisation Planning & Environment Act 1987

*Directorate:* Corporate & Governance Services

*Report Author:* Governance Coordinator

Overview: This instrument can be used by a council to authorise officers to enforce the *Planning and Environment Act 1987* and institute proceedings on behalf of the council or represent the council.

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### Officer Recommendation

**In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Moynes Shire Council (Council) resolve that –**

- 1. All previous appointment and authorisations for Planning and Environment Act 1987 be revoked**
  - 2. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.**
  - 3. The Chief Executive Officer is authorised under resolution to execute the Instrument of Appointment and Authorisation**
  - 4. The instrument comes into force immediately it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.**
- 

### Background

Section 188(2)(c) of the *Planning and Environment Act 1987* provides that councils cannot delegate power to the CEO to authorise officers for the purposes of enforcing the Planning and Environment Act and institute proceedings on behalf of Council or represent Council.

### Strategic Link

Under s 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

Under s 313 of the *Local Government Act 2020*; the instrument also authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in instrument.

## Discussion

The instrument takes into account appointment and authorisation for matters under the *Planning and Environment Act 1987*. Authorisation provides; powers of entry, serve planning infringements etc as appropriate to their level of experience and qualifications.

The update is being implemented to include staff changes.

## Consultation

Moyne Shire Council subscribes to Maddocks Delegations and Authorisations service. The most recent template and resolution is utilized.

## Financial Implications

Nil

## Risk

Failure to appoint and authorise officers for the purposes of the *Planning and Environment Act 1987* would result in Council not being able to legally respond to offences under the *Planning and Environment Act 1987*, and potential failure of any future enforcement action.

## Conclusion

Staff changes require an appointment and authorisation resolved by Council for the purposes of the Planning and Environment Act 1987. The instrument has been updated.

All previous versions are required to be revoked.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

## Attachments

- |  |
|--|
| 1. 20250414 S11A Instrument of Appointment P E Act [2.6.1 - 2 pages] |
|--|

Maddocks Delegations and Authorisations

*S11A Instrument of Appointment and Authorisation (Planning and  
Environment Act 1987)*

**Moyne Shire Council**

**Instrument of Appointment and Authorisation  
(*Planning and Environment Act 1987* only)**



Maddocks

## Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

**Mark Eversteyn – Chief Executive Officer**  
**Jodie McNamara – Director Economy and Place**  
**Kirsty Miller – Manager Environment and Energy**  
**Liz Regent – Manager Development Services**  
**Peter Gstrein**  
**Damien Drew**  
**Sophie Pritchard**  
**Kate Lindsey**  
**Jordan Byrne**  
**Kane Church**  
**Jocelyn Williams**  
**Crystal Bell**  
**Anna Finnerty**  
**Vicki Askew-Thornton**  
**Vincent Zhou**

**By this instrument of appointment and authorisation Moyne Shire Council -**

1. under s 147(4) of the *Planning and Environment Act 1987* – authorises the officers to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared** that this instrument –

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Moyne Shire Council on Date: **22 April 2025**

**The Chief Executive Officer is authorised under this resolution** of the Moyne Shire Council **to execute the Instrument of Appointment and Authorisation**

Signed by the Chief Executive Officer in the presence of: )

)

.....

Witness

Date: .....

## 2.7 Monthly Finance Report - March 2025

*Directorate:* Corporate & Governance Services

*Report Author:* Manager Finance & Property

Overview: The purpose of the report is to inform the Council of the financial performance and position of the Council. This section provides a snapshot of some key financial indicators of our financial performance as at the end of the reporting period. It focuses on monitoring our operating performance, capital expenditure progress and the ready availability of/access to cash resources. It also provides a forecast of the year-end result.

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### Officers Recommendation

**That Council receive and note the Monthly Financial Report as at 31 March 2025.**

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### Summary

The Income Statement result for the period ending March 2025 is favourable to YTD budget by \$0.69 million. Council had cash and investments at the end of March 2025 of \$15.23 million, and a forecast year-end balance of \$15.22 million, a increase from the adopted year end forecast of \$14.83 million. Capital works expenditure YTD totals \$19.0 million which is ahead of the prior year comparative of \$18.1 million.

### Discussion

The financial result for the period ended 31 March 2025 is a \$14.99 million surplus compared to the expected year to date Operating Surplus of \$14.30 million, a favourable result to YTD budget of \$0.69 million. Income of \$63.23 million is unfavourable to budget by \$0.52 million. Expenditure of \$48.24 million is favourable to budget by \$1.21 million.

The **underlying deficit** position is forecast to be \$0.15 million for the financial year. As previously reported to Council this result includes \$1.54 million of net expenditure for 2023-24 projects carried over to 2024-25, which will have had a timing difference affecting both financial years

A summary of the operating result and underlying deficit are reflected in Table 1 and are also discussed in section 1.1 below.

## 1.1 Financial Position as at 31 March 2025

Table 1: Financial Position as at 31 March 2025

	YTD Update Budget	YTD Actual Results	Variance from YTD Budget	Adopted Annual Budget	Revised Forecast Annual Result 28-Feb \$'000	Revised Forecast Annual Result 30-Mar \$'000	Variance from Previous Forecast Annual Result \$'000	Variance from Full Year Adopted Budget \$'000	Note
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
<b>Operating</b>									
Revenue	\$ 55,028	\$54,800	\$ (229)	\$ 63,277	\$ 64,550	\$ 64,550	\$ (0)	\$ 1,272	
Expenditure	\$ 49,448	\$48,236	\$ (1,212)	\$ 62,529	\$ 64,539	\$ 64,699	\$ 160	\$ 2,170	
<b>Underlying Surplus/(Deficit)</b>	<b>\$ 5,580</b>	<b>\$ 6,563</b>	<b>\$ 983</b>	<b>\$ 748</b>	<b>\$ 11</b>	<b>\$ (150)</b>	<b>\$ (161)</b>	<b>\$ (898)</b>	1
<b>Capital</b>									
Capital Grants & Contributions (non-recurrent)	\$ 8,719	\$ 8,428	\$ (291)	\$ 9,769	\$ 13,803	\$ 13,303	\$ (500)	\$ 3,534	2
<i>Carrying Amount of Assets Disposed</i>	\$ -	\$ -	\$ -	\$ 4,248	\$ 4,248	\$ 4,248	\$ -	\$ -	
<b>Operating Surplus/(Deficit) Result</b>	<b>\$ 14,299</b>	<b>\$14,992</b>	<b>\$ 692</b>	<b>\$ 6,269</b>	<b>\$ 9,566</b>	<b>\$ 8,905</b>	<b>\$ (661)</b>	<b>\$ 2,636</b>	

A summary of the revised forecast results for the year ending June 2025 and year to date as at 31 March 2025 are set out in the notes following.

1. The full year variance from the adopted budget of (\$0.89 million) includes net carry over expenses from prior year of \$1.54 million. Adjusting for these prior year items would result in a full year underlying surplus of \$1.39 million. The variance from prior month of \$161k is due to the Ocean Drive Footpath works that has been discontinued and transferred from capital works to an operating expense and also the inclusion of a cultural heritage permit.
2. The variance from prior month of \$0.5 million relates to the timing of the Growing Regions funding for the Koroit Streetscape.

## 2.1 Operating result reconciliation as at 31 March 2025

The table below summarises the impact on the cash surplus accumulated over a number of years including YTD savings.

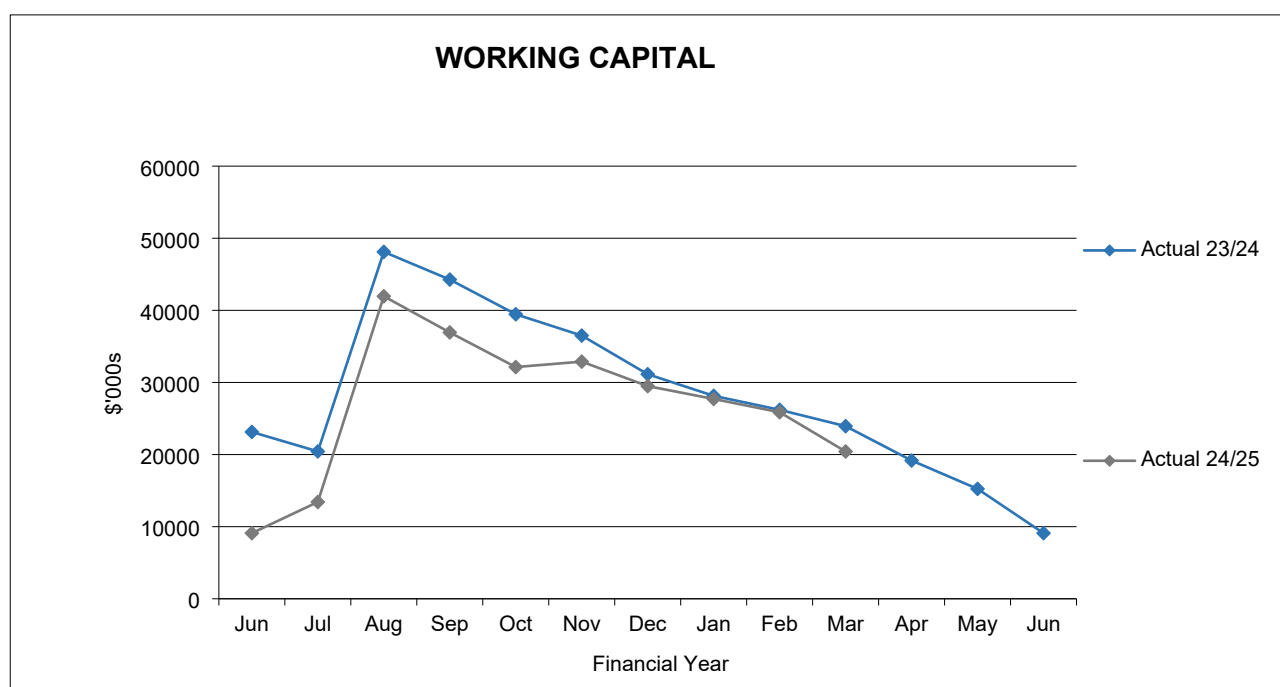
<b>Balance Cash Surplus/(Deficit) as at 31 January 2025</b>	<b>3,356,671</b>
Current variations funded by cash surplus (net)	(160,436)
<b>Balance Cash Surplus/(Deficit) as at 28 February 2025</b>	<b>3,196,235</b>

This excludes non-cash items and also budgeted capital works which have been identified to be carried forward.

The \$3.19 million is the net cash favourable budget variance accumulated over a number of years and which forms part of the Council's Equity of \$690.678 million.

## 2.2 Working Capital

It is essential that the Council ensure it has, at all times, sufficient liquid funds in order to meet its day-to-day obligations. The measure for meeting this requirement is our 'Working Capital'. This is the net difference between Current Assets and Current Liabilities, it is a favourable 3.41:1 (year to date).



*Note: Total rates and charges income of \$27.4 million raised in August 2024*

## 2.3 Investments

Details of current investments are shown in the following table:

INVESTMENTS MARCH 2025						
Investment	Amount	Rating (short term/ long term)	Rate	Term Mths	Investment Date	Maturity Date
CBA Business Online Saver	3,000,000	A1+/AA-	4.30%	at Call		at Call
Bank of Queensland	1,000,000	A2/BBB+	5.00%	6	11/10/24	11/4/25
NAB	1,000,000	A1+/AA-	5.28%	9	24/7/24	22/4/25
Suncorp	1,000,000	A1/A+	5.44%	10	10/7/24	6/5/25
NAB	1,000,000	A1+/AA-	4.95%	9	28/8/24	26/5/25
NAB	2,000,000	A1+/AA-	4.95%	8	26/9/24	27/5/25
Suncorp	2,000,000	A1/A+	5.44%	11	10/7/24	7/6/25
NAB	1,000,000	A1+/AA-	5.00%	12	21/8/24	21/8/25
Suncorp	1,000,000	A1/A+	5.09%	12	31/10/24	31/10/25
NAB	1,000,000	A1+/AA-	5.08%	12	25/11/24	25/11/25
<b>Sub Total</b>	<b>14,000,000</b>					
Cash	1,225,417					
<b>Total Cash &amp; Investments</b>	<b>15,225,417</b>					
<b>Previous Month's Balance</b>	18,232,443					
<b>Movement</b>	<b>(3,007,026)</b>					

Refer **ATTACHMENT: Statement of Cashflows** for reconciliation of the cash movement.

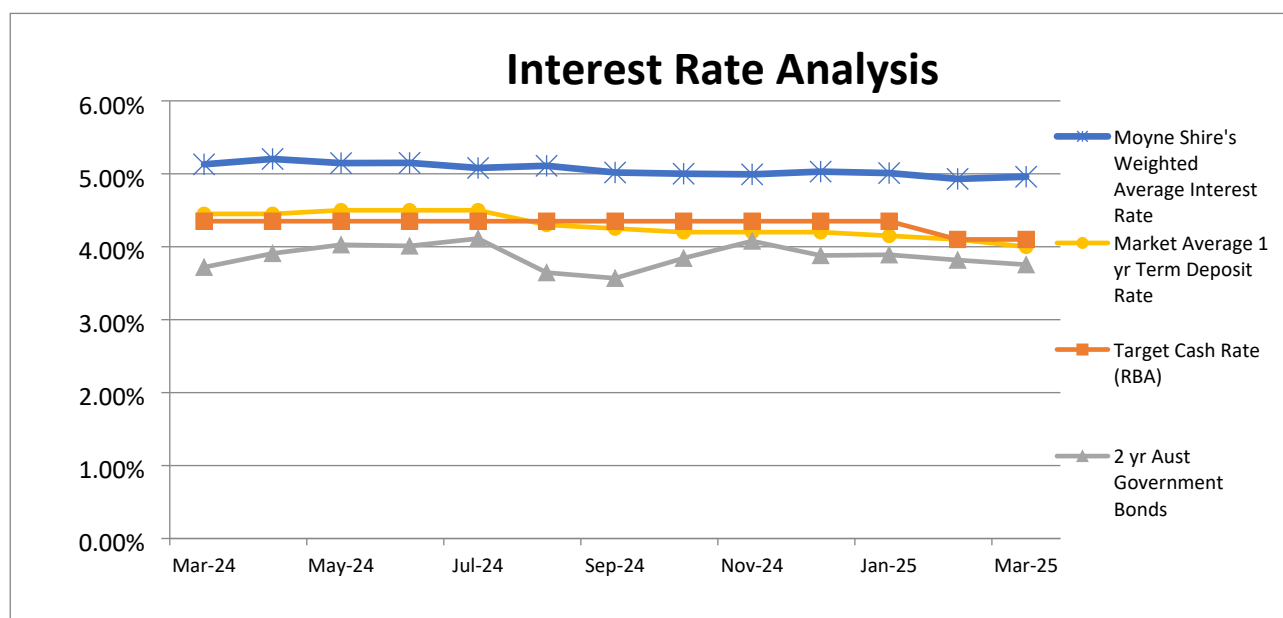


Details of Council's Investment Policy Guidelines Vs Actual Holdings are provided in the following table:

*\* Policy for maximum percentage of funds with one financial institution & maximum term to maturity applies at the date an investment is made.*

Short Term Rating Standard & Poor's	Long Term Rating Standard & Poor's	Policy Guidelines			Actual Holdings		
		Maximum Percentage of Total Funds with One Financial Institution	Maximum Term to Maturity	Maximum Percentage of Total Investments	Percentage of Total Funds with One Financial Institution*	Maximum Term to Maturity*	Percent of Total Investments
A1+	AAA to AA-	50%	3 years	100%	43%	9 months	64%
A1	A+ to A-	30%	1 year	60%	29%	10 months	29%
A2	BBB+ to BBB-	10%	6 months	20%	7%	6 months	7%

Comparison of monthly weighted average interest rate returned by Council's investments with the Reserve Bank of Australia Target Cash Rate, the yield on the Australian Government 2-year bonds and the average 1-year term deposit rate with the five major banks.



The differential between the Moyne weighted average interest rate and the market average one year term deposit rate would equate to an additional \$130k interest over a 12-month period, using the investment balance as at 31 March 2025.

## 2.4 Reconciliation of Cash and Reserves

Reconciliation of cash and reserves	Actual Balance Jun-24 \$'000	Adopted Budget Jun-25 \$'000	Update Budget Jun-25 \$'000
<b>(A) Total cash and investments</b>	<b>14,221</b>	<b>14,829</b>	<b>15,217</b>
<b>(B) Statutory and discretionary reserves</b>			
<b>Statutory reserves</b>			
- Heritage reserve	109	109	109
- Subdivision reserve	506	306	56
<b>Sub-total statutory reserves</b>	<b>615</b>	<b>414</b>	<b>165</b>
<b>Discretionary reserves</b>			
- Caravan Parks	1,202	750	995
- Quarry	3,781	3,766	2,798
- Southcombe Park Stadium	7	7	7
- Waste Facilities	5,047	4,939	5,035
- Infrastructure reserve	500	500	-
<b>Sub-total discretionary reserves</b>	<b>10,538</b>	<b>9,962</b>	<b>8,835</b>
<b>(B) Total statutory and discretionary reserves</b>	<b>11,153</b>	<b>10,377</b>	<b>9,000</b>
<b>(A-B) Balance unrestricted cash and investments</b>	<b>3,068</b>	<b>4,452</b>	<b>6,217</b>

### Notes

#### Statutory reserves (\$0.16 million) – Heritage and Subdivision

These funds must be applied for specified statutory purposes in accordance with various legislative and contractual requirements. Whilst these funds earn interest revenues for Council, they are not available for other purposes.

#### Discretionary reserves (\$8.83 million)

These funds are available for whatever purpose Council decides is their best use. In this case Council has made decisions regarding the future use of these funds and unless there is a Council resolution these funds should be used for those earmarked purposes.

## 2.5 Overdue Debtors

The table below shows arrears i.e. the overdue rates balance with comparatives as at the same period in the previous financial year. An increase in outstanding rates is reflective of the current economic climate. The March 2025 rate arrears comparative to previous year has increased 17% down from, 19% in the previous period. Letters were mailed on the 4<sup>th</sup> of November 2024 to accounts registering no receipts since 31 March 2024 and balances over \$500 requesting payment of outstanding rates or contacting Council to make a payment arrangement by the 30 November 2024. For ratepayers that have not responded to this request, these rate arrear accounts have been forwarded to Councils debt collection agency.

Outstanding rates	March 2024 \$	February 2025 \$	March 2025 \$
<b>Rates arrears</b>			
Debt Collection	475,502	877,297	854,592
Exhausted Collection Process	93,441	101,250	90,708
Balance Remaining Under \$500	21,933	42,608	40,761
No Arrangement		184,965	192,597
Payment by Arrangement	700,033	341,608	335,228
<b>Total rates arrears</b>	<b>1,290,909</b>	<b>1,547,728</b>	<b>1,513,886</b>

The table below shows the total value of overdue general debtors that are past 90 days due as at the end of the current reporting period and the previous reporting period.

GENERAL DEBTORS - OVER 90 DAYS	March 2024 \$	February 2025 \$	March 2025 \$
Child Care and Kindergarten	8,349	16,529	18,541
Home Care	21,297	14,000	14,333
Port	10,492	14,134	13,865
Quarry	4,243	12,849	11,316
Sundry Debtors	15,293	21,515	21,547
Waste	108	780	780
Planning	8,999	7,729	8,011
Building	2,741	14,922	10,148
Fire Hazard	6,039	5,467	5,467
Infringements	3,270	11,383	11,683
Health / Septics		8,305	2,549
<b>Total</b>	<b>80,831</b>	<b>127,611</b>	<b>118,240</b>

## 2.6 Detailed Financial Statements for 31 March 2025

The detailed Financial Statements for the period ended 31 March 2025 are included as Appendix A.

These include:

- Income Statement
- Balance Sheet
- Statement of Cash Flows
- Summary of Budget Variations
- Income Statement by Operating Program
- Capital Works Summary

## 2.7 Progress on Key Indicators

Progress on key indicators is shown in the following table:

	2024-25			
Indicator	Adopted Budget \$'000s	Update Budget \$'000s	YTD Actual \$'000s	Notes
Operating Surplus / (Deficit)	\$6,269	\$8,905	\$14,992	1
Underlying Surplus / (Deficit)	\$748	(\$150)	\$6,563	1
Cash from Operations	\$26,866	\$32,674	\$19,669	
Liquidity Ratio	1.76:1	1.77:1	3.14:1	2
Cash and investments	\$14,829	\$15,217	\$15,225	
Reserve funds	\$10,377	\$9,000	N/A	3
Rates outstanding	\$1,184	\$1,393	\$8,238	
Debtors Other outstanding	\$2,500	\$2,500	\$5,561	4
Borrowings outstanding	-	-	-	
Depreciation	\$17,022	\$17,022	\$12,767	
Capital expenditure	\$27,890	\$32,400	\$18,995	
Net worth	\$676,958	\$681,941	\$688,725	

1. Total rates and charges income of \$27.4 million raised in August 2024, with instalment dates of September, November, March & May.
2. Liquidity Ratio December YTD of 3.14:1 is on trend with previous year (23/24 Mar YTD 3.4:1).
3. Reserve funds calculated at year end.
4. Includes Fire Services Levy of \$1.7 million

## 1.8 Capital Works and Projects Monitoring Report

The detailed Capital Works Monitoring Report is included as Appendix B.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

*A Gender Impact Assessment was not undertaken. The policy, program or service was deemed to not have a direct and significant impact on the public.*

### Attachments

- |    |   |
|----|---|
| 1. | Monthly Financial Performance Report March 2025 APPENDIX A [2.7.1 - 8 pages]  |
| 2. | Monthly Financial Performance Report March 2025 APPENDIX B [2.7.2 - 12 pages] |
| 3. | Monthly Financial Performance Report March 2025 APPENDIX C [2.7.3 - 2 pages]  |

## 2.8 Transfer of Council managed land to GORCAPA - Discontinuance of unused Government Roads in Peterborough and Mepunga

*Directorate:* Corporate & Governance Services

*Report Author:* Property & Assets Officer

Overview: This report provides an update on the Government's intention to transfer two unused Government Road reserves from Moyne Shire Council management to the Great Ocean Road Coast and Parks Authority (the Authority).

---

### Officer Recommendation

**Council note that it has been advised that two (2) remaining unused Government Road reserves known as 2007\PP5631- Southern portion of Irvine Reserve, Peterborough and 63A\PP3087 - Lake Mepunga Reserve, Mepunga are now to be discontinued and the management will be transferred to the Great Ocean Road Coast and Parks Authority.**

---

### Background

The Great Ocean Road Coast and Parks Authority (the Authority/GORCAPA) was established on 1 December 2020 with a legislated mandate to manage the Great Ocean Road and its surroundings as "one living and integrated entity" and to deliver better protection and management of Victoria's Great Ocean Road.

The Authority's primary purpose is to protect, conserve, rehabilitate and manage Crown Land and coastal assets within the Great Ocean Road coast and parks area.

In partnership with Traditional Owners, the Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) and the Eastern Maar Aboriginal Corporation (EMAC), the Authority aims to foster resilience of the natural, cultural and heritage values of coastal Crown land and marine waters along the Great Ocean Road.

A number of parcels of Crown Land in the Peterborough area formerly under Council management were transferred to GORCAPA in late 2023. Two more sites have now been identified for transfer to GORCAPA.

### Strategic Link

Council Plan 2021-2025

1.4 - PLACE - Town and Community Sustainability

Continue to build a sense of belonging and pride through the provision, maintenance and improvement of public spaces.

## 2.1 - ENVIRONMENT - Leadership and Policy

Partner with community, environmental agencies, Traditional Owners, land and asset managers and other communities of interest to develop local and regional leadership on environmental best practice

## 2.2 - ENVIRONMENT - Coastal Protection and Management

Promote collaborative and sustainable coastal management across the varied composition of land ownership and management.

The Great Ocean Road and Environs Protection Act 2020 (GOREP Act) provides for the Governor in Council, on the recommendation of the Minister, to discontinue or permanently close an unused government road within the Great Ocean Road coast and parks by Order published within the Government Gazette. These parcels are part of the Great Ocean Road coast and parks (declared under section 9 of the GOREP Act on 2 October 2022).

### Discussion

Council officers have recently met with the DEECA representatives to discuss and confirm the transfer of two (2) remaining parcels of unused Government Road Reserves GORCAPA.

The two (2) unused Government Roads are described as Crown Allotment 2007 in Township of Peterborough, Parish of Narrawaturk, (adjacent to Irvine Reserve, Peterborough) as shown on Plan No. LEGL./23-036 lodged in the Central Plan Office and Crown Allotment 63A in Parish of Mepunga, as shown on Original Plan No. OP126175W lodged in the Central Plan Office – **attachment 1**.

The parcels are publicly known as:

- 2007\PP5631 - Southern portion of Irvine Reserve, Peterborough.
- 63A\PP3087 - Lake Mepunga Reserve, Mepunga.

The meeting discussed the process that will be used to close the land status of this Crown land (Government Roads).

Section 62S of the Great Ocean Road and Environs Protection Act 2020 will be used to close the sections of Unused Government Road, and to then reserve them under the Crown land (Reserves) Act 1978 before transferring to GORCAPA.

These parcels are contained within the public land that is managed by the Great Ocean Road Coast and Parks Authority (GORCAPA) and do not provide access to any freehold land.

Following the road closure, the land will be reserved for public purposes, consistent with their intended use as public land. Land management responsibility will then be transferred to GORCAPA as part of the ongoing Great Ocean Road Management Reform program.

The discontinuation of these sections of unused Government Roads and the reservation for public purposes does not represent a change to the physical make-up of the land – public access will remain unchanged.

The discontinuation of the unused Government Road transfers the responsibility for maintenance of the road infrastructure to GORCAPA.

The process to discontinue is expected to be completed by end of financial year 2025.

### Consultation

There has been formal community engagement on the previous transfer.

Between 2020-2024, representatives from the DEECA, the Authority, ParksVic and the Council met the Peterborough Residents Group and other members of the community to discuss the land transfer process.

Council has not undertaken any further consultation in respect of these two additional parcels.

### Financial Implications

The discontinuation of the unused Government Road status will not change access to the land, and the Authority will take on the responsibility for maintenance of the road infrastructure providing that access.

### Risk

Risk identified:

Risk:	Environmental and Legal Compliance
Risk Appetite:	<b>Low</b>

Ensure that the level of access and service related to community places and spaces is maintained and/or enhanced.

Minimise inadequate communications and/or information sharing which may lead to confusion and unnecessary angst in the community, leading to reputational risk and inadequate resourcing and/or participation in the compulsory process.

### Conclusion

Once the transfers are finalised, land management responsibility will then be transferred to GORCAPA as part of the ongoing Great Ocean Road Management Reform program.

The discontinuation of the unused Government Road rectifies administrative errors and transfers the responsibility for maintenance of the road infrastructure to GORCAPA.



*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

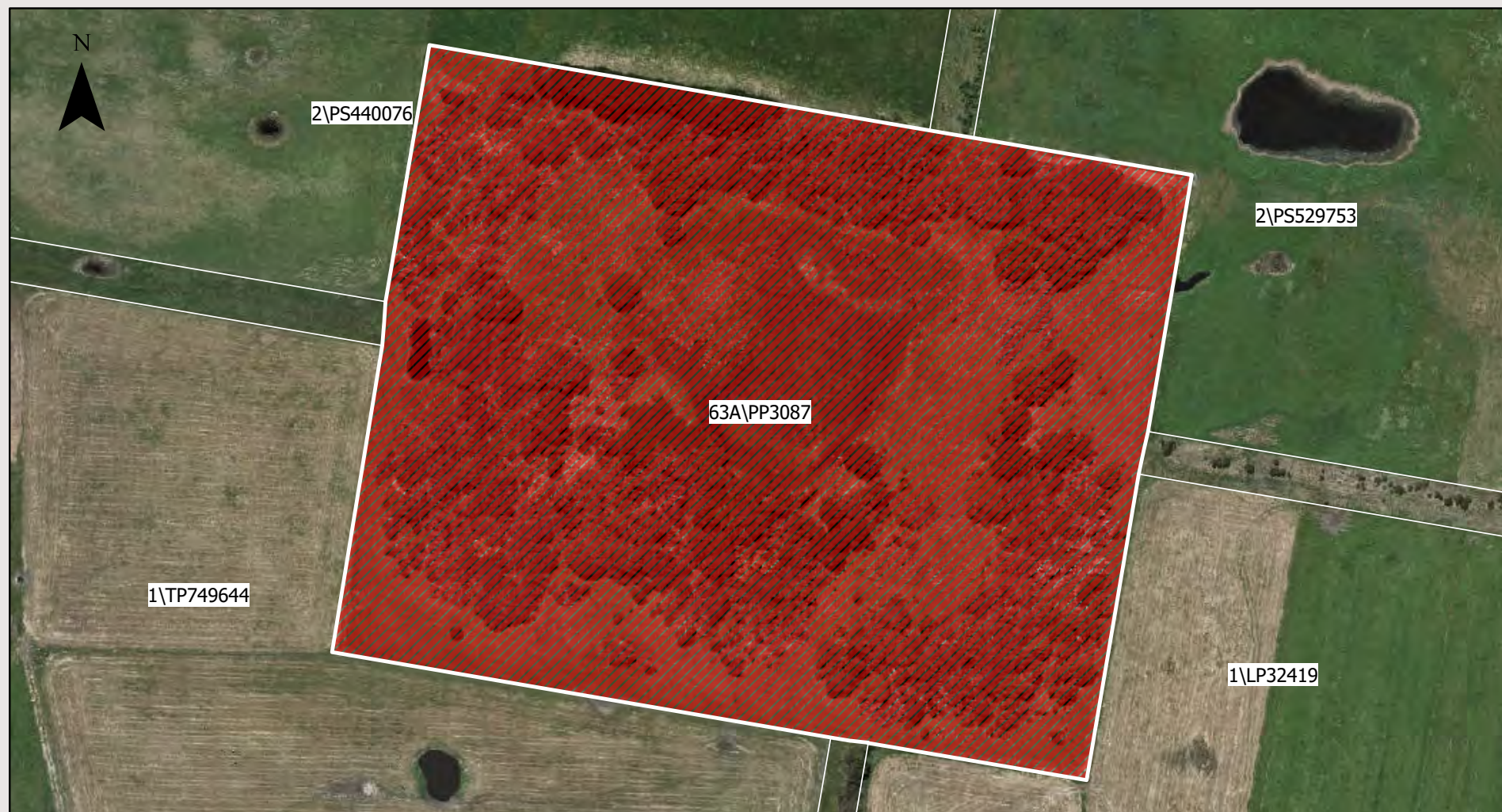
*A Gender Impact Assessment was not applicable.*

#### [Attachments](#)

- |  |
|--|
| 1. Moyne Shire unused Government Road Discontinuation maps [2.8.1 - 2 pages] |
|--|

## Overview of Land Management Transfers Plan

63A\PP3087



Public land for appointment  
of the Great Ocean Road  
Coast and Parks Authority  
as manager

### Legend



Land management to be transferred to the  
Great Ocean Road Coast and Parks Authority

### Notations:

- ORIGINAL

SCALE: 1:2500

0 40 80 Meters

SHEET 1 OF 1

SHEET SIZE: A4

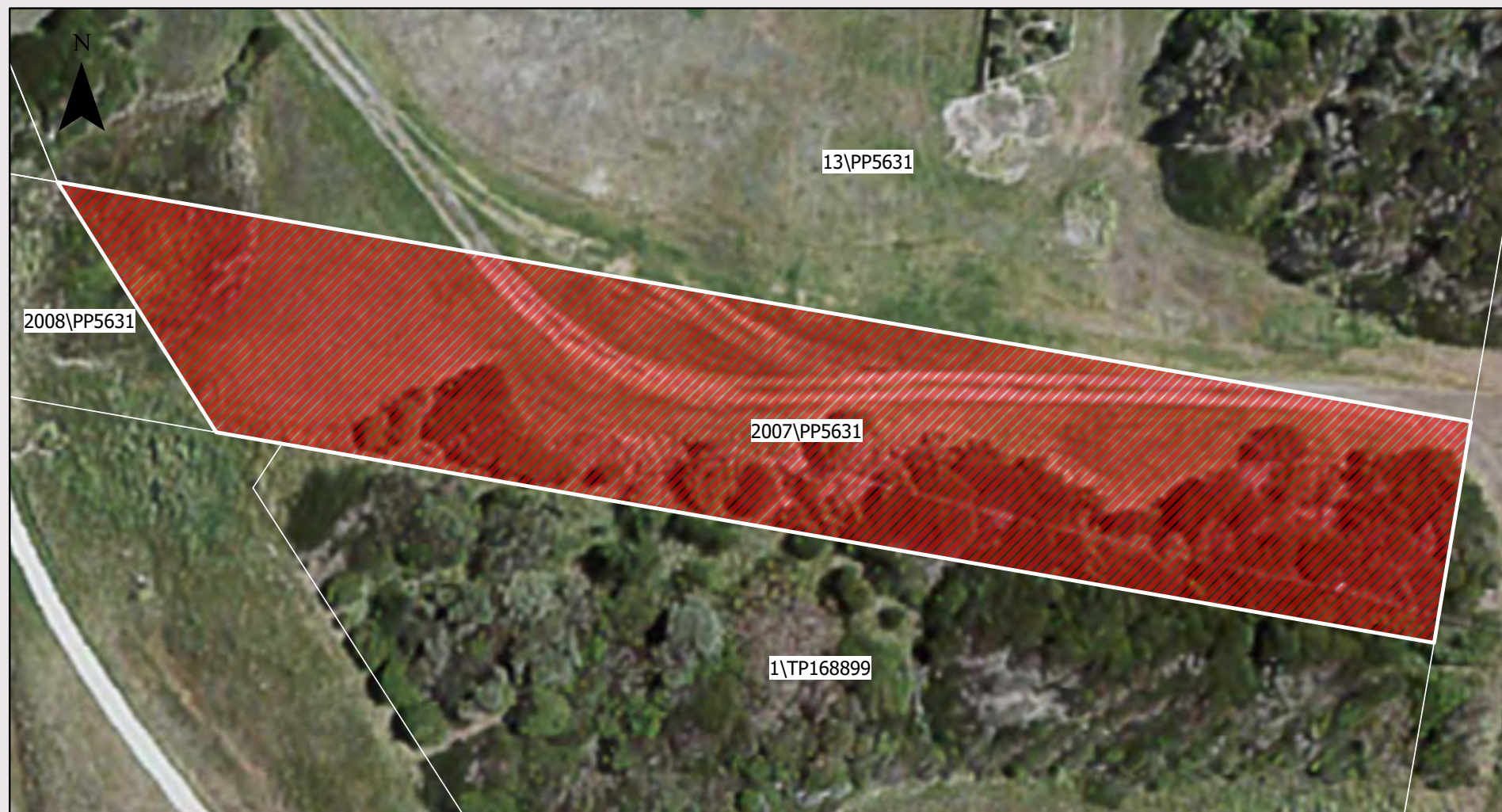
14/03/2025





## Overview of Land Management Transfers Plan

2007\PP5631



Public land for appointment  
of the Great Ocean Road  
Coast and Parks Authority  
as manager

### Legend



Land management to be transferred to the  
Great Ocean Road Coast and Parks Authority

### Notations:

- ORIGINAL

SCALE: 1:500

0 9 17 Meters

SHEET 1 OF 1

SHEET SIZE: A4

14/03/2025



## 2.9 Receipt of VEC Election Report 2024

*Directorate:* Corporate & Governance Services

*Report Author:* Manager Governance & Corporate Planning

Overview: To provide Council with the VEC Election Report 2024 for adoption at the May 2025 Ordinary Council Meeting

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### Officers Recommendation

**That Council accept the Victorian Electoral Commission (VEC) Election Report – Moyne Shire Council – 2024 Local Government Elections.**

---

### Background

The Victorian Electoral Commission (VEC) is responsible for the delivery of the Local Government Elections, conducted on 26<sup>th</sup> October 2024.

Each Local Government Area is provided with a Client Liaison Officer who reports on the progress of the election process.

In line with the *Local Government (Electoral) Regulations 2020* (“the Regulations”), the VEC must provide an Electoral Report to each within six months of the election.

This report is to be tabled at the earliest practicable meeting of Council by the CEO upon receipt of the report.

### Strategic Link

Council Plan 2021-2025

5.1 - ORGANISATIONAL GOVERNANCE AND POLICY - Governance and Leadership  
Adhere to principles and requirements of the Local Government Act 2020 to deliver strong representative local government for Moyne Shire

### Discussion

The VEC provided a digital copy of the Election Report LG2024 – Moyne Shire Council on April 14<sup>th</sup>, 2025, to the CEO.

The digital copy is provided by the CEO to the 27<sup>th</sup> of May Ordinary Council Meeting in line with s83(3) of the Regulations.

### Consultation

Nil – report provided by VEC Client Liaison, and legislation followed for tabling of report.

### Financial Implications

Nil – the cost of the Election is allocated within the current budget.

### Risk

Risk identified: No Identified Risk

### Conclusion

The receipt of the report by Council will meet the requirements of the Regulations.

*The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.*

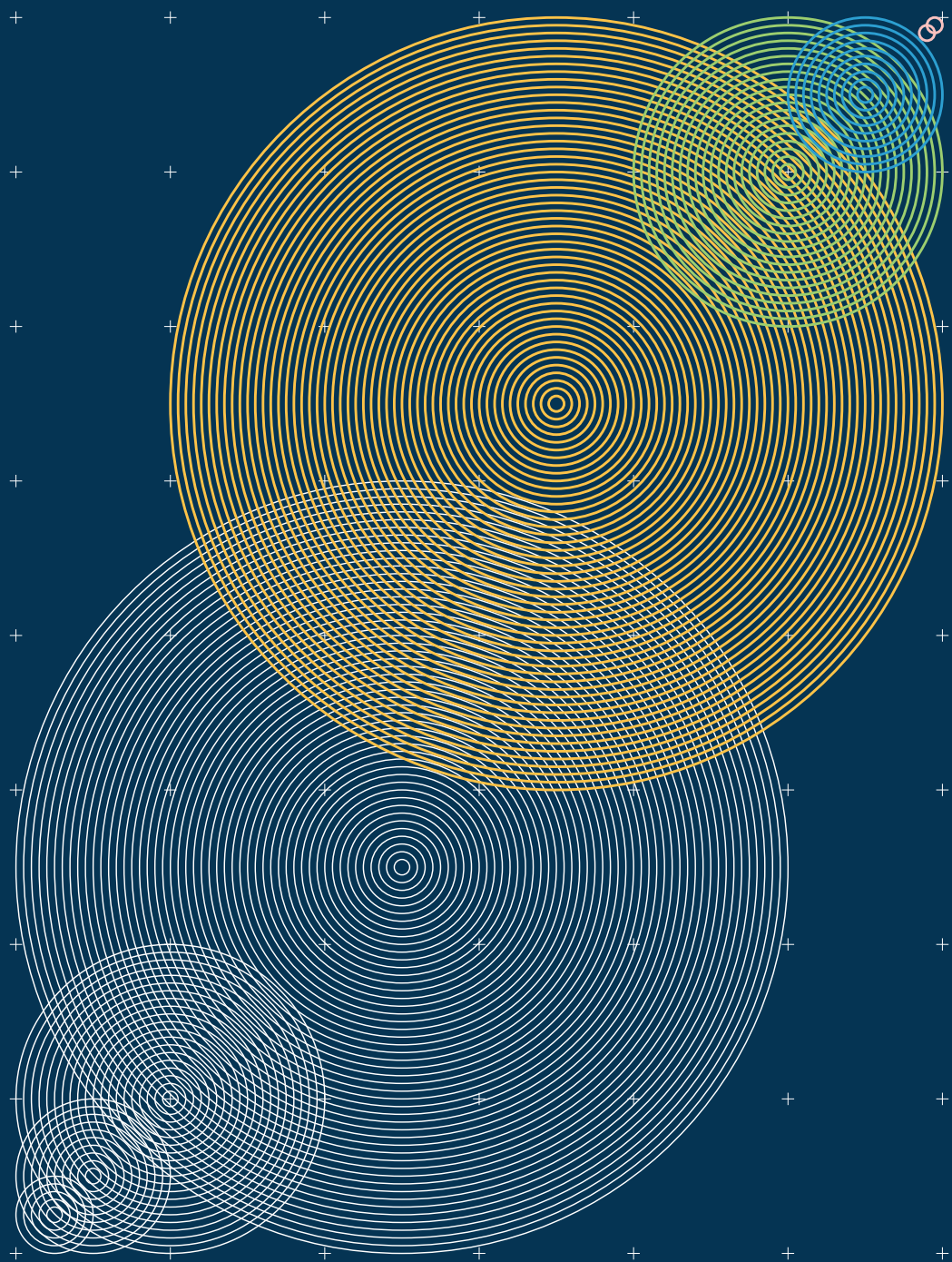
*A Gender Impact Assessment was not applicable.*

### Attachments

- |  |
|--|
| 1. Election report - L G 2024 - Moyne Shire Council [2.9.1 - 50 pages] |
|--|



**Election report**  
**Moyne Shire Council**  
2024 Local government elections  
April 2025



**Letter of Transmittal**

14 April 2025

Mr Mark Eversteyn  
Chief Executive Officer  
Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284

Dear Mr Eversteyn

Pursuant to Regulation 83 of the Local Government (Electoral) Regulations 2020, I submit this report to the Chief Executive Officer of Moyne Shire Council on the general election held in October 2024.

Yours sincerely



**Sven Bluemmel**  
Electoral Commissioner

**Acknowledgement of Country**

The Victorian Electoral Commission (VEC) acknowledges the Aboriginal and Torres Strait Islander people of this nation, as the traditional custodians of the lands on which the VEC works and where we conduct our business. We pay our respects to ancestors and Elders, past, present, and emerging. The VEC is committed to honouring Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to society.

**Election report**  
**Moyne Shire Council**  
2024 Local government elections

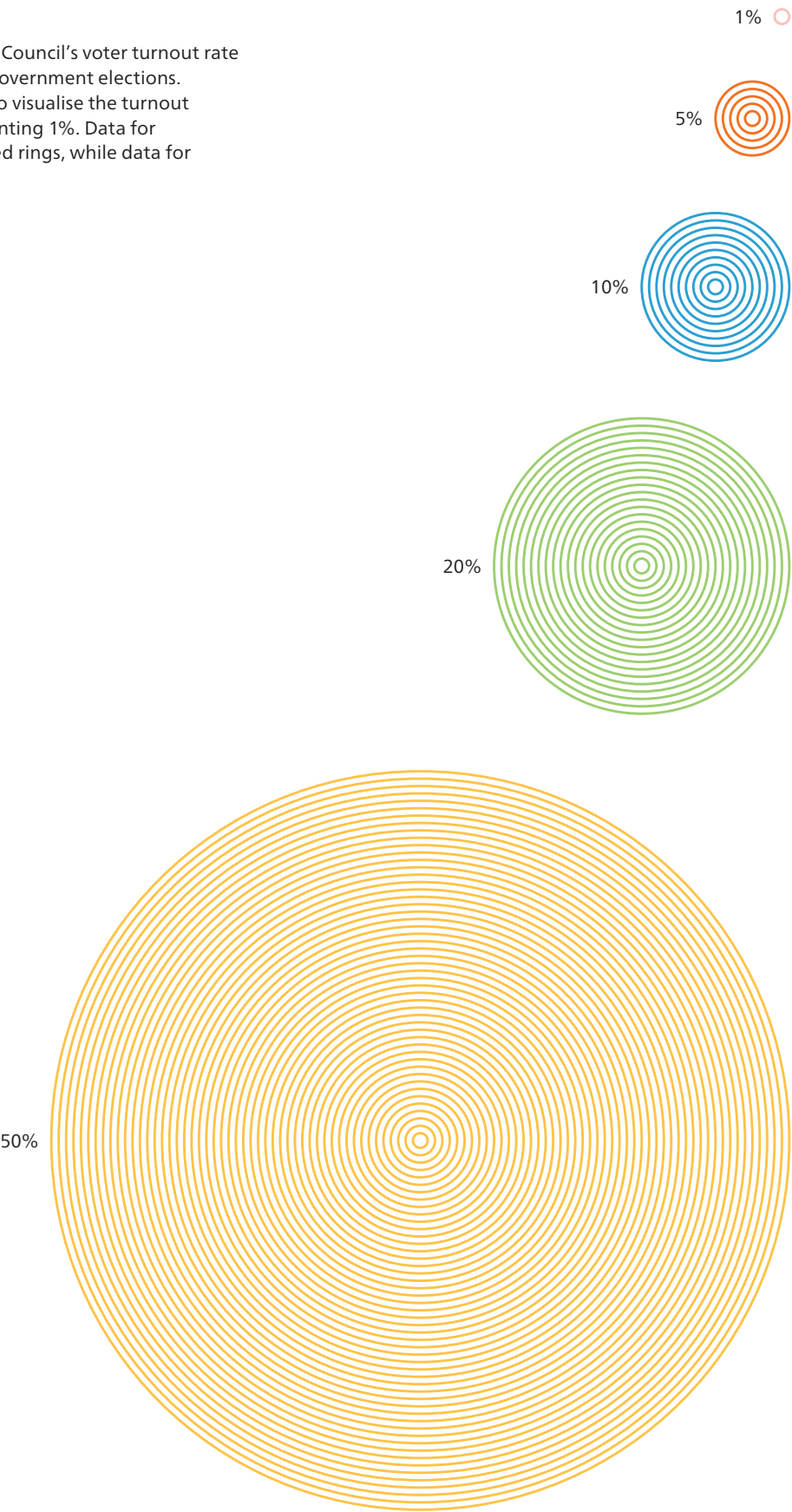


**Voter turnout (front cover)**

Graphic representation of the Council’s voter turnout rate for the 2024 and 2020 Local Government elections. Rings are grouped into units to visualise the turnout percentage, each ring representing 1%. Data for 2024 is depicted using coloured rings, while data for 2020 is shown in white.

Moyne Shire Council

Turnout (2024): 82.35%  
Turnout (2020): 85.29%



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# 1. Introduction

The Victorian local government general elections are held every 4 years as set out in the *Local Government Act 2020* (Vic) (**LG Act**). In 2024, general elections were held for 78 of the 79 Victorian councils with Saturday 26 October marking election day. In accordance with section 263(1) of the LG Act, the Victorian Electoral Commission (**VEC**) is the statutory election service provider for the conduct of local government elections in Victoria.

This report provides information on the 2024 Moyne Shire Council general election including details of the end-to-end service delivery of electoral activities throughout the election timeline. This report also provides details of post-election activities including compulsory voting enforcement.

## About the Victorian Electoral Commission

The VEC is an independent statutory authority established under the *Electoral Act 2002* (Vic) (**Electoral Act**). The VEC's principal functions are to conduct State elections, local government elections, certain statutory elections and polls, commercial and community elections, and to support electoral representation processes for local councils and the Electoral Boundaries Commission for State electoral boundaries. The VEC is also responsible for maintaining the Victorian register of electors and administering political funding and donation disclosure laws. The VEC has a mandated role to conduct electoral research, provide communication and education services, and inform and engage Victorians in the democratic process.

Sven Bluemmel is the appointed Electoral Commissioner and Dana Fleming is the appointed Deputy Electoral Commissioner. The Electoral Commissioner and Deputy Electoral Commissioner report to the Victorian Parliament in relation to the VEC's operations and activities.

The Electoral Commissioner heads the VEC's Executive Management Group that comprises the Deputy Electoral Commissioner, the Executive Director, Corporate Services and 7 Directors, each leading the main functional areas of the VEC. Each Director acts as subject matter experts and oversees legislative responsibilities under the LG Act and the Electoral Act.

The VEC has a dedicated local government election program framework that incorporates a range of programs, projects and activities that are supported through strategic planning, project management, and process mapping. The program is overseen by the VEC's Delivery Group and has sponsorship from the Executive Management Group.

## 2. Key changes

### Changes in legislation

The *Local Government Amendment (Governance and Integrity) Act 2024* (Vic) received royal assent on 25 June 2024 and introduced a number of changes to local government electoral legislation.

The VEC implemented the necessary changes to the 2024 local government election program in response to the reforms as they applied to the elections.

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#### Key changes from *Local Government Amendment (Governance and Integrity) Act 2024*

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Close of roll	<p>The date for the close of roll was extended from 57 days to 80 days before the election. For all elections after the October 2024 general elections, including by-elections, the date for the close of roll will be 73 days before election day.</p> <p>The previous timelines were no longer viable due to an increase in the scale and complexity of local government elections, including changes to enrolment entitlements, population growth, higher number of wards, likely increase in the number of candidates, and reduction in mail services offered by Australia Post.</p> <p>By moving this date earlier, other key dates including nomination day, the lodgement date for candidate statements and questionnaires, and the period for mailing out of ballot materials have been brought forward through the <i>Local Government (Electoral) Regulations 2020</i> (Vic) (<b>LG Regulations</b>) providing more time to ensure they are sustainable.</p>
Certification of the roll	<p>The timeframe for roll certification was increased to 23 business days (previously 13 business days) to ensure CEOs (or their delegates) and the VEC have adequate time to process enrolment applications and complete related roll certification processes.</p>
Candidate statement word limit	<p>In response to the pandemic, the LG Regulations permitted candidate statements to be increased from 200 to 300 words for the 2020 local government elections, acknowledging that candidates at the 2020 elections would face restrictions in campaigning.</p> <p>As candidates would no longer face pandemic-based barriers to campaigning activities, the word limit was reverted to 200 words. Equivalent amendments were also applied to the <i>City of Melbourne (Electoral) Regulations 2022</i> (Vic).</p> <p>Returning to the original word limit allowed the VEC to produce smaller candidate statement booklets, reducing associated printing costs and administrative burden.</p>
Rejection and amendment of candidate statements	<p>The time allowed for a candidate to amend their statement was reduced by one day to now be the day after the close of nominations (or 38 days before election day). This aligned the periods for rejections and amendments with the earlier deadline for lodging a candidate statement, allowing additional time to print ballot packs.</p>
Close of candidate statements, photos and questionnaires	<p>The deadline for submitting a candidate statement, photograph and questionnaire was amended to close the same day as the close of nominations at 12 noon, facilitating a more efficient process for candidates and allowing the VEC more time to print ballot packs.</p>
Mailout of ballot pack	<p>The timeline for conducting the mailout of ballot materials was extended from occurring over 3 business days to 4 business days, allowing the VEC to manage the risk of mail service level reductions and provide additional safeguards against election fraud.</p>

### 3. Election dates

Key timelines for the 2024 local government elections	
Deadline fixed by the VEC for council primary enrolment data	Monday 15 July 2024
Close of roll	4 pm Wednesday 7 August 2024
Opening of the election office to the public	Monday 9 September 2024
Certification of the voters' roll and opening of nominations	Monday 9 September 2024
Close of nominations	12 noon Tuesday 17 September 2024
*Deadline for lodging candidate statements, photographs and questionnaires	12 noon Tuesday 17 September 2024
*Ballot draw	From 10 am Wednesday 18 September 2024
*General mail out of ballot packs to voters	Monday 7 October to Thursday 10 October 2024
*Close of voting	6 pm Friday 25 October 2024
Day prescribed as Election Day	Saturday 26 October 2024
*Close of extended postal vote receipt period	12 noon Friday 1 November 2024
Declaration of election results	No later than Friday 15 November 2024

\*Dates with asterisks relate to contested elections only.

# 4. About Moyne Shire Council

Moyne Shire Council is comprised of 7 councillors elected from an unsubdivided structure.

The structure was last reviewed in accordance with the *Local Government Act 1989* through an electoral representation review in 2019.

Figure 1: The electoral structure of Moyne Shire Council at the general election held on 26 October 2024.



## 5. Voters' roll

The VEC prepared the voters' roll for the election under section 8(2)(c) of the Electoral Act and in accordance with section 249 of the LG Act. The close of roll for the election was 4 pm on Wednesday 7 August 2024. Pursuant to section 249(4) of the LG Act, the VEC certified the voters' roll on Monday 9 September 2024.

At certification, the voters' roll for the 2024 Moyne Shire Council general election included 13,486 enrolled voters.

### Composition of the voters' roll

Section 249 of the LG Act specifies that the voters' roll for a local government election is formed by combining 2 separate lists of voters:

1. The Electoral Commissioner's list (EC list) – list of State electors that are enrolled within that local government area.
2. The Chief Executive Officer's list (CEO list) – list of council-entitled voters.

Refer to **Appendix 1** for a breakdown of the Moyne Shire Council general election voters' roll.

### Amendments to the voters' roll

In accordance with section 250 of the LG Act, the VEC is able to amend any error or omission in the preparation, printing or copying of the voters' roll, or correct any misnomer or inaccurate description of any person, place or thing on the voters' roll. Amendments to the voters' roll are to be certified by the VEC.

All voters added to the roll were issued with a ballot pack. Where a voter was removed from the roll after the mail-out of ballot material, the VEC had systems in place to ensure that returned ballot papers from the deleted voters could be identified and excluded from the extraction and count. Where roll amendments were required, the total number of voters on the roll was updated.

Following the close of roll, no amendments were required to the council's voters' roll.



## 6. Advertising and communication campaign

### State-wide advertising

The VEC delivered a state-wide advertising campaign to maximise public awareness and participation amongst all eligible voters. Campaign activities and consistent messaging were delivered across 2 phases – enrolment and voting – and through multiple traditional and emerging mediums, including radio, digital and social media, and offline/outdoor advertising.

### Public notices

The VEC published a series of public notices on the VEC website throughout the election as required by the LG Act. The notices included critical information relevant to each milestone of the election timeline.

For the 2024 general election, Moyne Shire Council nominated the following newspapers for the public notices:

- › The Hamilton Spectator
- › Mortlake Dispatch
- › The Warrnambool Standard

Refer to **Appendix 2** for further information in relation to the public notices.

### VEC website

The VEC provided council specific information regarding the election on its website. The VEC website went live for the local government elections in early July 2024. Whilst some council-specific data remained static during the election, the website was regularly updated with content relevant to the election and at each key milestone such as close of roll, nominations, voting and results.

### Media liaison

An online media briefing was held on Monday 29 July 2024. The briefing was made available to view on the VEC website for media representatives unable to join the live event. The media briefing provided an overview of the planning, timeline, legislative changes and other key information for the 2024 local council elections.

Media outlets were provided with a media handbook that outlined the election timeline and key information, and provided the VEC's head office media contacts. This was made available along with other resources from the VEC's media centre webpage. The VEC's

communication team supported each election manager with managing media interest locally in their council area.

The VEC's media liaison program principally featured scheduled state-wide and tailored council-specific media releases aimed at highlighting key milestones during the election and capitalise on existing general news coverage.

More information on the VEC's media release schedule is available at **Appendix 3**.

The media program also involved a responsive media enquiry service, as well as the translation and distribution of 3 key media releases for multiple non-English news outlets in Victoria.

### Social media campaign

As part of its state-wide advertising campaign, the VEC used paid promotions on social media platforms including Facebook, Instagram, Snapchat, TikTok and WeChat, targeting voters through audience segmentation.

This advertising was supported by a defined timeline of organic social media posts on the VEC's channels, designed to cover each of the key messages of the communication campaign to further extend the reach to the community and promote conversation about the democratic process.

### VoterAlert advisories

State-enrolled voters can sign up to VoterAlert, our free SMS and email service, to receive reminder messages about elections that affect them. They can subscribe to messages via SMS, email, or both.

During the general election, we used VoterAlert to send direct messages on:

#### Wednesday 17 to Wednesday 31 July 2024 –

7,137 voters were contacted by VoterAlert messages sent by SMS and/or email reminding voters to enrol or update their details by the close of roll.

#### Monday 7 October to Monday 14 October 2024 –

7164 voters were contacted by VoterAlert messages sent by SMS and/or email advising that we had commenced posting ballot packs.

#### Tuesday 22 October to Wednesday 23 October 2024 –

5,220 voters were contacted by VoterAlert messages sent by SMS and/or email reminding voters that it was the last week to post their ballot material back to us.

More information on VoterAlert is available at **Appendix 4**.

## Voter engagement

The VEC delivered an extensive voter engagement program throughout Victoria, specific to local demographics.

**Appendix 5** contains the full list of initiatives for the 2024 local government elections.

## Democracy ambassadors

The VEC delivered education sessions conducted by our Democracy Ambassadors to a range of councils. The sessions focused on enrolment and voting for the election. These sessions were offered to councils in priority areas and delivered at no cost to council. Where resourcing allowed, requests for sessions that were not in the priority area were also fulfilled.

The VEC did not deliver any sessions for the Moyne Shire Council election.

## Blind and low-vision services

Braille and large print ballot material was available to blind and low-vision voters who registered for these products by 5 pm on Tuesday 17 September 2024.

The election manager did not receive any requests for braille or large print ballot material for the election.

## Interpreting services

The VEC engaged the Victorian Interpreting and Language Services' Language Loop to provide a telephone interpreting service for telephone enquiries from voters who had a first language other than English. The VEC advertised direct lines for 20 languages other than English and a general line for all other languages.

## Public enquiry service

A centralised contact centre was established to respond to telephone public enquiries. This ensured consistency in messaging, early identification of themes and trends along with the opportunity to enable election offices to focus on election administration. The call centre was also responsible for emails received during the local government elections. Any calls regarding CEO list applications were referred to the relevant councils. Outside the call centre hours of operation, a recorded service was available that provided information on enrolment and voting.

Election offices fielded phone queries from local candidates on issues directly related to their candidacy (as separate to general queries about running as a candidate).

A total of 164 telephone calls were recorded for Moyne Shire Council during the 2024 local government elections. An overall total of 11,758 email queries were received for all councils.

## 7. Election manager

The VEC maintains a pool of trained senior election officials from across Victoria to fill election management roles for State and local government elections. Election-specific training is provided to senior election officials before they are appointed for each election.

The size of election management teams depends on the size of the council. Under the LG Act, an election manager is appointed to conduct each council's election and is supported by one or more assistant election managers.

In accordance with regulation 21(1) of the LG Regulations, the VEC appointed Gordon McLeod as the election manager for the 2024 Moyne Shire Council general election.

The appointed assistant election manager was Carolyn Rivett.

## 8. Election office

The election manager was responsible for establishing and managing the election office at 89 Dunlop Street, Mortlake. The premises were provided by the VEC.

## 9. Candidates

Nominations opened at 9 am on Monday 9 September and closed at 12 noon on Tuesday 17 September 2024. Candidates were required to lodge their nomination forms in person at the election office. The nomination fee was \$250.

### Candidate information

The VEC developed resources to support prospective candidates with the nomination process, including a candidate handbook. From mid-July, candidates could access information about nominating as a candidate for the election. The online Candidate Helper, accessible via the VEC website, went live on Tuesday 20 August 2024. Candidate Helper enabled candidates to complete most of their nomination forms and other forms online before lodging them in person with the election manager.

For the Moyne Shire Council 2024 election, the VEC's candidate information session was delivered in person by the election manager. Additionally, a candidate information video was available on the VEC website from Tuesday 20 August 2024.

### Nominations

At the close of nominations, 11 candidates had successfully nominated for the election, which includes any candidates who retired after the close of nominations. Candidates who withdrew before the close of nominations are not included.

The ballot draw to determine the order of the names on the ballot paper was held at the election office following the close of nominations using the VEC's computerised ballot draw application.

See **Appendix 6** for the list of candidates in ballot draw order.

### Candidate statements and photos

In accordance with regulation 39 of the LG Regulations, candidates were able to submit a 200-word statement and a recent photograph for inclusion in the ballot packs sent to voters. The deadline for these items was 12 noon on Tuesday 17 September 2024.

See **Appendix 6.1** for a breakdown of submitted statements and photos and **6.2** for sample ballot material.

### Candidate questionnaires

In accordance with regulation 43 of the LG Regulations, candidates could also submit answers to a set of prescribed questions. The election manager accepted

questionnaires from 10 of the 11 candidates at the election.

Voters could read the completed questionnaires on the VEC website or access them by contacting the election office.

### Retirement of a candidate

In accordance with the LG Regulations, at any time after the close of nominations and before election day, a candidate may retire, or be retired by the VEC. A candidate can only retire if it will result in an uncontested election or if they are not qualified to be a Councillor. If the VEC believes a candidate was not entitled to nominate, it must formally query the candidate's qualification and invite written reasons why they are entitled. If the VEC remains satisfied that the candidate is not entitled, it must retire the candidate from the election.

When a candidate is retired from an election, the VEC is required to take all practicable steps to remove the retired candidate's name from ballot papers. If it is not practicable to do so, during the counting of votes the retired candidate's votes are passed on to other candidates according to voters' preferences.

### Retirements

In accordance with regulation 29 of the LG Regulations, candidate Kim Kelly was retired from the Moyne Shire Council election on 2 October as the VEC was satisfied they were not entitled to nominate as a candidate. The VEC published a statutory notice of the candidate's retirement on 7 October in accordance with regulation 27(7) of the LG Regulations.

As the candidate was retired after ballot papers had been printed, the VEC could not remove their name from the ballot papers sent to voters. Voters were advised to follow the instructions on their ballot pack to cast a formal vote.

When counting the votes for the Moyne Shire Council election, votes for the retired candidate were passed on to other candidates according to voters' preferences, in accordance with regulation 27(8)(b) of the LG Regulations. The VEC provided additional training to election managers in councils where a retired candidate's name remained on the ballot paper. Scrutineers received a ballot paper formality guide outlining the counting process and formality rules for elections with a retired or deceased candidate.

## 10. Voting

### Ballot pack preparation and redirection

Artwork for ballot papers and candidate statements is generated using the VEC's automation tool. This tool selects from a range of pre-defined artwork templates and populates them with the relevant candidate information directly from the VEC's election management system database.

Following an extensive quality assurance process, print-ready artwork files were securely transmitted directly to the VEC's contracted ballot material printer ready for production. The VEC's contracted mail house directly printed the voters' addresses (mailing and entitlement address) and barcodes on the ballot paper envelopes in preparation for assembly and delivery of ballot packs. The VEC utilised multiple third party providers to assemble the ballot packs prior to the mail house lodging with Australia Post. The mail house allocated a secure area within its operations that was used solely for the printing, insertion, and dispatch of ballot material. This ensured the highest standards of security were met.

Electors could apply to have their ballot material redirected to an address other than their entitlement address. Voters had until the certification day for the voters' roll (also the day that nominations open) to apply for their ballot material to be redirected. The VEC arranged for ballot material to be delivered to any voter applying for redirection to the address specified in their request. For the 2024 local government elections, voters had until Monday 9 September 2024 to submit redirection requests.

The election manager received 4 requests for redirection of ballot packs for the election.

### Early votes

Voters could request an early postal ballot envelope (early vote) before the general mail out of ballot packs. The election manager processed requests and issued early votes where the request was assessed as reasonable. Requests for early votes could be processed from Wednesday 18 September 2024, the day after nominations closed, until the start of the general mail out of ballot packs on Monday 7 October 2024.

Due to the timing of early votes, some early voters may not have had access to the candidate statements, photographs or questionnaires.

The election manager issued a total of one early vote for the election.

### Mail-out of ballot packs

The VEC mailed 13,485 ballot packs between Monday 7 and Thursday 10 October 2024.

See **Appendix 7** for a breakdown of the packs sent on each day of the general mail out. The VEC did not mail ballot packs to voters who passed away between the close of roll and generation of the mail-out file.

This included 4 ballot packs which were redirected to alternative addresses for voters who had applied to redirect their ballot pack by Monday 9 September 2024.

In accordance with regulation 49(3) of the LG Regulations, no more than 35% of ballot packs were mailed or delivered to voters on any one day during the mail-out period. All ballot packs were lodged with Australia Post under the priority paid delivery timetable.

The VEC liaised closely with Australia Post during the mail-out period to confirm that ballot packs had been delivered to voters. Australia Post confirmed all ballot packs had been delivered by Tuesday 15 October 2024.

During the voting period, 226 ballot packs were returned to the election office by Australia Post as return-to-sender mail. In most cases, this was likely due to the addressee no longer residing at the address.

### Unenrolled votes

The election manager issued unenrolled votes to people whose names could not be found on the voters' roll but said they were entitled to vote at the election. The unenrolled ballot pack included a declaration for the voter to sign. The election manager assessed the declaration and decided to admit or disallow the vote.

The election manager did not issue any unenrolled votes for the election.

### Replacement ballot packs

Following the general mail out of ballot packs, a voter who claimed that their ballot pack had not been received, or had been lost, spoilt, or destroyed, could apply for a replacement vote by completing an online application form or contacting the public enquiry service.

A centralised team processed applications and mailed replacement ballot packs to the postal address provided. Voters also had the option to attend the election office in the council for which they hold entitlement, to have a replacement vote issued over the counter.

272 replacement ballot packs during the voting period were issued. Please refer to **Schedule 1** for further information on replacement ballot packs issued.

## 11. Return of ballot paper envelopes

VEC provided voters with a priority reply paid envelope to return their completed ballot paper and ballot paper envelope. The return mail was delivered to the election office from local postal facilities or mail distribution centres. Voters could also put their ballot papers and envelope in a ballot box at the election office.

As ballot paper envelopes were returned, they were progressively checked by the election manager to ensure they had been signed by the voter. Additionally, processes were in place to ensure that only one returned ballot paper from any one voter could proceed to the extraction and count.

The election manager received a total of 8,252 returned ballot paper envelopes by the close of voting at 6 pm on Friday 25 October 2024.

In accordance with regulation 57(3) of the LG Regulations, the election manager could accept returned ballot paper envelopes until 12 noon on the Friday following the close of voting, if they thought the voter had signed the envelope before voting closed.

The election manager accepted 3,096 ballot paper envelopes during the extended postal vote receipt period.

The total returned ballot paper envelopes for Moyne Shire Council was 11,348.

The election manager set aside 218 returned ballot paper envelopes that were not admitted to the extraction and counting process due to the voter not having signed the declaration envelope or, in the case of unenrolled declaration votes, an entitlement was not found for the person, or the declaration envelope was not returned with the vote.

Refer to **Schedule 1** for the total certified record of ballot papers and declaration envelopes for Moyne Shire Council.

## 12. Results

### Extraction

The extraction process involved separating the declaration flaps containing voters' details from each admitted ballot paper envelope, and then extracting the ballot papers from the envelopes. This 2-stage process maintains anonymity and ensures the VEC can track the number of envelopes for ongoing reconciliation.

A total of 11,130 ballot paper envelopes were admitted to the extraction process.

Ballot papers were extracted at the election office from Tuesday 29 October 2024. The extraction of all admitted ballot paper envelopes was completed on Wednesday 6 November 2024, following the close of the extended postal vote receipt period.

If the VEC found any returned ballot paper envelopes that did not contain a ballot paper, contained more than one ballot paper, or did not contain the correct ballot paper, these were required to be rejected and not counted. There were 24 returned ballot paper envelopes rejected during the extraction activity.

Following the extraction of ballot papers from the ballot paper envelopes, a total of 11,106 ballot papers proceeded to the count.

### Computer count

A computer count information session explaining the process was recorded and available for online streaming from the VEC website from Friday 18 October 2024.

Following the extraction of ballot papers admitted to the count for Moyne Shire Council, preferences on ballot papers were data entered into the VEC's computer counting application at the election office. The application distributes preferences using the proportional representation method once data entry of ballot paper preferences is complete. Results were calculated at the election office on Thursday 7 November 2024.

The VEC published provisional results on its website as they became available. Results were updated as finalised once declarations had taken place.

For a breakdown of first preference results, refer to **Appendix 8**.

### Recounts

At any time before a candidate is declared elected, the election manager or a candidate may initiate a recount. Election managers initiate recounts if margins in

a preference distribution are close or critical. Candidates must ask for a recount in writing, with the reasons for their request. The election manager and head office staff assess candidate recount requests and either accept or deny them.

The election manager did not receive any requests for a recount following the count.

### Scrutineers

Scrutineers help deliver fair and transparent elections by observing election activities. They contribute to electoral integrity and help build public trust. Scrutineers can observe all activities involved in ballot paper and envelope processing.

Candidates are not permitted in election venues during extraction and counting activities and instead appoint scrutineers. Each candidate could appoint one scrutineer per election official involved in an activity. To appoint scrutineers, candidates completed a hardcopy 'Appointment and declaration of scrutineer form', which the candidate signed and submitted to the election manager. All scrutineers then had to sign the form's formal declaration in front of an election official. The declaration meant the scrutineers committed to eligibility and legal requirements and the VEC's conditions of entry.

A *Scrutineer handbook* was made available to all candidates and scrutineers with information on the role and responsibility of scrutineers during election activities. It included overviews of the activities so that scrutineers could understand what to expect during election activities they may attend. When scrutineers attended election venues they were briefed on their responsibilities and the processes they would witness. Scrutineers were instructed when and how they could challenge activities when ballot paper formality was being decided and votes were being counted. Scrutineers were allowed to notify election managers if they disagreed with the decision made by an election official on ballot paper formality or whether votes were counted for the selected candidate. Election managers reviewed the challenge and made a final decision on the ballot paper.

### Declaration of results

In the Service Plan, the VEC committed to complete all results declarations by Friday 15 November 2024.

The results of the 2024 Moyne Shire Council general election were declared at 2 pm on Friday 8 November 2024 at Mortlake Shire Offices, Dunlop Street, Mortlake.

The VEC website was updated following the declaration to reflect the elected candidates.



## 13. Election statistics

### Participation

Participation is measured by the number of voters marked off the roll as a percentage of the total enrolment and can vary from turnout. The overall participation rate in the Moyne Shire Council election was 83.59%, which is lower than the state average of 83.79% (excluding Melbourne City Council) and lower than the 88.68% rate at the 2020 Moyne Shire Council general election.

Analysis of voter participation for the different enrolment categories shows that participation is lower for voters who are enrolled on the EC's list (83.38%) compared to voters enrolled on the CEO's list (91.39%).

Refer to **Appendix 9** for further information on participation, including a breakdown by enrolment category.

### Turnout

Voter turnout is measured by the number of formal and informal ballot papers counted in the election as a percentage of voters on the voters' roll for the election.

The overall voter turnout for the 2024 Moyne Shire Council general election was 82.35%. This is compared to the state average turnout of 81.46% (excluding Melbourne City Council). The voter turnout at the 2020 general election for the council was 85.29%.

### Informality

The overall informal voting rate recorded at the 2024 Moyne Shire Council general election was 4.15%, compared with the State average of 3.47%. An informality rate of 5.39% was recorded at the Moyne Shire Council general election held in October 2020.

## 14. Complaints

### Type of complaints

At local government elections, complaints generally fall into 2 broad categories:

#### 1. Election Administration

Complaints about the conduct of the election and services to voters.

#### 2. Election participation and conduct

Complaints about candidates and other participants in the election, at times alleging a breach of the LG Act or local laws.

Most complaints at the 2024 local government elections related to the second category, and often alleged inappropriate or illegal action by a person or group associated with the election.

### Complaints process

The VEC have a streamlined complaints process during elections, developed with local councils and enforcement agencies. Complaints must be lodged in writing, then processed at head office. For the 2024 local government elections, customers could provide feedback and complaints online.

Complaints alleging a breach of the LG Act are forwarded to the Local Government Inspectorate. Complaints relating to local laws are referred to council. Complaints about the VEC's services, or the behaviour or actions of VEC staff and election officials, are the responsibility of the VEC.

The VEC is committed to responding to each complaint within 5 working days.

### Complaints received

The VEC received 4 written complaints relating to the election for Moyne Shire Council.

Please see **Appendix 10** for a description of complaints received by the VEC.

## 15. Post-election activities

### Storage of election material

The VEC will keep all records from the election safely and secretly in accordance with regulation 79 of the LG Regulations.

### Refund of nomination fees

Nomination fees were refunded to eligible candidates on Tuesday 17 December 2024. Eligible candidates include those elected or who received at least 4% of the first preference vote. Any forfeited nomination fees were remitted to the council on Tuesday 17 December 2024.

### Courts and tribunals

The Victorian Civil and Administrative Tribunal (VCAT) is responsible for hearing disputes on the validity of an election under section 311 of the LG Act.

Applications for a review of the declaration of the results of an election must be lodged within 14 days of the declaration and can be made by a candidate in the election, 10 persons who were entitled to vote at the election, or the VEC.

There were no applications to VCAT disputing the result of the Moyne Shire Council general election.

## 16. Non-voter follow up

In accordance with section 267 of the LG Act, the VEC has commenced its compulsory voting enforcement program. Any person who was required to vote at the election and failed to vote will be issued with an 'Apparent failure to vote' notice in February/March. Apparent non-voters have 28 days to respond.

People who do not respond to the notice, or do not provide a satisfactory response, may be issued with an infringement notice in April/May that will incur a penalty. Further follow-up with a penalty reminder notice in July may also occur – this stage includes the original penalty and a penalty reminder notice fee. Penalties collected on behalf of council will be reimbursed at the end of the infringement and reminder notice stages.

Additionally, during the infringement and penalty reminder notice stages, non-voters may ask for their matter to proceed directly to the Magistrates' Court.

These requests will be actioned at the conclusion of the infringement and penalty reminder notice stages. The VEC will lodge the file of any remaining non-voters with Fines Victoria at the end of the penalty reminder notice stage.

## 17. Evaluating VEC services

The VEC is committed to providing high quality election services to its local government clients. Through a formal feedback and debriefing program, the VEC can gauge its performance and seek advice for future local government election projects.

### Feedback from councils

The VEC invited feedback from councils on its services in December 2024 and acknowledges the receipt of feedback provided by Moyne Shire Council. Additional feedback can be provided to the LG2024 Program Manager by emailing [LGProgram2024@vec.vic.gov.au](mailto:LGProgram2024@vec.vic.gov.au)

### Internal debriefing program

After every electoral event, the VEC conducts an internal debriefing program that includes input from all areas of its workforce. Internal debriefing following the local government elections began in December 2024. The VEC will publish a consolidated report on its performance and key statistics from the elections. This will be tabled in Parliament and available on the VEC website.

## Appendices

### Schedule 1: Record of ballot papers and declaration envelopes

<b>Moyne Shire Council election</b>	
<b>Ballot papers printed</b>	
Victorian Electoral Commission	16,000
Election manager	5
<b>Total</b>	<b>16,005</b>
<b>Ballot papers issued</b>	
General mail out	13,485
Early and replacement votes	273
Unenrolled declaration votes	0
Spoilt	0
Sub total	13,758
Unused	2,247
<b>Total</b>	<b>16,005</b>
<b>Declarations returned</b>	
General mail out admitted to the extraction	10,960
Early and replacement votes admitted to the extraction	170
Unenrolled declaration votes admitted to the extraction	0
Returned declarations unable to be admitted to the extraction	218
Declarations returned to sender	226
Sub total	11,574
Declarations not returned	2,184
<b>Total</b>	<b>13,758</b>

Schedule 2:  
Certification statement

In accordance with Regulation 77, I certify that Schedule 1 of this report on the conduct of the 2024 Moyne Shire Council local government election is a true and correct account of the number of ballot papers issued, returned and not used in this election and declarations not returned.



Sven Bluemmel  
Electoral Commissioner

# Appendix 1: Breakdown of the voters' roll

Moyne Shire Council election	Voters enrolled through an entitlement under section 241 of the LG Act	Voters enrolled through entitlements under sections 242–245 of the LG Act	Total voters enrolled
Moyne Shire Council	13,149	337	13,486



Appendix 2:  
Public notices

Schedule of public notices

Close of roll notice		
VEC website/public notices		24 July 2024
The Hamilton Spectator		27 July 2024
Mortlake Dispatch		25 July 2024
The Warrnambool Standard		27 July 2024
Notice of election		
VEC website/public notices		12 August 2024
The Hamilton Spectator		10 August 2024
Mortlake Dispatch		15 August 2024
The Warrnambool Standard		14 August 2024
Voting details notice		
VEC website/public notices		20 September 2024
The Hamilton Spectator		5 October 2024
Mortlake Dispatch		3 October 2024
The Warrnambool Standard		2 October 2024
Notice of retirement		
VEC website/public notices		7 October 2024

<b>Reminder notice</b>	
The Hamilton Spectator	19 October 2024
Mortlake Dispatch	17 October 2024
The Warrnambool Standard	16 October 2024

<b>Notice of result</b>	
VEC website/public notices	8 November 2024
The Hamilton Spectator	23 November 2024
Mortlake Dispatch	21 November 2024
The Warrnambool Standard	20 November 2024

Appendix 2.1: Sample public notices

Close of roll

### Sample Council postal election

My council, my vote

**You must be enrolled to vote**

A general election for Sample Council will be held in October 2024. To be able to vote in the election, you must be enrolled by the close of roll at 4 pm on Wednesday 7 August 2024. Two categories of voters can be enrolled to vote in the Sample Council election: State-enrolled voters and Council-enrolled voters.

**State-enrolled voters**

**Am I enrolled to vote?**

You are automatically enrolled for this election if:

- you will be 18 years of age or over on Saturday 26 October 2024 and
- you live in the Sample Council and you are on the State electoral roll for your current address.

**You need to enrol if:**

- you are an Australian citizen aged 18 or over on Saturday 26 October 2024 and
- you live in the Sample Council and you are not on the State electoral roll or
- you have lived at your current residential address within the Sample Council for at least a month and have not yet updated your enrolment details, including any changes to your postal address.

**How do I enrol?**

You can enrol online at [vec.vic.gov.au](#)

**You can also download an enrolment form from the website.**

All enrolment applications must be received by the Victorian Electoral Commission by the close of roll at 4 pm on Wednesday 7 August 2024.

**How can I check my State enrolment?**

You can check your enrolment details online at [vec.vic.gov.au](#) at any time, or call 131 832.

**Sample Council logo**

**How do I apply to be a Council-enrolled voter?**

If you meet any of the above criteria and wish to enrol, contact Sample Council on 0000 0000 for a council enrolment form. Council enrolment forms must be received by the Council by the close of roll at 4 pm on Wednesday 7 August 2024.

**How can I check if I am Council-enrolled?**

You can check your enrolment details by contacting the Council on 0000 0000.

**Thinking about standing for election?**

To nominate as a candidate for Sample Council, you must:

- be an Australian citizen and enrolled on the voters' roll for Sample Council and
- be eligible to become a councillor and
- have completed the mandatory candidate training provided by Local Government Victoria before lodging your nomination with the Election Manager.

For further information, visit [vec.vic.gov.au](#)

Enrolment closes  
**4 pm Wednesday 7 August 2024**

State-enrolled voters can register for free VoterAlert SMS and email reminders at [vec.vic.gov.au](#)


**vec.vic.gov.au | 131 832**

For enquiries in languages other than English:

- Arabic (Arabic) 9209 0100 • Azərbaycanca (Azerbaijani) 9209 0160 • বাংলা (Burmese) 9209 0161 • 普通话 (Mandarin) 9209 0106 • 廣東話 (Cantonese) 9209 0101
- Hrvatski (Croatian) 9209 0102 • डारि (Dari) 9209 0119 • Ελληνικά (Greek) 9209 0103 • Հայերեն (Armenian) 9209 0162 • Italiano (Italian) 9209 0104
- ಕನ್ನಡ (Kannada) 9209 0192 • 한국어 (Korean) 9209 0194 • македонски (Macedonian) 9209 0105 • नेपाली (Nepali) 9209 0163 • فارسی (Persian) 9209 0195 • ภาษาไทย (Thai) 9209 0164
- Türkçe (Turkish) 9209 0110 • اردو (Urdu) 9209 0165 • Tiếng Việt (Vietnamese) 9209 0111 • All other non-English languages 9209 0112

Authorised by S. Blumel, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

@electionsvic

 Victorian Electoral Commission

Notice of election

### Sample Council postal election

My council, my vote

**Vote by post this October**

Ballot packs will be mailed to voters enrolled in the Sample Council general election from Monday 7 October. Complete and return your ballot material ASAP. Ballot material must be in the mail or delivered to the election manager by 6 pm on Friday 25 October.

**If you will be away**

If you will be away when ballot packs are mailed, or your address has changed since Wednesday 7 August, you can request for your ballot pack to be redirected by completing the online redirection form at [vec.vic.gov.au/redirections](#), or call 131 832.

Requests for redirection must be received by 5 pm on Monday 9 September.

**Large print and braille ballot papers**

Large print or braille ballot papers are available for voters who are blind or have low vision – please register by 5 pm Tuesday 10 September. To register, call 03 8620 1314 during business hours.

**Early votes**

If you will be away during the voting period (7–25 October), you can go to your local election office to vote in person, from 10 am on Wednesday 16 September.

The Sample Council election office is at:  
Sample election office address

**Sample Council logo**

**How to nominate as a candidate**

To nominate as a candidate, you must:

- be an Australian citizen and enrolled on the voters roll for Sample Council AND
- be eligible to become a councillor should you be elected AND
- have completed the mandatory candidate training before lodging your nomination with the election manager.

To nominate, complete the nomination form and lodge it with the election manager together with the \$250 nomination fee. Nomination forms can be lodged by appointment during business hours from Monday 9 September until 12 noon on Tuesday 17 September at the election office.

Visit [vec.vic.gov.au](#) for more information and to pre-complete your nomination form using the online Candidate Helper. The online Candidate Helper will be available from Tuesday 20 August.

If you use the online Candidate Helper, print your pre-completed form and make an appointment to lodge it with the election manager along with the nomination fee.

Call the election manager from Monday 9 September on 131 832 to make a nomination appointment.

**Nominations close 12 noon Tuesday 17 September.**

**Candidate information session**

Sample time sample date at sample venue name, sample address

Candidate information kits containing nomination forms and other electoral information will be available online and from the election manager.

State-enrolled voters can register for free VoterAlert SMS and email reminders at [vec.vic.gov.au](#)


**vec.vic.gov.au | 131 832**

For enquiries in languages other than English:

- Arabic (Arabic) 9209 0100 • Azərbaycanca (Azerbaijani) 9209 0160 • বাংলা (Burmese) 9209 0161 • 普通话 (Mandarin) 9209 0106 • 廣東話 (Cantonese) 9209 0101 • Hrvatski (Croatian) 9209 0102 • डारि (Dari) 9209 0119 • Ελληνικά (Greek) 9209 0103 • Հայերեն (Armenian) 9209 0162 • Italiano (Italian) 9209 0104
- ಕನ್ನಡ (Kannada) 9209 0192 • 한국어 (Korean) 9209 0194 • македонски (Macedonian) 9209 0105 • नेपाली (Nepali) 9209 0163 • فارسی (Persian) 9209 0195 • ภาษาไทย (Thai) 9209 0164
- Türkçe (Turkish) 9209 0110 • اردو (Urdu) 9209 0165 • Tiếng Việt (Vietnamese) 9209 0111 • All other non-English languages 9209 0112

Authorised by S. Blumel, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

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 Victorian Electoral Commission

Voting details notice

### Sample Council postal election

My council, my vote

An election will be held for Sample Council.

**Check the mail for your ballot pack**

Ballot packs containing voting material will be mailed to enrolled voters from **Monday 7 October**.

This is a postal election only.

If you do not receive your ballot pack by **Tuesday 15 October** please visit **vec.vic.gov.au** to complete the online replacement form, or call **131 832** to arrange a replacement.

**Candidates**

Candidates who have nominated for election are listed in the ballot packs and at **vec.vic.gov.au**.

A photo and candidate statement will also be included if provided by candidates. Responses to a candidate questionnaire, if provided, are available at **vec.vic.gov.au**.

**How to vote correctly**

You must complete your ballot paper correctly for your vote to count. Put the number **1** in the box next to the candidate you want to see elected, then number all the other boxes in order of your choice. You must number **every box** and only use each number once.

**How to return your ballot pack**

Put your completed ballot paper in the ballot paper envelope, complete the declaration, then post it ASAP using the reply-paid envelope provided, or hand deliver it during election office hours to:

Sample election office address

**Voting is compulsory**

Voting is compulsory for all voters who were enrolled at 4 pm on Wednesday 7 August. This includes state-enrolled and council-enrolled voters.

If you don't vote and don't have a valid excuse, you may be fined.

Your completed ballot pack must be in the mail or hand delivered by **6 pm Friday 25 October**.

State-enrolled voters can register for free VoterAlert SMS and email reminders at **vec.vic.gov.au**

**Sample Council logo**

**vec.vic.gov.au | 131 832**

For enquiries in languages other than English:

\* Arabic (Arabic) 9209 0100 \* Azərbaycani (Assyrian) 9209 0160 \* বাংলা (Burmese) 9209 0161 \* 普通话 (Mandarin) 9209 0106 \* 廣東話 (Cantonese) 9209 0101

\* Hrvatski (Croatian) 9209 0102 \* עברית (Hebrew) 9209 0103 \* ไทย (Thai) 9209 0119 \* Ελληνικά (Greek) 9209 0103 \* हिन्दी (Hindi) 9209 0103 \* Italiano (Italian) 9209 0104

\* Türkçe (Turkish) 9209 0105 \* বাংলা (Burmese) 9209 0160 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161

\* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161

Authorised by S. Blummel, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

@electionsvic

Facebook, Twitter, Instagram icons

**VEC** Victorian Electoral Commission

Reminder notice

### Sample Council postal election

My council, my vote

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Candidates who have nominated for election are listed in the ballot packs and at **vec.vic.gov.au**.

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**How to return your ballot pack**

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Sample election office address

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State-enrolled voters can register for free VoterAlert SMS and email reminders at **vec.vic.gov.au**

**Sample Council logo**

**vec.vic.gov.au | 131 832**

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\* Hrvatski (Croatian) 9209 0102 \* עברית (Hebrew) 9209 0103 \* ไทย (Thai) 9209 0119 \* Ελληνικά (Greek) 9209 0103 \* हिन्दी (Hindi) 9209 0103 \* Italiano (Italian) 9209 0104

\* Türkçe (Turkish) 9209 0105 \* বাংলা (Burmese) 9209 0160 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161

\* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161 \* বাংলা (Burmese) 9209 0161


Authorised by S. Blummel, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

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Facebook, Twitter, Instagram icons

**VEC** Victorian Electoral Commission

Declaration of results

<b>Sample Council election</b> Declaration of results		<b>Sample Council logo</b>
The following candidates were elected to Sample Council at the general election held in October 2024:		
<b>Sample Ward 1</b> Sample elected candidate 1	Sample elected candidate 4	<b>Sample Ward 8</b> Sample elected candidate 8
<b>Sample Ward 2</b> Sample elected candidate 2	<b>Sample Ward 5</b> Sample elected candidate 5	<b>Sample Ward 9</b> Sample elected candidate 9
<b>Sample Ward 3</b> Sample elected candidate 3	<b>Sample Ward 6</b> Sample elected candidate 6	
<b>Sample Ward 4</b>	<b>Sample Ward 7</b> Sample elected candidate 7	
Further details about the results are available at <a href="#">vec.vic.gov.au</a>		
<b>Sample Election Manager name</b> Election Manager		
Sample declaration date		
<small>vec.vic.gov.au   131 832   @electionsvic</small>		
<small>Authorised by S. Blumel, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.</small>		

## Appendix 3: Schedule of media releases and advisories

### Moyne Shire Council council-specific media releases and advisories

Enrol now for the Moyne Shire Council election	Monday 29 July 2024
Call for candidates for Moyne Shire Council election	Thursday 22 August 2024
Ballot packs mailed for Moyne Shire Council election	Monday 7 October 2024
Voting closes soon for Moyne Shire Council election	Tuesday 15 October 2024
New councillors for Moyne Shire Council	Friday 8 November 2024

### Statewide media releases and advisories

Victorians urged to enrol for upcoming local council elections	Monday 22 July 2024
Media advisory: 2024 local council elections briefing	Monday 22 July 2024
Last chance to enrol for Victorian council elections	Friday 2 August 2024
News alert: Enrolment closes tomorrow for October's council local elections	Tuesday 6 August 2024
Nominations open soon for Victorian local council elections	Monday 26 August 2024
Media advisory: Accessing candidate information for the 2024 Victorian local council elections	Friday 6 September 2024
Nominations for the 2024 Victorian local council elections now open	Monday 9 September 2024
Over 4.6 million enrolled for local council elections	Tuesday 10 September 2024
Time is running out to nominate for this year's local council elections	Monday 16 September 2024
Electoral Commissioner calls for transparency in the use of AI in upcoming local council elections	Tuesday 17 September 2024
Media advisory: Media attendance at local council election ballot draw	Tuesday 17 September 2024
Nominations are in for October local council elections	Wednesday 18 September 2024
Democracy ambassadors help community voices 'Be Heard'	Thursday 19 September 2024
VEC retires 16 local council election candidates	Monday 30 September 2024
Voting starts next week for Victoria's local council elections	Friday 4 October 2024

**Statewide media releases and advisories**

Police investigate break-in at the Ballarat election office	Thursday 10 October 2024
Voters urged to request a replacement ballot pack following van theft	Friday 18 October 2024
Local council elections voting deadline looms	Monday 21 October 2024
Voters urged to request a replacement ballot pack following theft	Thursday 24 October 2024
Final day of voting	Friday 25 October 2024
Media advisory: Results timelines for Victorian local council elections	Friday 25 October 2024
Media advisory: Media attendance at results declarations	Wednesday 6 November 2024
Suspected postal vote tampering in 2 local council elections referred for inquiry	Wednesday 13 November 2024
Didn't vote in the 2024 local council elections?	Monday 17 February 2025
Non-voters asked to explain why they didn't vote in the 2024 local council elections	Friday 7 March 2025
Infringements sent to 2024 local council election non-voters	Scheduled for Monday 14 April 2025
Act on penalty reminder notice or risk enforcement action	Scheduled for Thursday 1 July 2025

## Appendix 4: VoterAlert advisories

### Appendix 4.1: SMS alerts

Close of roll – sent from Wednesday 17 July to  
Wednesday 31 July 2024

VoterAlert: Vic council elections will be held by post this Oct. Make sure your details are correct before 4pm Wed 7 Aug. More info <https://vec.vic.gov.au/LG24>. If you'd rather not open links in this message, look up the VEC website or call 131 832 to check. Unsubscribe <https://vec.vic.gov.au/voteralert>

Reminder close of voting – sent from Tuesday  
22 October to Wednesday 23 October 2024

VoterAlert: return your council election ballot pack by 6pm Fri Oct 25. If your ballot pack hasn't arrived, find out how to get a replacement at <https://vec.vic.gov.au/LG24>. Ignore if you've already voted or asked for a replacement. If you'd rather not visit links in this message, look up the VEC website or call 131 832. Unsubscribe: <https://vec.vic.gov.au/voteralert>

Uncontested election – sent from Wednesday  
25 September to Tuesday 1 October 2024

VoterAlert: the election in your area is uncontested, as only one person nominated per vacancy. You do not need to vote. More info: <https://vec.vic.gov.au/LG24>. If you'd rather not visit links in this message, look up the VEC website or call 131 832. Unsubscribe: <https://vec.vic.gov.au/voteralert>

Mail-out of ballot packs – sent from Monday 7 October  
to Monday 14 October 2024

VoterAlert: ballot packs for the local council elections are on their way, arriving by 15 Oct. Complete and return before 6pm on Fri 25 Oct. For more info visit <https://vec.vic.gov.au/LG24>, look up the VEC website or call 131 832. Unsubscribe: <https://vec.vic.gov.au/voteralert>



Appendix 4.2: Email alerts

Close of roll email

Do not reply to this email. Replies go to an unmonitored inbox. Contact us with any questions.

VoterAlert

VEC Victorian Electoral Commission

Hi

Victorian local council elections are being held by post this October. You must be correctly enrolled by **4 pm on Wednesday 7 August**.

**What you need to do**

Not sure if your enrolment details are up to date? You can check online at [vec.vic.gov.au/enrolment](https://vec.vic.gov.au/enrolment)

If you've changed your address or name since you last voted in an election, you should update your details. Please also check the postal address listed on your enrolment, as this is where we will send your ballot pack.

CHECK MY DETAILS

If your details **haven't changed** since the last time you voted, get ready to vote. All voting in this election is by post. We will start posting ballot packs out from Monday 7 October.

The full list of candidates will be available on our website from 12 noon on Tuesday 17 September.

[Find out more about your council election.](#)

Voting is compulsory – don't risk a fine.

**If you own properties in more than one Victorian council**

Some people are eligible to enrol in more than one council. If you own or pay rates on a property in a Victorian council other than where you normally live, you can apply to enrol with that council. This is known as council enrolment.

Contact the council directly for more information about council enrolment.

[Find out more about council enrolment.](#)

You **must** vote for all councils you are enrolled in.

**Electoral structure changes**

Over half of Victoria's local councils have new electoral structures or have changed internal ward boundaries. You may be voting in a new ward this October.

You can check your council's ward boundaries on our [interactive map](#).

**Information in your language**

You can find election information in 20 languages other than English on our website.

[Find in-language information](#)

**Security**

If you would rather not click any links in this email, all this information and more is on our website at [vec.vic.gov.au](https://vec.vic.gov.au). You can also hover over links to confirm they go to a [vic.gov.au](https://vic.gov.au) website before you click them.

Be aware of scams: all emails we send you will have 'Victorian Electoral Commission <[voteralert@info.vec.vic.gov.au](mailto:voteralert@info.vec.vic.gov.au)>' as the sender. We will never ask you to enter credit card details or make payments through a website.

**More information**

Visit [vec.vic.gov.au](https://vec.vic.gov.au) or call us on **131 832** between 8:30 am and 5 pm Monday to Friday.

Authorised by S. Blumenthal, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

**Our mailing address is:**  
Level 11, 530 Collins Street, Melbourne VIC 3000

This message was sent to you by the Victorian Electoral Commission because your contact details are listed on the Victorian electoral roll. Responses are not monitored.

UNSUBSCRIBE

[VEC website](#) | [Contact us](#) | [Privacy](#) | [Legal](#)

Uncontested election email

Do not reply to this email. Replies go to an unmonitored inbox. Contact us with any questions.

VoterAlert

VEC Victorian Electoral Commission

Hi

The . Ward election is uncontested as there were the same number of candidates as vacancies at the close of nominations.

You are not required to vote this October.

**If you own properties in any other Victorian councils**

You will still get a ballot pack for any other councils you are enrolled in. Please complete and return all ballot packs you receive before **6 pm on Friday 25 October**.

If you don't vote you may risk a fine.

Check your enrolment online or contact the council directly to check your enrolment details.

Check my enrolment

**Security**

If you would rather not click any links in this email, all this information and more is on our website at [vec.vic.gov.au](https://vec.vic.gov.au). You can hover your mouse over links to make sure they go to a [vic.gov.au](https://vic.gov.au) website before you click them.

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UNSUBSCRIBE

[VEC website](#) | [Contact us](#) | [Privacy](#) | [Legal](#)

Ballot pack mail-out email

Do not reply to this email. Replies go to an unmonitored inbox. Contact us with any questions.

VoterAlert

 Victorian Electoral Commission

Hi

You are enrolled to vote in the 2024 local council elections.

Your vote matters. Local council elections are your chance to vote on who represents you on the local community issues that you care about.

### How to vote

Voting in these elections is by **post**.

We have started posting ballot packs to all enrolled voters. They will arrive by **Tuesday 15 October**.

Please follow the instructions in your ballot pack to complete your vote and mail it back to us as soon as possible.

If you're unsure, you can learn [how to fill out a ballot paper](#) on our website.

Voting closes at **6 pm on Friday 25 October**, but your local mail collection times may be earlier than this. We recommend you return your completed vote as soon as possible.

You can also drop your vote off at your local election office.

### If you don't get a ballot pack

Ballot packs are in the mail and will arrive by **Tuesday 15 October**.

If you don't get a ballot pack by then, you can ask us to send you a replacement by calling [131 832](tel:131832) between 8:30 am and 5 pm, Monday to Friday.

### Moved house or away from your address

If you are away from your mailing address you can request a replacement ballot pack. You can:

- call us on [131 832](tel:131832) between 8:30 am and 5 pm, Monday to Friday
- visit the election office of your **old address** to get a replacement on the spot. If you will be away during the election, you can fill in your vote there and return it straight away.

Find my election office

### Find candidates

Information about candidates, including statements and candidate questionnaire responses are on our website.

Find candidates

### Information in your language

Our website has information in more than 20 languages. There are also videos explaining how to vote in 10 different languages.

Find information in your language

### Security

If you would rather not click any links in this email, all this information and more is on our website: [vec.vic.gov.au](http://vec.vic.gov.au). You can hover your mouse over links to confirm they go to a vic.gov.au website before you click them.

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For more information visit [vec.vic.gov.au](http://vec.vic.gov.au) or call us on [131 832](tel:131832) between 8:30 am and 5 pm, Monday to Friday.

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UNSUBSCRIBE



[VEC website](#) | [Contact us](#) | [Privacy](#) | [Legal](#)

Last week to vote email

Do not reply to this email. Replies go to an unmonitored inbox. Contact us with any questions.

VoterAlert

 Victorian Electoral Commission

### Reminder

voting for the 2024 local council elections closes at 6 pm this Friday 25 October.

Please ignore this email if you've already voted or asked for a replacement ballot pack.

### How to vote

Voting in these elections is by **post**.

Please follow the instructions in your ballot pack to complete your vote and mail it back to us as soon as possible. You can find instructions on [how to fill out a ballot paper](#) on our website.

Voting closes at **6 pm on Friday 25 October**, but your local mail collection times may be earlier than this. We recommend you return your completed vote as soon as possible.

You can also drop your vote off at your local election office.

Find my election office

### If you don't get a ballot pack

If you haven't received your ballot pack in the mail yet, you can ask us to send you a replacement by:

- visiting your election office\* to get a replacement on the spot. You can fill in your vote there and return it straight away.
- calling us on [131 832](tel:131832) between 8:30 am and 5 pm, Monday to Friday
- filling in our [online form](#)

\*This must be the election office for your enrolled address. [Check your enrolment details](#) if you've recently moved.

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Victorian Electoral Commission

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AGENDA - 2025-04-22 Ordinary Council Meeting

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## Appendix 5: Voter engagement program and initiatives

Program	Program details
Be Heard Democracy Ambassador program	This program provides free peer-led electoral education and information sessions to those under-represented in the electoral process. This includes people with disability and their carers, culturally and linguistically diverse (CALD) communities, people experiencing homelessness and young people. A total of 238 sessions were provided across the state reaching over 10,000 participants.
Specialist mobile enrolment	This program delivered peer-led enrolment sessions in prisons, homeless services, schools and tertiary education settings to reach young people and Aboriginal community settings across Melbourne and regional Victoria.
CALD in-language social media videos	This project produced a series of videos in 11 different languages including Auslan. Languages were chosen to reach language groups most in need of additional support. The videos provided electoral information on how to enrol, how to vote by post, and how to respond to an Apparent Failure to Vote Notice. These were widely distributed and shared through the VEC's social media platforms, community networks, and partner organisations.
Active Citizenship program	Electoral and civics education workshops were delivered to CALD community leaders in 3 locations across regional Victoria.
Aboriginal engagement	This program delivered information and engagement sessions across the greater Melbourne area and regional Victoria. These were designed to raise awareness that voting was compulsory and taking place via post. Culturally appropriate resources were produced to provide information on how to respond to an Apparent Failure to Vote Notice, including a video which was distributed and shared through the VEC's social media platforms and partner organisations.
Easy English guide	This was produced for people with low English proficiency and designed as a co-read product where a person supports the reader. These were distributed by Democracy Ambassadors as a key resource, and also available for download from the VEC's website.

# Appendix 6: Final list of candidates in ballot paper order

The candidates, in ballot paper order, were as follows:

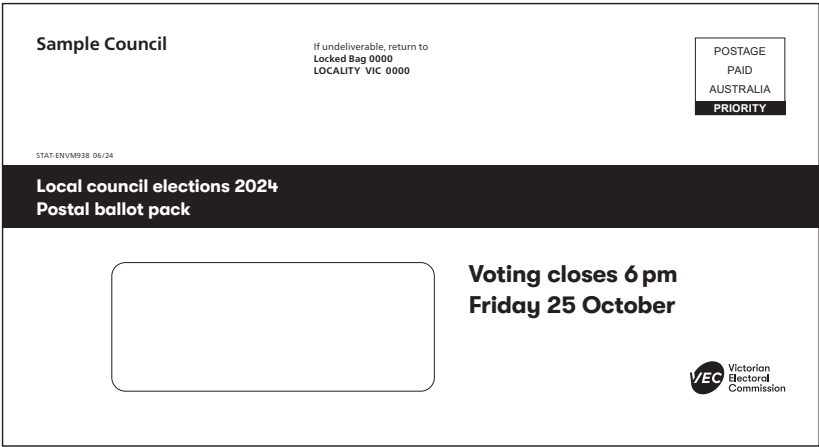
<b>Moyne Shire Council election</b>
ROSS, Lloyd
MURRIHY, Myra
RYAN, Lisa
TAYLOR, Susan
DOUKAS, Jim
KELLY, Kim - RETIRED
MOLAN, Maurice
AYRES, Jonathon
CLARK, David
FOSTER, Karen
LOCKETT, Jordan

## Appendix 6.1: Candidate statements and photographs

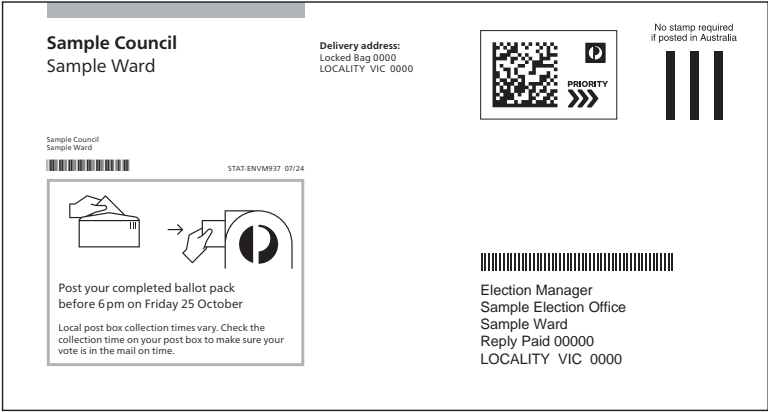
Moyne Shire Council election	Total number of candidates at close of nominations	Number of candidates that lodged a candidate statement	Number of candidates that lodged a candidate photograph
Moyne Shire Council	11	11	11

Appendix 6.2: Sample ballot material

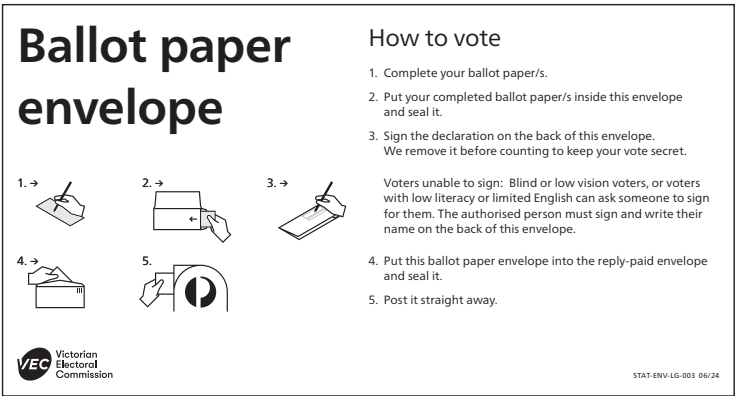
Outer envelope



Reply-paid envelope



Ballot paper envelope



Candidate leaflet

Voting closes  
6 pm Friday  
25 October 2024

All voting in this election is by post.  
Post your vote before voting closes.  
We cannot accept late votes.

Local post box collection times vary. Check the collection time on your post box to make sure your vote is in the mail on time.

You can also drop your vote off during business hours to:

Address line 1  
Address line 2  
Address line 3

For more information, visit [vec.vic.gov.au](http://vec.vic.gov.au) or call 131 832 during business hours.

Voting is compulsory


You are enrolled to vote in this election.

Voting is your right. By voting, you get to have a say in who represents you on your local council.

Voting is also a responsibility. If you don't vote, you may get a fine.

If your enrolment details have changed, it is your responsibility to update them. Visit [vec.vic.gov.au/update](http://vec.vic.gov.au/update) for more information.


Sample Council  
Sample Ward



Candidate leaflet

Sample Council  
election 2024  
Sample Ward


Sample Ward



Notice


The contents of candidate statements are provided by the candidates. Any enquiries about candidate statements should be directed to the relevant candidate. Candidate statements are not verified or endorsed by the election manager. Candidate statements are also available at [vec.vic.gov.au](http://vec.vic.gov.au)

Candidates may also provide answers to a questionnaire. Responses are available at [vec.vic.gov.au](http://vec.vic.gov.au)

 Victorian Electoral Commission

How to vote multi-language leaflet  
If applicable

How to vote leaflet


 Interpreter

Language support

Visit [vec.vic.gov.au/languages](http://vec.vic.gov.au/languages) for more information in your language.

For interpreter assistance, call us. See the phone numbers on the next page.

STAT-LEAMUL01 07/24

 Victorian Electoral Commission

Ballot paper

Sample Council  
Sample Ward

Election of 1 Councillor

Number the boxes 1 to 4 in the order of your choice.  
Number every box to make your vote count.  
You must not use any number more than once.

☐ CANDIDATE, Name  
☐ CANDIDATE, Name  
☐ CANDIDATE, Name  
☐ CANDIDATE, Name

Appendix 6.3: Sample uncontested ward leaflet


**Sample Council election 2024**  
Sample Ward

At the close of nominations for the Sample Council, Sample Ward election, one nomination was received for one vacancy. Therefore, Candidate Name will be elected unopposed.

**You are not required to vote.**

**Election Manager Name**  
Election Manager

For more information call 131 832



Victorian  
Electoral  
Commission

Appendix 7:  
Daily breakdown of the  
general mail out

Moyne Shire Council election	7 October 2024	8 October 2024	9 October 2024	10 October 2024	Total general mail out
Moyne Shire Council	4,585	4,585	2,158	2,157	13,485



Appendix 8:  
Result information

Moyne Shire Council count summary		
Enrolment	13,486	
Formal votes	10,645	
Informal votes	461 (4.15% of the total votes)	
Voter turnout	11,106 (82.35% of the total enrolment)	
Candidates (in ballot paper order)	First preference votes	Percentage
ROSS, Lloyd	732	6.88%
MURRIHY, Myra	767	7.21%
RYAN, Lisa	1,293	12.15%
TAYLOR, Susan	1,085	10.19%
DOUKAS, Jim	2,568	24.12%
MOLAN, Maurice	581	5.46%
AYRES, Jonathon	365	3.43%
CLARK, David	339	3.18%
FOSTER, Karen	1,580	14.84%
LOCKETT, Jordan	1,335	12.54%
Successful candidates		
DOUKAS, Jim (1st elected)		
FOSTER, Karen (2nd elected)		
LOCKETT, Jordan (3rd elected)		
RYAN, Lisa (4th elected)		
TAYLOR, Susan (5th elected)		
ROSS, Lloyd (6th elected)		
MURRIHY, Myra (7th elected)		

# Appendix 9: Election participation statistics

Participation is measured by the number of marks on the roll as a percentage of total enrolment and can vary from turnout (total ballot papers counted as a percentage of total enrolment).

Moyne Shire Council election participation	2020	2024	Statewide LG 2024 – excluding Melbourne City Council
18–19	90.40%	85.16%	86.64%
20–24	84.71%	76.78%	80.02%
25–29	80.75%	70.17%	74.09%
30–34	82.52%	69.04%	73.31%
35–39	82.92%	74.20%	76.18%
40–44	86.12%	76.96%	78.99%
45–49	88.47%	78.88%	81.92%
50–54	92.49%	84.30%	84.69%
55–59	93.52%	87.54%	87.46%
60–64	93.96%	91.42%	89.16%
65–69	96.07%	90.69%	90.41%
70+	94.05%	91.08%	88.77%
Voters enrolled through section 241 of the LG Act	89.99%	83.39%	86.27%
Voters enrolled through sections 243–245 of the LG Act	75.78%	91.39%	60.96%
Total voters enrolled	88.68%	83.59%	84.12%

# Appendix 10: Complaints

## Written complaints received by the VEC

Where an outcome is a follow-up response, the customer may have replied to the VEC’s response and the VEC has therefore replied to that follow-up email.

Where an outcome has no action taken, this could be an anonymous submission that doesn’t contain feedback and therefore can’t be passed on to another team.

Date	Nature of complaint	Action taken by the VEC
Thursday 10 October 2024	VEC Complaint - Postal voting process	Response provided
Thursday 10 October 2024	LGI Complaint - Authorisation requirements	Referred to LGI
Friday 25 October 2024	VEC Complaint - Postal vote not received by election; Checking enrolment	Response provided
Sunday 27 October 2024	VEC Complaint - Postal voting process	Follow-up response provided





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April 2025

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## 3 Councillors' Items

### 3.1 Mayor and Councillor Activities

Overview: The report provides information to Council in regard to the Councillors' attendance at briefings, forum and other meetings, between 15 March and 11 April 2025.

#### Mayor Activities

Date	Location	Meeting / Event
17 March	On-line	Victorian Local Government Grants Commission (VLGGC) session
17 March	On-line	Australian Coastal Councils Association (ACCA) meeting
18 March	Port Fairy	Councillor Workshop
20 March	Purnim	Kirrae Health Service 'Close the Gap' event
21 March	Port Fairy	Port Fairy Seniors address
22-23 March	Cape Schank	Victorian Convention of Councillors
24 March	Warrnambool	Meeting and lunch with regional Mayors and Deputy Mayors (Warrnambool City, Corangamite Shire)
25 March	Mortlake	Ordinary Council Meeting
26 March	Panmure	Environment and Sustainability Advisory Committee
31 March	Port Fairy	Meeting with Planning and Economic Development Managers
1 April	Port Fairy	Councillor Workshop
1 April	Warrnambool	South West Community Sports Awards presentation night
2 April	Melbourne	Advocacy Meetings with Victoria State Government - Minister Nick Staikos, Member for Western Victoria Jacinta Ermacora and Minister Lily D'Ambrosio
3 April	Koroit	Business Breakfast Networking Event Featuring Martin Ginnane
4 April	Nirranda South	CO2CRC Otway International Test Centre Community Reference Group Meeting
5 April	Warrnambool	Six Seasons Art installation Celebration
5 April	Port Fairy	Switch off for Shearwaters event
7 April	On-line	Conflict Resolution & Mediation Workshop
8 April	Port Fairy	Councillor Workshop
9 April	Port Fairy	Meeting with Alison McCormack, CEO of Bicycle Network



## Councillor Activities

Date	Location	Meeting / Event
18 March	Port Fairy	Councillor Workshop
19 March	Peterborough	Peterborough Residents' Group Meeting
19 March	Warrnambool	Warrnambool Moyne & District Cricket Association Presentation Night
20 March	Purnim	Kirrae Health Service 'Close the Gap' event
25 March	Mortlake	Ordinary Council Meeting
26 March	Panmure	Environment and Sustainability Advisory Committee
28 March	On-line	Great Ocean Road Coast and Parks Authority (GORCAPA) & Local Government Association (LGA) Leadership Forum
1 April	Port Fairy	Councillor Workshop
2 April	Melbourne	Advocacy Meetings with Victoria State Government - Minister Nick Staikos, Member for Western Victoria Jacinta Ermacora and Minister Lily D'Ambrosio
3 April	Koroit	Business Breakfast Networking Event Featuring Martin Ginnane
4 April	Warrnambool	Northern Raiders Cricket Club Presentation Night
8 April	Port Fairy	Councillor Workshop

### 3.2 Councillor Notice of Motion

Overview: A Councillor may lodge a notice of motion on any matter the Councillor wants to be considered.

No Councillor Notice of Motion has been received for this meeting Agenda.

### 3.3 General Matters

Overview: General Matters gives Councillors the opportunity to report on positive and good news items from around the Shire.

### 3.4 Urgent Business

Overview: A Councillor may raise an urgent matter for consideration at a Council Meeting if the Councillors considers that the matter is extremely urgent and it was not possible for the matter to have been included in the agenda notice for the meeting.

## 4 CEO Meeting Schedule

Overview: This report provides information to Council in regard to the CEO's meeting schedules between 21 March and 20 April 2025.

### Meeting Schedule

Date	Location	Meeting / Event
21 – 23 March	Cape Schanck	MAV Victorian Convention of Councillors
25 March	Mortlake	Ordinary Council Meeting
26 March	Koroit	Koroit and District Progress Association Meeting
27 March	Virtual meeting	South-West Drought Coordination Group Meeting
27 March	Warrnambool	Great South Coast Economic Futures PSG Meeting
28 March	Virtual meeting	GORCAPA & LGA Leadership Forum - DEECA Strategic Framework Plan
30 March	Mortlake	Mortlake Federation Picnic
31 March	Mortlake	Mortlake Recreation Reserve Community Asset Committee Meeting
1 April	Port Fairy	Councillor Workshop
1 April	Warrnambool	South -West Community Sports Awards
2 April	Virtual Meeting	Joint State/Local Government Monthly CEO Forum
2 April	Melbourne	State Parliament Engagement meetings: Minister for Local Government, Nick Staikos Member for Western Vic - Jacinta Ermacora Minister for Energy & Resources, Lily D'Ambrosio
3 April	Port Fairy	Business Breakfast Networking Event Featuring Martin Ginnane
3 April	Warrnambool	South West Councils ICT Alliance (SWCICTA) JVGC Coastal Connect monthly meeting
5 April	Warrnambool	Six Seasons Art Installation Celebration
8 April	Port Fairy	Councillor Workshop
8 April	Mortlake	Mortlake Community Development Committee
9 April	Koroit	Victoria Park Community Asset Committee Meeting
10 April	Port Fairy	Meeting with Ruth Caldwell, Regional Director DEECA Barwon South-West
11 April	Warrnambool	South West Victoria Alliance CEOs meeting
11 April	Koroit	Councillor Depot Tour
15 April	Port Fairy	Councillor Workshop

16 April	Virtual Meeting	Coastal Connect JVGC Interim Stand-Up Meeting
16 April	Warrnambool	Invest Vic Facilitation Group (IVFG) Regional Visit Moyne Shire Briefing and Tour
17 April	Portland	Meeting with Greg Burgoyne, CEO Port of Portland

## 5 CEO Activities Report

Overview: CEO Activities Report – 22 April 2025

### Attachments

- |  |
|--|
| 1. 2025-04-22 CEO Activities Report [ <b>5.1.1</b> - 34 pages] |
|--|



# CEO Activities Report

## 22 April 2025

For public distribution

## Message from the CEO

Good progress continues to be made on Moyne Shire Council's 2024-25 sealed road rehabilitation program, with works currently underway at Kirkstall (95% complete), Castle Carey Rd (20%) and Hopkins Falls Rd (75%).

The 2024-25 road reseal program has been completed, and site assessments have commenced for next year's program.

Our current major projects are on track to meet their target completion dates.

- Skate and Play, Port Fairy – 30 June 2025
- East Beach, Port Fairy upgrade – 30 June 2025
- Garden Reserve Pavilion, Port Fairy – July 2025

The funding agreement for the Growing Regions program has been finalised and works planning by the PMO is progressing for Koroit Township Renewal stage 3.

The Port Fairy airstrip is closed until further notice, pending a review of safety compliance requirements.

Early Years total enrolment number for March 2025 is 363 children, compared to 266 last year. A further 23 children are enrolled at Roots Childcare in Garvoc. We have made substantial inroads into our targeted staff recruitment with key roles filled, allowing us to provide more childcare places to families across Moyne.

An additional session has been added to the Mortlake Kindergarten to account for additional enrolments. By expanding to five days per week, we have been able to avoid having to place children on a waitlist and have reduced numbers across all sessions, opening up more space for further enrolments and creating a better experience for children, our staff and families.

Moyne Shire Council representatives visited Victorian Parliament at Spring Street on Wednesday 2 April 2025, to advocate on key issues for our community. Our delegation included Mayor Karen Foster, Cr Myra Murrehy, Jodie McNamara and myself.

Our number one topic was the proposed Emergency Services and Volunteer Fund Levy. Moyne Shire Council has joined the significant level of advocacy from rural communities across Victoria requesting changes to avoid any disproportionate cost impact on farmers.

Other topics raised included replacement of the Gipps Street, Port Fairy bridge, female representation on Council, financial sustainability and our role in the decommissioning process of Codrington Wind Farm. We were grateful for productive sessions with Ministers Nick Staikos and Lily D'Ambrosio and our local member Jacinta Ermacora MP.

We will present for public feedback the draft Council Plan 2025-2029 from 23 April to 11 May 2025 and draft Council Budget 2025/26 in May 2025. Community consultation is vitally important for both and we welcome comments on both drafts.

Mayor Cr Foster and I attended the South-West Community Sports Awards on 1 April 2025, which celebrated sporting and community achievements across our region.

I offer congratulations on behalf of all at Council to all winners, finalists and in particular Community Sport Volunteer of the Year, Moyne winner Nicole Dwyer, of Port Fairy Football Netball Club and Port Fairy Surf Life Saving Club.

I have also recently attended meetings of the Mortlake Recreation Reserve Community Asset Committee, Mortlake Community Development Committee, and Victoria Park Community Asset Committee. The dedication and passion of all committee members and volunteers is remarkable and I am grateful to the strong collaboration with Councillors & Council Officers.

Like similar committees throughout Moyne Shire, these groups do so much to enhance the communities we live in.

Regards,

Mark Eversteyn

**Chief Executive Officer**





## 2 Communications Update

### Communications Update

Dates: 15 March 2025 to 11 April 2025

#### Media Releases Issued:

- Main construction underway on Skate and Play, Port Fairy
- Road management plan for Moyne Shire
- Moyne Shire conducts a loo review
- Fears impact new ESVF levy will have on farmers, agricultural business
- Libraries rank highly with audio borrowers
- Festival and Event fund applications invited

#### Media responses:

- Battery fires in waste processing (The Standard)
- Diesel spill in Moyne River (ABC Radio)
- Koroit street trees (Fitz Media)
- Mosswood Wildlife (Fitz Media)
- Nullawarre Kinder damage (The Standard)
- Childcare crisis (ABC Radio)

#### Media Monitoring:

There were 49 mentions across print, web and radio for the period, including:

- Dan Tehan promise for Port Fairy community sports hub (The Standard)
- Diesel spill in Moyne River (The Standard, ABC Radio)
- Skate and Play, Port Fairy (ABC Radio, Inside Local Government)
- Macarthur Pool (Hamilton Spectator)
- Loo review (The Standard, ABC Radio)
- Road management plan (WD News)
- Battery fires in waste processing (The Standard, ABC Radio)
- ESVF Levy (ABC Radio, The Standard, Colac Herald)
- Response to post on Mosswood Wildlife (Fitz Media Facebook feed)
- Regional rents (The Age, Domain)
- Nullawarre Kinder damage (The Standard)
- Libraries continue to thrive (WD News)



**Website**

Top Searches (last 30 Days)	Most Viewed Pages (past 30 Days)
Jobs (21 searches)	Employment (991 views)
Tenders (6)	Kerbside collection dates (838)
Events (3)	Contact Us (695)
Expressions (3)	Griffiths Island (347)
Governance (3)	Advertised planning applications (253)
Grants (3)	Waste and Recycling (199)
Policies (3)	Your Council (188)

**Social Media (last 28 days)**

Platform	Fans/Followers	Reach
Facebook	7,955 (+51)	42,800
Instagram	1,885 (+11)	1,779

**Top Facebook posts**

Post	Impressions	Reactions
Curdies River jetty design options	10,600	6
Lost dog – whippet in Panmure	10,500	26
Skate and Play, well underway	9,800	133
Update on diesel spill	6,900	31
Garvoc childcare opening	4,500	12
Federation Picnic, Mortlake	4,500	14
Invitation to Martin Ginnane business breakfast	4,200	11
New roof for Griffiths Island rotunda	4,000	43

**Top Instagram posts**

Post	Reach	Reactions
Skate and Play, well underway	687	36
Update on diesel spill	520	12
Curdies River jetty design options – public consultation	444	7
Skate and Play community safety notice	419	4
Join Our Team – Coordinator Education & Care	402	6
Moyne delegation to Parliament House	400	10
Invitation to Martin Ginnane business breakfast	361	3
Curdies River jetty design options	361	5



### 3 ASSETS & COMMUNITY

#### Early Years

Early Years Enrolment numbers for March 2025

Service	Enrolments 2024	Enrolments 2025
Chatsworth	7	13
Hawkesdale	37	37
Koroit	50	69
Macarthur	5	5
Merri	10	34
Mortlake	46	42
Nullawarre	6	10
Port Fairy	103	153
<b>Total</b>	<b>266</b>	<b>363</b>

A further 23 children are enrolled at Roots Childcare at Garvoc which opened for service in late March.

#### Service closures – Year to date

Service closures	2024	2025	Reason for closure
Macarthur Kinder	2	0	
Nullawarre Kinder	6	0	
Mortlake Kinder	1	0	
Merri Kinder	2	1	Staff Illness
Koroit Kinder	0	0	
Port Fairy – Childcare and Kinder	14	1	Staff unavailability
Hawkesdale – Childcare and Kinder	5	3	Staff unavailability/illness
Chatsworth - Childcare	4	1	Staff Illness
<b>TOTALS</b>	<b>34</b>	<b>6</b>	

#### Community Care

Service	March 2024	March 2025	Variance
Home Care (hours)	830	649	-181
Personal care (hours)	378	303	-75
Respite (hours)	126	125	-1
Social Support Individual (Hours)	218	233	+15
Delivered Meals	1176	1244	+68

Fluctuations in delivered hours may be due to many factors including staff or client illness or unavailability, but are consistent with general trends



## Cultural & Community Development

### Southcombe Park Folk Festival Inspections

Site inspections were held with Southcombe Park User Groups, Community Asset Committee, Folk Festival and Council. A turf consultant from Greenspace PL was engaged to inspect Southcombe Park and provide pre-and-post-festival inspection reports and recommendations.

Due to the dry conditions, some rehabilitation is required on bare patches, especially on College Oval with aeration, fertilising of both fields and over sow of ryegrass between the stadium and hard wicket. This work was scheduled for the week beginning 24 March.

The Port Fairy Soccer Club have commenced training at the park and are hoping to host their first home game in late April or early May. The soccer club will avoid training next to the bare patches and over sown areas until rehabilitation occurs.

### Mortlake Pool Management Contract Tender

The current pool management contract with the YMCA, for the Mortlake Pool in conjunction with Corangamite Shire, will expire on 30 June 2025. Following a review, tender documentation has been revised and will be released for public tender from late March 2025. Review of the tender submissions will occur jointly with Corangamite Shire on 30 April.

### Mortlake Market Square- Draft Landscape Design Master Plan

The draft Landscape Design Master Plan for Mortlake Market Square will be presented for community feedback at sessions in the Mortlake Library on 8 May 2025, from 2:00pm-3:00pm and 7:00pm-8:00pm. The plan will also be open for feedback via Councils Engage Moyne website from 1 May 2025. Community members are encouraged to review and provide their feedback on the design to assist with the development of a safe, accessible gathering space.

### Nirranda Recreation Reserve Master Plan

The draft Master Plan for Nirranda Recreation Reserve will be presented to user groups and the community in May. The masterplan will evaluate current and future use of the Recreation Reserve and highlight priorities for investment in the reserve for the next 10-15 years. This will allow for streamlining of local efforts and resources to ensure sustainability or growth of existing clubs and the ability to harness other opportunities.

### Young Makers Market

Stall holder applications are now open for the Young Makers' Market which will be held at Port Fairy as part of the Winter Weekends festival over the June long weekend. Applications are open to young people 25 years and under and will close on Friday 16 May.



### Social Innovators Program

Students in Year 5 and 6 from Port Fairy and Koroit will come together on 14 and 15 May to take part in the Social Innovators Program delivered by The Crazy Ideas College. In this exciting program, young people will team up to create services, programs, and products that make a positive impact in their communities. During the process, they will explore issues they're passionate about, generate innovative solutions to those issues, prototype their solutions and pitch their ideas to community leaders. After the 2-day program, teams will work to bring their idea to life within their local community over Terms 2 and 3.

### Food Handling Workshops

Fifty-five students from Mortlake P12 and Brauer College will take part in gaining their accreditation in Food Handling in May in celebration of national careers week. This has been funded through the Victorian State Government Engage program.



## Construction, Maintenance and Emergencies

### Sealed Road Rehabilitation Program

- Childers Cove Road. Construction complete
- Membreys Road. Construction complete
- Campbell Street. Road sealed, 85% complete
- Intersection works Kirkstall. Construction in progress, 95% complete, minor works to be finalised
- Allansford-Wangoom Road. Construction complete
- Castle Carey Road – construction in progress, 20% complete
- Hopkins Falls Road. Construction in progress. Two sections complete, project 75% complete
- 2025-26 Draft Road Rehabilitation Program preparation in progress

### Sealed Road Reseal Program

- 2024-25 reseal program complete
- 2025-26 Draft Road Reseal Program – in draft format and site assessments ongoing

### Unsealed Roads

- Maintenance grading in progress
- Unsealed road re-sheeting program finalised for 2024; remaining works planned to re-commence April 2025

### Emergency Management

- Preparedness works completed for the fire danger period
- Fire break maintenance completed
- Roadside burns in progress

### Open Space

- Slashing of rural roadsides complete
- Roadside spraying program in progress
- Township mowing ongoing

## Assets & Infrastructure

### Building Maintenance

- Ongoing implementation of the FY24-25 building renewal program
- Development of the proposed FY25-26 building renewal program completed to form part of the FY25-26 budget process.

### Building Renewal / Capital

- Installation of fencing at entry to Port Fairy Community Services completed for safety of children.
- Discussions continuing with Origin Mortlake and Powercor on possible installation of a EV charging station in Mortlake.
- Installation of 3-phase power to Railway Place/Goods Shed to be completed April
- Contract awarded for re-roofing of the Port Fairy Visitor Information Centre with works to be undertaken May / June.
- Public Amenities Service Review Draft report at public submission stage with a report to Council scheduled for May.
- Port Fairy Cricket Club pavilion works including extensive repair and renewal timbers and floor treatment to be completed April.
- Works at Koroit Theatre underway including ramp access to rear of building and painting contract to be awarded in April. All works to be completed by end of June.
- Light fittings at Martins Point toilet amenities been changed to deter mutton birds from being attracted to the lighting.
- Rotunda on Griffith Island causeway has been reroofed with material that will not distract the mutton birds.
- Shire-wide painting contract now operational with painting completed at Killarney, Mortlake Market Square and Woorndoo toilet blocks.

### Plant

- Two replacement tractors delivered
- Tenders under evaluation for replacement water cart
- Bitumen sealing truck tender specification in progress
- Self-propelled roller tender specification in progress

### Bridge Program

#### Hopkins Falls Bridge:

- Five deck pours complete, one remaining



## Assets

- Project A-spec is progressing, currently setting up a database staging for Moyne like a warehouse that holds the submissions data.
- Coastal connect project – configuration of works module is progressing for EAM
- Drainage Condition Audit (clean, camera and condition assessment) – works commenced and so far, 4 km network in Koroit is assessed, still have 6 km network to go, projected to complete early May.
- Road Management Plan & Register of Public Roads – out for community consultation
- Latest Aerial Imagery (project in coordination with Wannon and DELWP) – updated spatially and finished for Moyne



## Project Management Office

### East Beach Stage 1

Works continue to schedule at East Beach including:

- External and internal refurbishment works to the amenities block to be completed early May
- Installation of BBQ shelters and BBQs completed
- Site landscaping and footpaths

Works to complete to end of project:

- Car parking, road works and line marking in amenity block area
- Installation of 2 additional sun loungers
- Solar streetlight near amenities block
- Landscaping including planting.





### **Skate and Play Precinct and Campbell and James Street works**

Convic contractors are making great progress at the Skate and Play Precinct with major installations due in the coming month including new toilet amenities block and play equipment.







Works schedule is on track as follows:

- Skate park construction – March to mid-June
- Amenities block installation – April / May
- Playground installation – April/ May
- Fitness equipment installation - May
- Half court installation – May
- Flying Fox installation - June
- Footpaths, furniture and landscaping May – June
- Belfast Car Park – March – early May
- Belfast Car Park to Skate and Play Precinct wombat crossing – May - June
- Short-term drop of parking bay adjacent to Precinct in James Street – May – June

A site tour was held for Council officers in early April to discuss works and site visit for local schools is under planning for mid-May.

Second stage Campbell Street and James Street drainage, footpath and road works have recommenced with the following works to be completed by end of June:

- Raised intersection at Cambell and James Streets
- Drainage upgrades in Campbell to Union Street and Cambell James Street area
- Parallel parking adjacent to Russell Clark Reserve between James and Union Streets.

### **Port Fairy Football Netball Club Change Rooms**

Contractors are progressing well with building works which are now at lock up stage. Internal works on the main building are well underway with the project tracking to time for completion in July.

### **East Beach Sea Wall**

A response to a number of questions relating to beach access sites has been sent to the Department of Environment, Energy and Climate Action for progression of Marine and Coastal Act approval. Advice is also being sought on requirements for cultural heritage management processes.

### **Gardens Electrical Upgrade Stage 2**

Works on the second stage of electrical upgrades at Gardens Reserve are now completed with including installation of new powerheads to the north of the oval and to site adjacent to the old cricket nets.

### **Koroit Township Renewal Stage 3**

The funding agreement for the Growing Regions program has been finalised and works planning are progressing.

## 4 CORPORATE & GOVERNANCE SERVICES

### Customer Service

March 2025 customer service interactions with customers:

Touchpoint	2025	2024	Variance
Customer Service Centre Counter enquiry	908	666	242
Customer Service Call Centre enquiry	1572	1585	-13
Calls direct to officer extensions *	774	1385	-611
Digital channels	38	20	18
Request For Service	910	504	406
Registered Correspondence	1818	2099	-281
After hours phone	78	53	16
<b>TOTAL ENQUIRY</b>	<b>6098</b>	<b>6321</b>	<b>-223</b>

Note: \*Calls direct to officer extensions does not include calls direct to Mobile.

Snap Send Solve	March
Reports still in progress	5
Reports solved for the month	47
Reports re-assigned to another agency	11
<b>TOTAL SNAPS REPORTED</b>	<b>63</b>

Note: We will continue to use both Snap Send Solve and Magiq for registering requests until Coastal Connect goes live. The total number of service requests are included in the top table.

## 5 ENVIRONMENT, ECONOMY & PLACE

### Statutory Planning

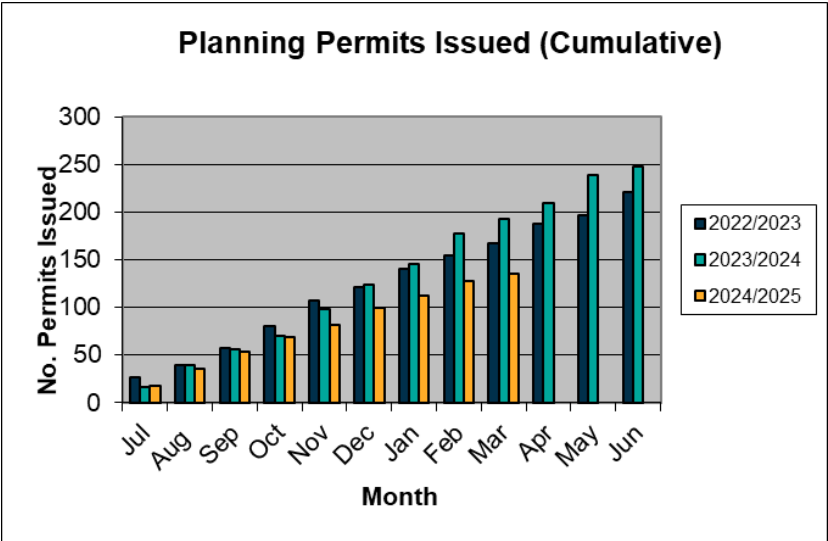
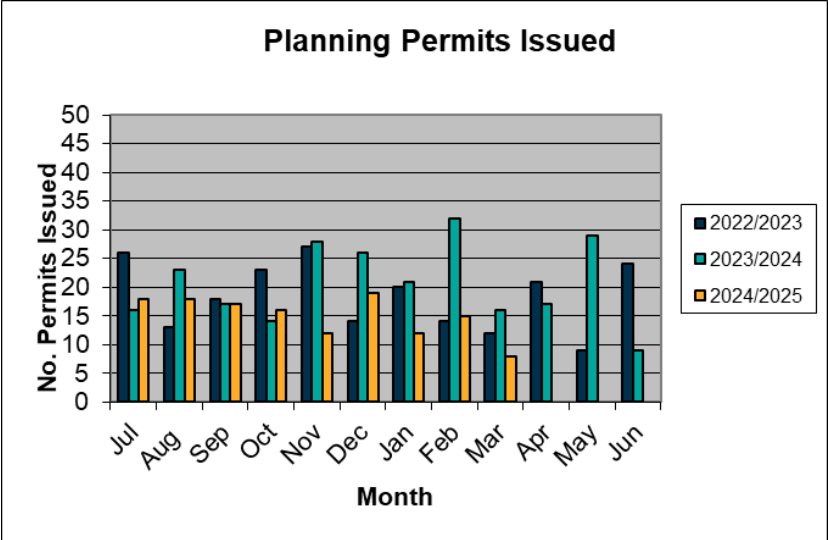
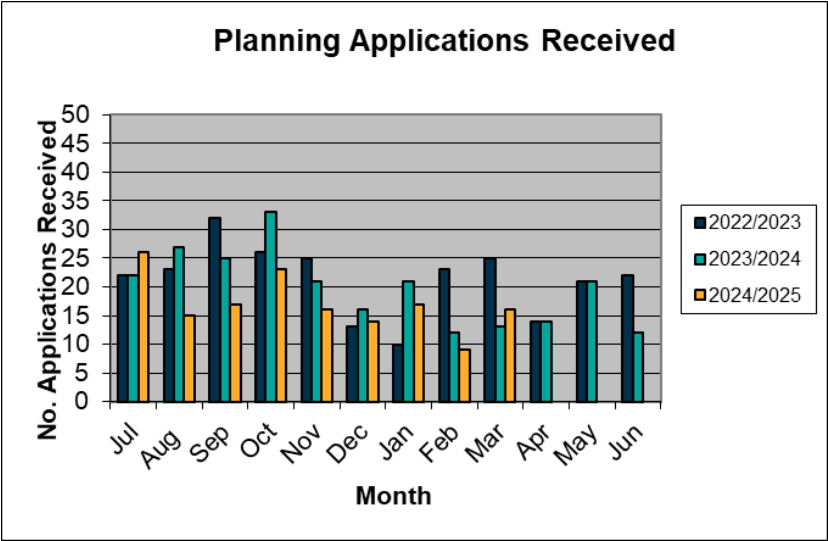
#### Planning Permits – March 2025

The following is a summary listing of the Planning Permits issued:

PLANNING APPROVALS – MARCH 2025								
Development	No of Applications Received				Permits Issued from Applications			
	Jan 2025	Feb 2025	March 2025	Fiscal Year 2024 / 2025	Jan 2025	Feb 2025	March 2025	Fiscal Year 2024 / 2025
Residential Dwellings	6	3	2	<b>84</b>	2	2	2	<b>89</b>
Additions to existing dwellings	4	2	6	<b>77</b>	3	6	2	<b>83</b>
Dual Occupancy / Unit Development	0	0	0	<b>3</b>	0	0	0	<b>5</b>
Outbuildings	3	1	4	<b>78</b>	3	2	0	<b>74</b>
Commercial / Retail	0	0	0	<b>23</b>	0	1	0	<b>19</b>
Industrial	0	0	1	<b>8</b>	0	1	0	<b>6</b>
Public Utilities	0	0	0	<b>1</b>	0	0	0	<b>3</b>
Subdivisions	4	1	3	<b>71</b>	3	2	3	<b>66</b>
Agricultural	0	1	0	<b>14</b>	1	0	0	<b>14</b>
Miscellaneous	0	1	0	<b>31</b>	0	1	1	<b>24</b>
<b>TOTAL</b>	<b>17</b>	<b>9</b>	<b>16</b>	<b>390</b>	<b>12</b>	<b>15</b>	<b>8</b>	<b>383</b>

*This table shows applications by land use definition to show trends as to what types of applications are being lodged and issued.*





Percentage of Application Finalised within the Statutory timeframe				
Month / Year	New Applications received	Applications Completed	% Decision within Statutory timeframe	Current applications for Permit / Amended Permit
Apr-24	14	19	74%	80
May-24	21	30	71%	79
Jun-24	12	14	57%	77
Jul-24	25	20	72%	90
Aug-24	15	22	68%	86
Sep-24	17	17	76%	86
Oct-24	23	16	75%	84
Nov-24	16	12	92%	85
Dec-24	14	19	74%	82
Jan-25	17	12	75%	87
Feb-25	9	15	73%	81
<b>Mar-25</b>	<b>16</b>	<b>8</b>	<b>75%</b>	<b>90</b>

Note: March applications completed figure is as a result of timing on the reporting period. Increase in permits issued following day.



## Strategic Planning

Project	Who	Action
Planning Scheme Amendment C72 Koroit Structure Plan	Council	Council formally submitted Planning Scheme Amendment C72 to DTP for review and authorisation. DTP have provided conditional authorisation to proceed with the amendment. Conditions that DTP have issued relate to administrative changes to the amendment documents and the Development Plan Overlay. The Heritage Overlay requires administrative changes and further commentary on several heritage places. The Amendment will be exhibited (advertised), once the authorisation conditions have been satisfied. Council officers have consulted with landowners within the growth area about the preparation of a Development Plan for the area. This will guide future development and ensure subdivisions are designed appropriately given the site constraints.
Moyne Futures Blueprint – Land Use Strategy	Council	The Moyne Futures Blueprint – Land Use Strategy is a whole-of-Shire strategy which will set the direction for land use, growth and development within the municipality for the next 20 years. Council has appointed Insight Planning Consultants to prepare the Strategy. Phase 1 of the project has commenced which includes a literature review, background research, and gap analysis. Initial community engagement commenced ahead of schedule with the release of an online Community Survey. Approximately 58 responses were received to the survey which was open until 31 January 2025. Further consultation will occur in the coming months. The consultants are close to completing draft consultation and background reports for review.

## Environmental Health

### Septic Permits to Install / Alter Issue

The following Permits have been issued to either install or alter an On-site Wastewater Management System (OWMS) / Septic system during the month of March 2025:

	2022	2023	2024	2025
January	3	6	5	4
February	10	8	2	5
<b>March</b>	<b>16</b>	<b>6</b>	<b>3</b>	<b>4</b>
April	8	4	0	
May	4	8	3	
June	7	13	16	
July	11	7	4	
August	8	16	3	
September	8	2	5	
October	8	7	5	
November	7	8	3	
December	12	5	6	
<b>TOTAL</b>	<b>102</b>	<b>90</b>	<b>55</b>	<b>13</b>

### Certificates of Registration

The following Certificates of Registration (i.e. Food, Prescribed Accommodation and Health Premises) have been issued during the month of March 2025:

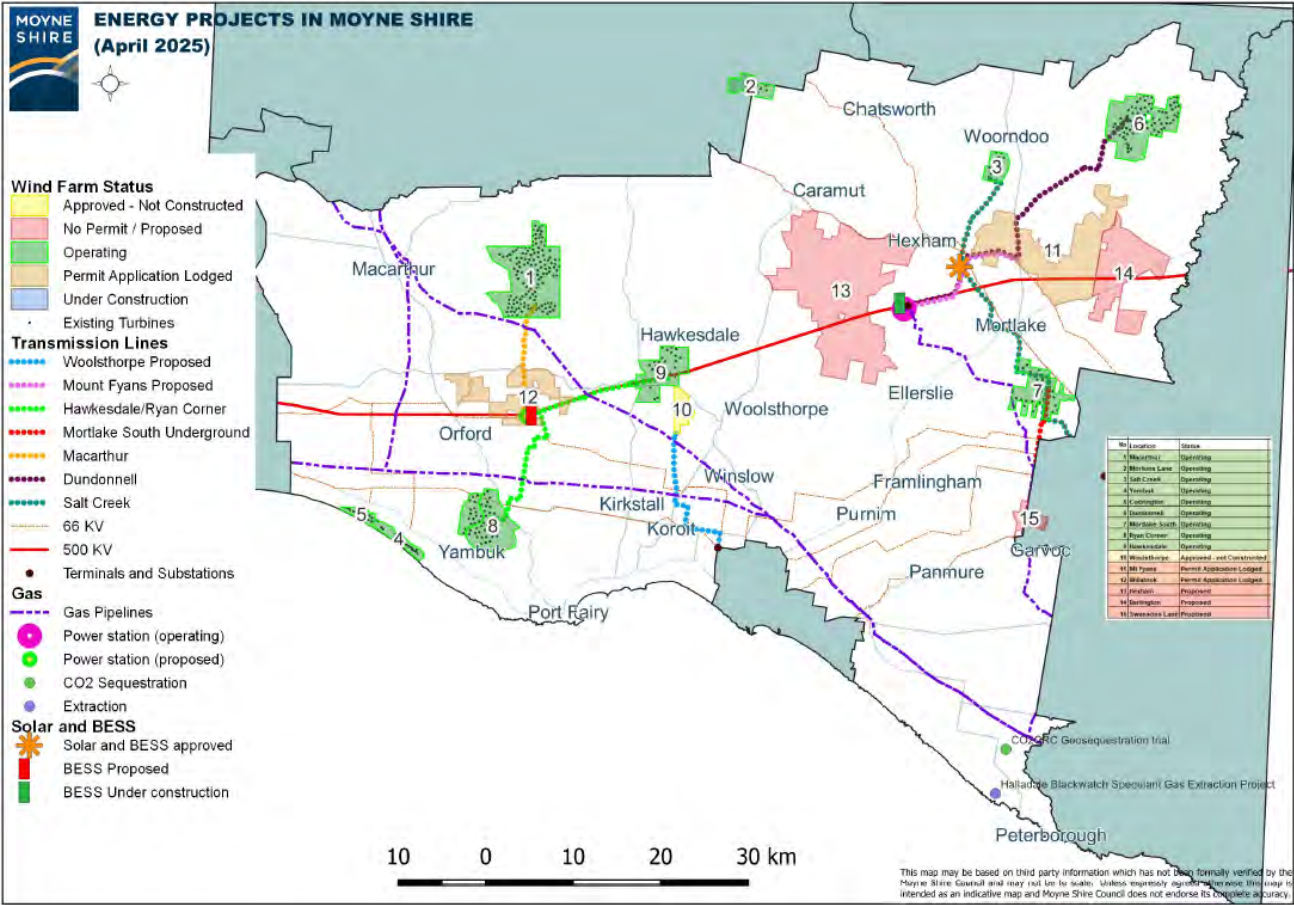
	2022	2023	2024	2025
January	91	114	69	116
February	25	25	45	32
<b>March</b>	<b>13</b>	<b>33</b>	<b>22</b>	<b>23</b>
April	25	15	6	
May	13	7	4	
June	7	7	1	
July	19	5	2	
August	10	5	3	
September	3	6	4	
October	2	6	1	
November	24	33	35	
December	21	87	43	
<b>TOTAL</b>	<b>253</b>	<b>343</b>	<b>235</b>	<b>171</b>

## Energy Projects

### Attachment

Energy Projects April 2025

Energy Projects



## WIND FARMS

*Information sourced from project websites							
Map reference number, project name and year commenced operating	Proponent	Number of turbines (and tip-height)	Maximum capacity (megawatts) *	Approx. property area (hectares) *	How many average homes could it power? *	Community fund program (grants and scholarships) *	Project updates
<b>OPERATING WIND FARMS</b>							
1. Macarthur (2013)	AGL	140 (140 metres)	420 MW	5,500 HA	167,000	\$50,000 p/a	
2. Mortons Lane (2011)	CGN/Prime Super	13 (6 in Moyne) (150 metres)	19 MW	1,100 HA	17,000	An annual contribution to the local CFA Brigade	
3. Salt Creek (2018)	Tilt Renewables	15 (150 metres)	54 MW	1,231 HA	33,000	\$10,000 p/a Plus \$15,000 p/a scholarship fund	Monitoring for GHFF and Southern Bent-wing Bat ongoing.
4. Yambuk (2005)	Pacific Blue	20 (106 metres)	30 MW	603 HA	35,000	\$44,000 p/a for Codrington and Yambuk Wind Farms combined	
5. Codrington (2001)	Pacific Blue	14 (81 metres)	18 MW	606 HA	10,000	As above	Pacific Blue has engaged with Council regarding its intention to decommission the Codrington Wind Farm in 2027, and will continue to consult with Council officers, DTP and other relevant agencies to prepare a detailed decommissioning plan.
6. Dundonnell (2022)	Tilt Renewables	80 (180 metres)	336 MW	4,500 HA	245,000	\$50,000 p/a Plus \$15,000 scholarship fund	BAMP (Bat and Avifauna Management Plan): Year 1 and 2 annual reports submitted to DEECA. Noise monitoring: Year 2 report placed on the project website. Next Community Engagement Committee (CEC) date TBC.
7. Mortlake South (2024)	Acciona	35 (186 metres)	157 MW	1,100 HA	117,000	\$20,000 p/a Plus \$5,000 p/a scholarship fund	Turbine repairs are ongoing. Next CEC date TBC.
8. Ryan Corner (2025)	Global Power Generation (GPG)	52 (180 metres)	218 MW	3,388 HA	80,000	\$130,000 p/a	GPG has established the Ryan Corner Wind Farm Community Fund committee and meetings have commenced. Next CEC meeting 8 May.
9. Hawkesdale (2025)	GPG	23 (180 metres)	97 MW	2,280 HA	40,000	\$157,500 p/a	Next CEC meeting 8 May.
<b>TOTAL</b>		<b>385</b>	<b>1,349 MW</b>	<b>20,308 HA</b>	<b>744,000</b>		

APPROVED WIND FARMS (not yet constructed)							
10.Woolsthorpe (Construction proposed to start June 2025)	Enerfin	12 (230 metres)	68 MW	750 HA	120,000	\$60,000 p/a	Construction is scheduled to start in June 2025. Approved management plans are on the project website: <a href="#">Overview and Useful Links   Woolsthorpe WF</a> Next CEC date 17 April.
<b>TOTAL</b>		<b>12</b>	<b>68 MW</b>	<b>750 HA</b>	<b>120,000</b>		
PROPOSED WIND FARMS (APPLICATIONS LODGED, MINISTERIAL DECISIONS PENDING)							
11.Mt Fyans	Woolnorth	81 (200 metres)	400 MW	10,700 HA	280,000	Proposed \$85,000 p/a	Panel report released. The applicant is considering submissions received regarding further information on bats and Brolga. Next CEC date TBC.
12.Willatook	Wind Prospect	59 (250 metres)	350 MW	4,000 HA	200,000	Proposed \$59,000 p/a	Panel report and Minister's assessment received. The report and assessment required the applicant to provide more information to satisfy Ministerial issues raised. Next CEC date TBC.
<b>TOTAL</b>		<b>140</b>	<b>750 MW</b>	<b>14,700 HA</b>	<b>480,000</b>		
PROPOSED WIND FARMS							
13.Hexham	Wind Prospect	109 (260 metres)	740 MW	16,000 HA	515,000	Proposed \$109,000 p/a	Undertaking an Environment Effects Statement (EES). Next CEC date TBC.
14.Darlington	GPG	45 (240 metres)	325 MW	5,645 HA	300,000	TBC	Undertaking an Environment Effects Statement (EES).
15.Swansons Lane	RE Future	5 (2 in Moyne) (252 metres)	35 MW	689 HA	29,000	TBC	Application lodged with DTP, at the further information request stage.
<b>TOTAL</b>		<b>156</b>	<b>1,100 MW</b>	<b>22,334 HA</b>	<b>844,000</b>		

## OTHER ENERGY PROJECTS

Name	Proponent	Project Type	Status/Project update
<b>Mortlake Turn-In Project (AusNet)</b>	AusNet	This project will connect the second of the two existing 500kV transmission lines into the Mortlake Terminal Station to reduce generation constraints and improve grid stability.	Live line works to turn the line in have been completed.
Mortlake Battery Energy Storage System (BESS)	Origin	A 300mW 2-hour Battery Energy Storage System (BESS) on the site of the Mortlake Gas Fired Power Station and the Mortlake Terminal Station.	Almost all battery units have been delivered. Large concrete pours have been completed for the BESS and the substation, and civil works are nearing completion. Electrical works will increase over the coming months. AusNet is preparing for superloads to deliver the BESS substation transformers.
Mortlake Energy Hub – Solar and BESS	Bright Night Power	A 360MW Solar Farm and 600MW BESS to be constructed on a site approximately 7kms west of Mortlake on the northern side of Connewarren Lane.	Approved by the Minister for Planning on 12 September 2024. The permit will expire if the project does not commence within four years.
Tarrone Battery Energy Storage System (BESS)	GPG	Located on a 7 hectare site, west of Tarrone North Road and adjacent to the existing Tarrone Terminal Station, the project would have a storage capacity of 200MW / 400MWH.	Council has lodged a submission to the Minister for Planning on the planning application. <a href="https://www.moyne.vic.gov.au/Your-council/Advocacy/Council-submissions/Tarrone-BESS-planning-application-submission">https://www.moyne.vic.gov.au/Your-council/Advocacy/Council-submissions/Tarrone-BESS-planning-application-submission</a>
Yangery BESS	South Energy	Located on a 23 hectare site in Warrnambool City Council, adjacent to Moyne Shire in Yangery. The project would have a storage capacity of approximately 120 megawatts (MW) and 480 megawatt-hours (MWh).	
CO2CRC International Test Centre, Nirranda South	CO2CRC	Carbon sequestration test project. <a href="https://co2crc.com.au/research/otway-international-test-centre/">https://co2crc.com.au/research/otway-international-test-centre/</a>	
<i>Controlling Coastlines while Generating Power</i> Research Project	Swinburne, UNSW and Flinders Universities, Port of Geraldton, Moyne Shire Council	A four-year research project using Port Fairy's East Beach and the Port of Geraldton as case studies, to explore the use of wave energy converters to absorb and reflect wave energy that damages vulnerable coastlines.	The research project will conclude, and a final report released in late 2025.

## RECENT SUBMISSIONS / REPORTS / CONSULTATIONS

Name	Agency	Topic	Update
Draft Victorian Transmission Plan Guidelines and study area map	VicGrid	Submission lodged focusing on cumulative impact of energy projects in Moyne, and agricultural land use. <a href="https://www.moyne.vic.gov.au/Your-council/Advocacy/Council-submissions">https://www.moyne.vic.gov.au/Your-council/Advocacy/Council-submissions</a>	A consultation feedback report has been published on the Engage Vic webpage: <a href="draftvtpguidelines-finalengagementreport-whatweheard_8924.pdf">draftvtpguidelines-finalengagementreport-whatweheard_8924.pdf</a> The draft 2025 VTP Guidelines and REZ maps are expected to be released in April-May 2025.
VicGrid Draft Community Benefits Program	VicGrid	Submission lodged: <a href="https://www.moyne.vic.gov.au/Your-council/Advocacy/Council-submissions/Draft-renewable-energy-zone-community-benefits-plan-25-June-2024/Letter-to-Alistair-Parker-VicGrid">https://www.moyne.vic.gov.au/Your-council/Advocacy/Council-submissions/Draft-renewable-energy-zone-community-benefits-plan-25-June-2024/Letter-to-Alistair-Parker-VicGrid</a>	
Guidelines on managing biodiversity near wind farms	DEECA	Submission lodged. <a href="https://www.moyne.vic.gov.au/files/assets/public/v/1/documents/your-council/advocacy/2025.02.21-moyne-shire-council-submission-deeca-renewable-energy-biodiversity-guidelines-consultation.pdf">https://www.moyne.vic.gov.au/files/assets/public/v/1/documents/your-council/advocacy/2025.02.21-moyne-shire-council-submission-deeca-renewable-energy-biodiversity-guidelines-consultation.pdf</a>	
Offshore Wind Energy Implementation Statement 4	DEECA	The Minister for Energy and Resources has released Victoria's Offshore Wind Energy <i>Implementation Statement 4</i> . The <i>Statement</i> is the next step in developing Victoria's offshore wind industry and includes information about the commencement of a Registration of Interest (ROI) process for offshore wind feasibility licence holders.	The Statement can be viewed at: <a href="https://www.energy.vic.gov.au/_data/assets/pdf_file/0026/745235/Offshore-Wind-Energy-Victoria-Implementation-Statement-4.pdf">https://www.energy.vic.gov.au/_data/assets/pdf_file/0026/745235/Offshore-Wind-Energy-Victoria-Implementation-Statement-4.pdf</a>



## Resource Recovery & Waste Management



For more information contact Teena Lawrance, Waste Education Officer

**Four tonnes of Recyclables were delivered to a local Materials Recycling Facility (MRF) from a collection taken week beginning Monday 31 March 2025.**

There were various **contaminants** noted in the load such as; bagged landfill waste, glass bottles, soft plastics (plastic bags, bubble wrap, plastic film, packaging wrap), a garden hose, a washing basket, eWaste items, pillows/carpet and textiles.

### What are contaminants?

Contaminants are materials which do not belong in a particular recycling stream within the Moyne Kerbside waste collection system.

Moyne provides a **4BINS separation system**;

**FOGO** (Food Organics Garden Organics), **Recycling**, **Glass ONLY** and **Landfill**.

Items may be **ACCEPTED** in one coloured bin, but **NOT** in another.

### Examples of contaminants in Recycling –

**Soft plastics** (plastic bags, bubble wrap, plastic film, packaging wrap) belong in the red-lidded Landfill bin.

**Glass bottles** (no cardboard boxes OR six-pack stubbie wrap), jars (no lids), window glass (no frames), glassware and Pyrex belong in the purple-lidded Glass ONLY bin.

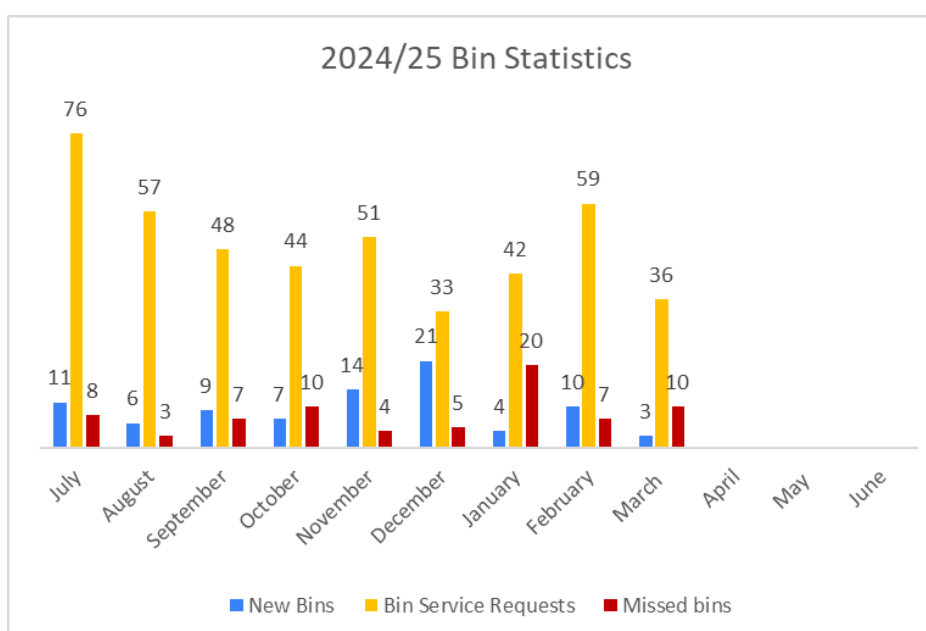
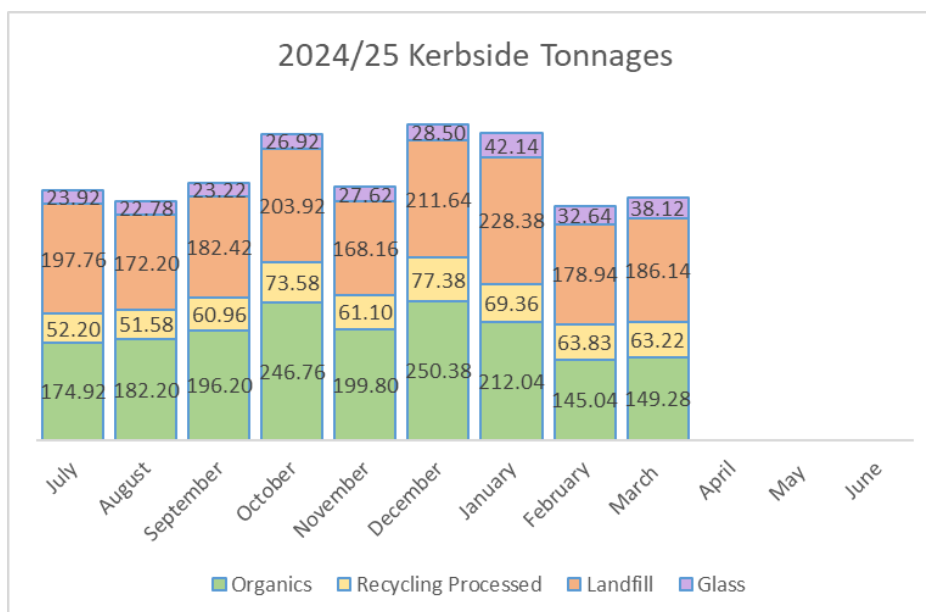
**Textiles/cushions/carpet** may be donated to a charity if in good saleable condition, otherwise these items belong in the red-lidded Landfill bin.

**eWaste items** can be taken to the nearest Moyne Waste Facility – electrical or battery operated items do not belong in ANY of the kerbside bins.

**Bagged landfill** waste belongs in the red-lidded Landfill bin ONLY.

**ACCEPTED items in the yellow-lidded Recycling bin –**

- Plastic bottles (lids removed – Landfill bin) **marked 1 & 2**
- Plastic milk bottles
- Steel, aluminium, empty aerosol cans and aluminium trays/foil (scrunched to cricket ball size)
- Rigid plastics, biscuit trays, margarine and ice-cream tubs – **marked 5**
- Paper and flattened cardboard boxes
- Newspapers, magazines and books.



Transfer Stations 2024/25	March Glass	YTD Glass	March Recycling	YTD Recycling	March Landfill	YTD Landfill	March Green	YTD Green
Caramut	1.15	1.85	0.00	1.02	2.18	13.96	0.00	22
Hawkesdale	0.00	1.25	0.00	0.00	0.00	11.36	1.50	5
Killarney	2.31	12.06	5.10	18.48	50.44	466.64	306.57	2615
Macarthur	0.00	1.87	0.00	2.14	2.18	23.08	7.88	36
Mortlake	1.50	4.54	4.66	8.34	16.74	128.92	25.55	236
Peterborough	0.00	2.90	3.84	3.80	8.66	85.16	1.00	114
Woolsthorpe	0.77	2.65	1.58	3.40	4.22	31.64	n/a	n/a
Woorndoo	1.25	2.10	0.00	0.86	0.00	6.50	n/a	n/a
<b>Totals</b>	<b>6.98</b>	<b>29.22</b>	<b>15.18</b>	<b>38.04</b>	<b>84.42</b>	<b>767.26</b>	<b>342.50</b>	<b>3028</b>

## Economy & Tourism

### Economic Development

#### Business Breakfast Networking Event

A successful business breakfast presentation was held at Noodledoof in Koroit on 3 April, featuring retail and hospitality expert Martin Ginnane. The free event was attended by approximately 50 people. Martin also visited local businesses for one-on-one advisory consultations over two days, which received highly positive feedback from local business owners.



#### Economic Development Strategy 2025-2029

The Strategy is currently on Engage Moyne with the Community feedback survey to conclude on 11 April. Following the close of the survey, responses will be collected and considered, with the final draft scheduled for the May Council meeting for adoption.

### Events

#### Festival and Event Funding Program

Applications are now invited from Festival and Event organisers to be submitted to the Moyne Shire for the 2025-26 Festival and Event Funding Program.

**Applications open:** Monday 7 April 2025

**Applications close:** Monday 19 May 2025 at 10am

The funding guidelines and application link are available from the Moyne Shire website: <https://www.moyne.vic.gov.au/Our-Community/Community-Grants/Festival-and-Event-Fund>.



### Australian Heritage Festival 18 April – 18 May 2025

The Australian Heritage Festival celebrates the stories, places and traditions that shape our communities. In 2025, the theme “Unearthed” invites us to uncover hidden histories and untold stories.

Moynes Shire is proud to be part of the festival, with events including a photo exhibition across multiple towns, heritage trails, a guided walking tour in Port Fairy, and the rare opening of Griffiths Island Lighthouse. The National Trust will also open the historic Motts and Mills Cottages.

For more information, please visit [Explore – National Trust](#)

### Koroit Irish Festival 25-27 May 2025

The Koroit Irish Festival is a much-loved annual event that celebrates Koroit’s strong Irish roots. The festival brings the town to life with a weekend full of music, dancing, markets, food, and family-friendly fun.

It draws crowds from near and far, giving a great boost to local businesses and putting Koroit on the map as a key cultural destination in the region. The event is run with the help of dedicated volunteers and creates a real sense of community pride.

For more information, please visit [Home](#)

### SWSC Trans-Tasman Sheepdog Trials – 9 – 11 May 2025

This event features three days of high-level competition as part of the Trans-Tasman Test, which serves as the platform for showcasing elite sheepdog handling skills from both Australia and New Zealand. This distinctive and inclusive event also provides an educational opportunity for attendees, offering insights into the breeding and training of working dogs, while promoting community engagement and family participation.

### Visitor Services – Port Fairy & Region Visitor Information Centre

The Port Fairy & Region Visitor Information Centre has welcomed over 6,300 visitors in the past four weeks, including many from Melbourne, other parts of Australia, and abroad. Our retail sales, bike rentals, and guided tours are performing exceptionally well, exceeding previous years' figures by nearly \$12,000.

We are also excited to announce that Port Fairy will be submitted for the Victorian Tourism Small Town Awards following a two-year break due to our induction into the Tourism Hall of Fame for winning Gold two years in a row. These awards are significant as they recognise excellence in tourism and highlight the unique attractions and achievements of small towns like ours.





Additionally, planning has begun for National Volunteer Week (May 19th - 25th), during which we will celebrate the important contributions of our team of volunteer Visitor Services Officers in welcoming guests to Port Fairy.

#### Caravan Parks



#### Folk Festival 2025 review:

1. Booking data from the Thursday till the Tuesday (6 nights over the festival)
2. 17 more sites booked compared to last year (Gardens Caravan park booked out a week before the event)
3. Observed that guests are booking **earlier** and perhaps could be a culmination of the following:

#### Increased Demand & Competition

With travel and events fully resuming post-COVID, more people are attending festivals, sports events, and regional getaways. This means higher competition for limited accommodation, prompting guests to book early to secure their preferred site or room.

#### Fear of Missing Out

Many events now experience high demand, and guests have seen accommodations sell out quickly in previous years. To avoid missing out, they book earlier.

#### Unexpected cancellations of other music events around our state

In recent times, several music festivals in Victoria have been cancelled due to a combination of financial pressures, regulatory challenges, and environmental factors.

### All Moyne 6 caravan parks combined

Caravan Parks - Folkie 2025

Thurs 6 March to the Tuesday 11 March (6 nights)

**4845** Individual guests

Sites used **7056**

### Easter and Koroit Irish Festival

Exceptionally strong bookings for Easter being the last of our last big event weekends before winter. Gardens, Killarney/Koroit are already booked out with strong demand at other parks. It is pleasing to see that Killarney and Koroit Caravan parks are booked out for the Koroit Irish festival which is the weekend after Easter.

### Port of Port Fairy – Airstrip

Due to the windsock structure at the Port Fairy Airstrip being damaged and a replacement being sourced. In the meantime, an independent review of the safety of the strip has been undertaken, where several recommendations and observations have been made. One of the main recommendations is that the strip be closed temporarily pending Council determining appropriate upgrades and maintenance that would be required for its ongoing operation. White wooden crosses will be placed at each end of the runway to indicate that it is closed. A notice has been placed on the website.

## 6 Confidential Items

Overview: Under section 3 of the Act, the council may consider report items in closed business if they contain certain information which is defined to be confidential information because premature or improper release may cause harm to the Council or to a person or persons.

Confidential Information remains confidential unless it can lawfully be released and the Council has determined that it should be publicly available.

The following is a list of confidential Items:

- 6.1 Renewal of Lease – 1/172 Commercial Road, Koroit

## 7 Close Meeting



