



GANNAWARRA

Shire Council

Wednesday, 16 November 2016

7.00 pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

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1 ACKNOWLEDGEMENT OF COUNTRY

I would like to take this time to acknowledge the Traditional Custodians of the land, and pay my respect to elders both past and present

2 OPENING PRAYER

“Almighty God we humbly ask you to bless this Council.
May we be worthy servants of yours and Her Majesty Queen Elizabeth II
Direct and prosper our deliberations to the advancement of your glory and the true
welfare of the people we serve.
This we ask through Jesus Christ our Lord.

AMEN”

3 APOLOGIES

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That Council adopts the minutes from the Ordinary Council Meeting held 12 October 2016 and the Special Council Meeting held 4 November 2016.

5 DECLARATION OF CONFLICT OF INTEREST

The *Local Government Amendment (Councillor Conduct and Other Matters) Act 2008*.

A Councillor, member of a special committee, or member of Council staff has a conflict of interest in a matter if he or she has a *direct interest* or an *indirect interest* in that matter.

A person has a direct interest in a matter if there is a likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way. This includes where there is a likelihood that the person will receive a direct benefit or loss that can be measured in financial terms or that the residential amenity of the person will be directly affected if the matter is decided in a particular way.

A person has an indirect interest in a matter if the person has:

- a close association in the matter because a family member, a relative or a member of their household has a direct or indirect interest in the matter
- an indirect financial interest in the matter
- a conflicting duty – although there are circumstances where a person does not have a indirect interest because of a conflicting duty
- received an ‘applicable gift’
- become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter.

Disclosure of conflict of interest

If a Councillor or member of a special committee has a conflict of interest in a matter which is to be or is likely to be considered at a meeting of the Council or special committee, the Councillor or member must:

- if he or she will be present at the meeting, make a full disclosure of that interest by advising of the class and nature of the interest to either –
- the Council or special committee immediately before the matter is considered at the meeting, *or*
- in writing to the Chief Executive Officer (CEO). Where the disclosure is made to the CEO in writing, the Councillor or member need only disclose the class of interest to the meeting, immediately before the matter is considered.
- if he or she will not be present at the meeting, make a full disclosure to the CEO or Chairperson of the meeting, in writing, of the class and nature of the interest. If a Chairperson is given a written disclosure, he or she must give the written disclosure to the CEO.
- The CEO must keep written disclosures in a secure place for 3 years after the date the Councillor or member of the special committee who made the disclosure ceases to be a Councillor or member, and destroy the written disclosure when the 3 year period expires.
- While the matter is being considered or any vote taken, the Councillor or member of a special committee with the conflict of interest must leave the room and notify the Mayor or Chairperson of the special committee he or she is doing so. The Mayor or Chairperson must notify the Councillor or member that he or she may return to the room after consideration of the matter and all votes have been cast.
- A CEO or Chairperson of a special committee must record in the minutes of the meeting the declaration of the conflict of interest, the class of the interest and, if the Councillor or member has disclosed the nature of the interest to the meeting, the nature of the interest.
- A failure by a Councillor or member to comply with section 79 of the Act may result in a penalty of up to 100 penalty units and disqualification under section 29(2) of the Act.

6 QUESTION TIME

Question Time at Council meetings enables an opportunity for members of the public in the gallery to address questions to the Council of the Shire of Gannawarra.

QUESTIONS FROM THE GALLERY

- All questions are to be directed to the Chair.
- Members of the public may ask questions from the gallery and should provide their name (and organisation if relevant) at the beginning of their questions.
- There is a maximum number of 3 questions of up to 2 minutes each.
- Chair will respond or refer to Councillor or CEO.
- Sometimes a Councillor/officer may indicate that they require further time to research an answer. In this case, the answer will be provided in writing generally within 10 days.
- Where a question cannot be answered on the spot, the person is asked to write out their questions on a form provided to enable an accurate response to be prepared.
- Questions will be answered at the meeting, or later in writing, unless the Chairperson has determined that the relevant question relates to:

- Personal matters
 - The personal hardship of any resident or ratepayers
 - Industrial matters
 - Contractual matters
 - Proposed developments
 - Legal advice
 - Matters affecting the security of council property
 - An issue outside the Gannawarra Shire Council core business
 - Or any other matter which the Council considers would prejudice it or any person
 - A matter which may disadvantage the Council or any other person
 - Is defamatory, indecent, abusive or objectionable in language or substance
 - Is repetitive of a question already answered (whether at the same or an earlier meeting)
 - Is asked to embarrass an officer or another Councillor
-
- No debate or discussion of questions or answers shall be permitted and all questions and answers shall be as brief as possible.

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS NOVEMBER 4 TO NOVEMBER 16

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments: 1 Assembly of Councillors Record Form - 8 November 2016

RECOMMENDATION

That Council notes the records of Assembly of Councillors from Friday 4 November to Wednesday 16 November.

EXECUTIVE SUMMARY

To present to Council the Assembly of Councillors Record Form – Tuesday 8 November 2016 – Kerang Council Chambers.

DECLARATIONS OF CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2013-2017 – Leadership and Governance – Compliance with legislative requirements.

BACKGROUND INFORMATION

In accordance with Section 76A of the Local Government Act 1989 the definition of an Assembly of Councillors is:

A meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the following exercise of a delegated authority and which is either of the following:

1. A meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the following exercise of a delegated authority and which is either of the following:
2. A meeting of an advisory committee where at least one Councillor is present.
3. If a meeting fits either of these types the procedures applying to an Assembly of Councillors must be complied with, irrespective of any name or description given to the committee or meeting. Not all gatherings or meetings at which Councillors are present will constitute Assembly of Councillors.

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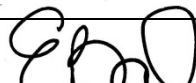
CONSULTATION

Consultation with Councillors and staff has occurred to ensure the accuracy of the Assemblies of Councillors records.

CONCLUSION

To ensure compliance with Section 76A of the Local Government Act 1989 it is recommended that Council note the Assemblies of Councillors records as outlined in this report.

Assembly of Councillors Record Form

Date:	Tuesday, 8 November 2016
Time:	9am - 1:30pm
Location:	Council Chambers, Kerang
In Attendance: (Councillors)	Cr Lorraine Learmonth, Cr Mark Arians, Cr Brian Gibson, Cr Jodie Basile, Cr Sonia Wright, Cr Charlie Gillingham
Apologies	Cr Steve Tasker
In Attendance: (Officers)	Tom O'Reilly, Sid Hutchinson, Geoff Rollinson, Mandy Hutchinson, Katrina Thorne, Narelle O'Donoghue
Matters Discussed:	Induction Program Council Briefing and meeting dates, times and locations Councillor Committee Memberships Financial Report Quarter Ending 30 Sept DAM Plan Councillor and Mayoral Allowance Proposed Councillor Meeting Dates Customer Service Charter Section 86 Committees of Council Delegation Review Councillor Committee membership CP285 Wet Plant Hire CP292 – Property Maintenance Service Contract Goulburn Murray Water – Presentation Lakes usage during summer
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Eric Braslis – Chief Executive Officer 

This form MUST be completed by the attending Council Officer and returned immediately to Manager Governance for filing (See over for Explanation/Notes).

8 BUSINESS REPORTS FOR DECISION

8.1 FINANCIAL REPORT QUARTER ENDING 30 SEPTEMBER 2016

Author: Sid Hutchinson, Manager Finance

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments: 1 Financial Report Quarter Ending 30 September 2016

RECOMMENDATION

That Council receive the report outlining the 2016/2017 quarterly budget review as at 30 September 2016.

EXECUTIVE SUMMARY

At 30 September 2016 Council is showing an operating surplus of \$9.788 million, this is greater than the budgeted surplus for the same period by \$0.432 million. Income has a favourable variance of \$153k and expenditure a favourable variance of \$216k.

The underlying deficit of 231k at year end in the budget is forecast to be improved by 295k giving an underlying surplus of \$64k.

Council's Capital Works program is progressing as scheduled. The capital budget for 2016/2017 is \$10,433m - this includes budgeted new works and budgeted carried forward works. At the end of September an amount of \$1.89 million had been spent on budgeted works with an additional amount of \$10,392 on carried forward works and new projects, giving a total spend of \$1.9 million.

BACKGROUND

Council undertakes a review of the current year budget as at 30 September, 31 December and 31 March each year to ensure that the forecast results as at 30 June are achievable. To keep Council better informed the current year budget is reviewed on a quarterly basis. The review takes the format of previous quarterly reports with an emphasis being placed on permanent budget adjustments.

Budgets and forecasts are required to be regularly reviewed to ensure that the basis for the estimate is reasonable and takes into account all variables. This review has been comprehensive and has assisted staff in the preparation of the forthcoming budget. Every effort is made to continually improve the degree of precision in estimating the scheduling of work and the timing of activities. This is straightforward in some areas and not in others, hence a degree of uncertainty will always be present both in scheduled works and activities and in emergency or unplanned activities.

POLICY CONTEXT

Leadership and Governance - Responsible financial management

DISCUSSION

The table below highlights the key changes identified as a result of the comprehensive quarterly budget review between the 2016/2017 adopted Budget and the operating result for the period ended 30 September 2016:

	Budget \$'000	Actual \$'000	Variance \$'000	
Operating Income	14,870	15,023	152	Favourable
Operating Expenditure	(5,892)	(5,676)	216	Favourable
Underlying Surplus(Deficit) for quarter	8,978	9,347	369	Favourable
Surplus(Deficit) for quarter	9,356	9,788	432	Favourable

An analysis of Capital works has been included in the detailed report for information purposes.

CONSULTATION

Council Officers with responsibility for line budgets.

The September quarterly financial report will be presented at the next Meeting of Council's Internal Audit Committee. Conflict Of Interest

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter

CONCLUSION

At 30 September 2016 Council is showing a surplus of \$9.788 million this is greater than the budgeted surplus for the same period by \$0.432 million. Income has a favourable variance of \$153k and expenditure a favourable variance of \$216k.

The underlying deficit of \$231k in the budget is forecast to be improved by \$295k giving an underlying surplus of \$64k.

Council's Capital Works program is progressing as scheduled. The capital budget for 2016/2017 is \$10,432m - this includes budgeted new works and budgeted carried forward works. At the end of September an amount of \$1.89 million had been spent on budgeted works with an additional amount of \$10,392 on carried forward works and new projects, giving a total spend of \$1.9 million.




Financial Report for the
Quarter Ending
30 September 2016



GANNAWARRA
Shire Council

**Comprehensive Income Statement
For the period 1 July to 30 September 2016**

	Budget to 30 September 2016	Actual to 30 September 2016	Variance to 30 September 2016	Budget to 30 June 2017	Forecast to 30 June 2017	Variance to 30 June 2017	Note
	\$	\$	\$		\$		
Income							
Rates and charges	11,876,434	11,913,850	37,416	11,876,434	11,913,850	37,416	1
Statutory fees, user fees and fines	541,439	485,467	(55,972)	2,341,150	2,285,718	(55,432)	2
Contributions	1,438	27,885	26,447	159,566	186,013	26,447	3
Grants - Operating	1,993,581	2,085,961	92,380	7,314,976	7,426,658	111,682	4
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	9,272	11,866	2,594	147,839	150,433	2,594	5
Reimbursements	346,774	407,860	61,086	1,372,471	1,433,557	61,086	6
Other income	101,738	90,608	(11,130)	440,429	429,299	(11,130)	7
			-		-		
Total income	14,870,676	15,023,497	152,821	23,652,865	23,825,528	172,663	
Expenses							
Employee costs	(2,875,314)	(2,692,078)	183,236	(11,326,922)	(11,255,080)	71,842	8
Materials and services	(1,277,565)	(1,249,059)	28,506	(6,043,351)	(5,919,897)	123,455	9
Bad & doubtful debts	-	(5,157)	(5,157)	(4,000)	(9,157)	(5,157)	10
Depreciation and amortisation	(1,304,250)	(1,332,614)	(28,364)	(5,218,670)	(5,296,034)	(77,364)	11
Borrowing Costs	(9,657)	(9,657)	0	(56,221)	(56,221)	0	12
Other expenses	(425,734)	(387,516)	38,218	(1,234,205)	(1,225,087)	9,118	13
			-		-		
Total expenses	(5,892,520)	(5,676,081)	216,439	(23,883,369)	(23,761,475)	121,894	
			-		-		
Underlying Surplus/(deficit) for the year	8,978,156	9,347,416	369,260	(230,504)	64,052	294,557	
			-		-		
Grants - Capital	377,830	440,806	62,976	5,083,769	5,153,945	70,176	14
			-		-		
Surplus/(deficit) for the year	9,355,986	9,788,222	432,236	4,853,265	5,217,998	364,733	

- Favourable greater than 10% 
- Constant between plus or minus 10% 
- Unfavourable less than 10% 

Overall Result

At 30 September 2016 Council is showing a surplus of \$9.788 million this is greater than the budgeted surplus for the same period by \$0.432 million. Income has a favourable variance of \$153k and expenditure a favourable variance of \$216k.

The underlying deficit of 231k in the budget is forecast to be improved by 295k giving an underlying surplus of \$64k. Refer to the explanation notes below for further details.

Summary of Permanent Adjustments:			
Note	Income		
1	Rates and charges Favourable 37,416		
	1.1 Additional rate income raised due to changes in the valuation at the time of raising the rates. Changes include any adjustments made to meet the requirements of the Valuer General and supplementary valuations undertaken since the adoption of the rates.		37,416
2	Statutory fees, user fees and fines Unfavourable (55,432)		
	2.1 The provision of home care services in the past has been funded by the State Government, funding is now being received from the Federal Government and in a different format. The method of providing brokered home care packages is also undergoing change. The changes in the method of funding has an impact on the way Council reports both user fees and reimbursements. A total review of Councils reporting in both these areas is currently being undertaken. Final figures will be provided in the December quarter review. (Refer Note 6)		(55,432)
3	Contributions Favourable 26,447		
	3.1 Contribution for Cohuna Kangas Female Facilities Upgrade \$20,647		20,647
	3.2 Contribution by One Tree for the planting of 1,000 trees.		2,550
	3.3 Various minor adjustments		3,250
			26,447
4	Grants - Operating Favourable 111,682		
	4.1 Grant funding of \$38,000 not included for the L2P program.		38,000
	4.2 Grant received from Arts Victoria to hold the 'Mystic Melodies' production. The grant is offset by corresponding expenditure.		12,968
	4.3 The timing of grants received for home and community care are currently under review. A more definitive picture of the final year outcome will be known by the end of the December quarter.		46,848
	4.4 Grant received from VicHealth to undertake a Recreation Facilities Strategy. The grant is offset by corresponding expenditure.		27,000
	4.5 Various minor adjustments		(13,134)
			111,682
5	Net Gain(Loss) on Disposal of Assets Favourable 2,594		
	5.1 Minor movement in the sale of plant, equipment and land		2,594
6	Reimbursements Favourable 61,086		
	6.1 The provision of home care services in the past has been funded by the State Government, funding is now being received from the Federal Government and in a different format. The method of providing brokered home care packages is also undergoing change. The changes in the method of funding has an impact on the way Council reports both user fees and reimbursements. A total review of Councils reporting in both these areas is currently being undertaken. Final figures will be provided in the December quarter review. (Refer Note 2)		61,086
7	Other Income Unfavourable (11,130)		
	7.1 Interest revenue includes interest on outstanding rates and interest on investments. The timing of when interest is to be recognised is under review and a more definitive result will be reported at the December quarter.		(11,130)
		Total Income Adjustments	172,663
	Expenses		
8	Employee costs Favourable 71,842		
	8.1 Currently showing a favourable result of \$183k, a forecast figure will not be known until the completion of the current EBA negotiations.		71,842
9	Materials and services Favourable 123,455		
	9.1 Various adjustments across a total of 169 programs including some timing adjustments. The first round of the community grants program (\$45k), contribution to SES (\$13k) and reduction in printing and stationery, postage and telephone costs to date (\$24k) are timing issues being addressed.		123,455
10	Bad & doubtful debts Unfavourable (5,157)		
	10.1 Infringements and legal costs totalling \$5,500 have been treated as bad debts to date. The reasons vary from failure to follow up within the Statute of Limitations timeframe (\$3,220) failure to pay and deemed to be uncollectable (\$1,250) and reduced by Magistrates' Court (\$688).		(5,157)
11	Depreciation and amortisation Unfavourable (77,364)		
	11.1 Increase in depreciation as a result of the revaluation of footpaths, underground drainage and kerb and chanel at 30 June 2016. Further minor adjustments will be made to depreciation during the year based on the timing in respect to purchases for plant and equipment and IT.		(77,364)
12	Borrowing Costs Constant 0		
13	Other Expenses Favourable 9,118		
	13.1 Insurance premiums to date are lower than anticipated. This situation may alter as the year progresses.		33,000
	13.2 Council expenditure in undertaking the Recreation Facilities Strategy funded by VicHealth.		(27,000)
	13.3 Various minor adjustments across a number of programs.		3,118
			9,118
		Total Expenditure Adjustments	121,894
14	Grants - Capital Favourable 70,176		
	14.1 Grant of \$72,000 received for the upgrade of the Cohuna Kangas Female Facilities. (Refer the capital works schedule)		72,000
	14.2 Various minor adjustments across a number of programs.		(1,824)
			70,176
		Total Variation - Budget to Forecast	364,733

**Balance Sheet
As at 30 September 2016**

	Year to Date	Forecast To
	\$	30 June 2017
	\$	\$
Assets		
Current assets		
Cash and cash equivalents	2,508,007	4,774,932
Trade and other receivables	12,264,816	826,055
Financial assets	3,059,342	3,166,979
Inventories	406,899	66,899
Non-current assets classified as held for sale	818,903	583,903
Other assets	25,943	230,943
Total current assets	19,083,910	9,649,712
Non-current assets		
Property, infrastructure, plant and equipment	185,125,848	193,720,829
Total non-current assets	185,125,848	193,720,829
Total assets	204,209,757	203,370,541
Liabilities		
Current liabilities		
Trade and other payables	1,815,093	796,827
Trust funds and deposits	263,897	263,897
Provisions	2,250,963	2,492,986
Interest-bearing loans and borrowings	137,460	169,845
Total current liabilities	4,467,412	3,723,556
Non-current liabilities		
Provisions	1,281,526	1,145,503
Interest-bearing loans and borrowings	760,757	590,912
Total non-current liabilities	2,042,283	1,736,415
Total liabilities	6,509,695	5,459,971
Net Assets	197,700,062	197,910,569
Equity		
Accumulated surplus	80,274,844	80,485,351
Reserves	117,425,218	117,425,218
Total Equity	197,700,062	197,910,569

**Capital Works
Quarter Ended 30 September 2016**

Project	Project Budget	Actuals to 30 September 2016	Forecast to 30 June 2017
Budgeted 2016/2017 Capital Projects			
Jambatook Township Flood Mitigation	806,950	-	806,950
Capital Purchases	180,000	80,285	180,000
Cohuna Caravan Park Hydrants	75,000	45,661	75,000
Emotional Infrastructure	25,000	-	25,000
Library - Kerang	131,000	27,498	131,000
Library Book Purchases	103,000	21,186	103,000
Swimming Pool renewal prog	123,000	14,378	123,000
Worsby Street Youth & Community Hub	70,000	-	70,000
Kerang CBD Streetscape	750,000	5,430	750,000
Kerang Depot - Chemical Storage	20,000	-	20,000
John Gorton Precinct Upgrade	677,000	617,638	677,000
Wyn Entry Signage	26,000	-	26,000
Wyn Street Quambatook	492,000	-	492,000
Drain Replacement	100,000	-	100,000
Footpath Replacement	103,000	71,033	103,000
Wells Bridge	1,672,000	129,648	1,672,000
Truck Replacement Vehicles	323,000	179,780	323,000
Truck Replacement	660,000	-	660,000
Watering Safety Upgrades	95,170	604	95,170
Used Landfill Rehabilitation	220,000	125,484	220,000
Wendrook Wharf Construction	600,000	447,391	600,000
Stormwater Pumps	100,000	-	100,000
Jambatook River Street Precinct	26,000	30	26,000
Road Rehabilitation Program R2R	1,351,534	4,808	1,351,534
Road Resheeting Program R2R	952,874	121,152	952,874
Capital budget new works	9,682,528	1,892,007	9,682,528
Carry Over Projects			
Finance System Upgrade 2016	320,000	-	320,000
Wendrook Caravan Park Toilets and Laundry	275,000	500	275,000
Kerang Town Centre Improvements	45,000	4,905	45,000
Wyn Street Pump	110,000	-	110,000
	750,000	5,407	750,000
Projects undertaken outside of budget			
Sale of 152 Sleepy Lane, Kerang	-	490	5,000
Office Furniture	-	4,288	4,288
Cohuna Memorial Hall Toilets	-	321	321
Cohuna Rec Reserve -Female Facilities Upgrade	-	375	132,607
	-	4,985	142,216
Total Capital Works	10,432,528	1,902,398	10,574,744

Overall Result

The Council's Capital Works program is progressing as scheduled. The capital budget for 2016/2017 is \$10,432m - this includes budgeted new works and budgeted carried forward works. At the end of September an amount of \$1.89 million had been spent on budgeted works with an additional amount of \$0.392 million on carried forward works and new projects, giving a total spend of \$1.9 million.

The permanent adjustments below total \$142,256 of this amount \$5,000 will be offset by the sale of Sleepy lane, \$92,647 will be funded by grant and a local contribution for the Cohuna Kangas female facilities upgrade.

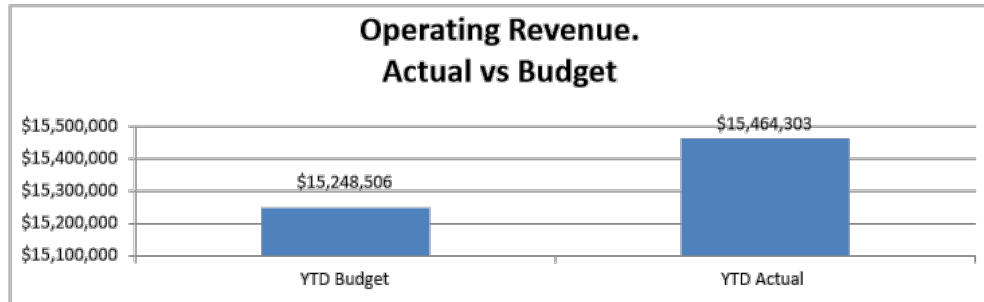
Summary of Permanent Adjustments:	Adjustments Current Quarter	Total Permanent Adjustments
Projects undertaken outside of budget		
<u>Sleepy Lane Kerang</u> : Property is being prepared for sale. Costs associated with legal fees are expected to be approximately \$5,000.	5,000	
<u>Office Furniture</u> : Furniture purchased for Council Chambers waiting room.	4,288	
<u>Cohuna Kangas Female Facilities Upgrade</u> : Funding of \$72,000 and local contribution of \$20,647 has been received to undertake the necessary upgrade of the female facilities.	132,607	
<u>Cohuna Memorial Hall Toilets</u> : Tidy-up works undertaken.	321	142,21
		142,21

FINANCIAL OVERVIEW

	Year to Date		
	YTD Budget	YTD Actual	Variance
Operating Revenue	\$15,248,506	\$15,464,303	\$215,797
Operating Expenditure	(\$5,892,520)	(\$5,676,081)	\$216,439
Result from ordinary activities	\$9,355,986	\$9,788,222	\$432,236

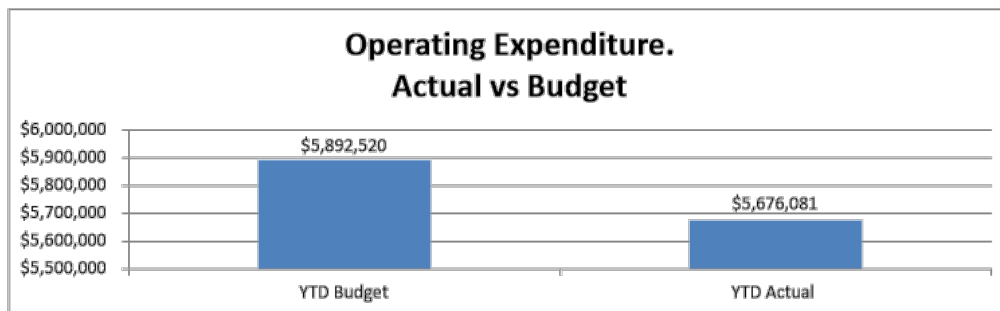
Abbreviations: YTD - Year to date EOY - End of year FY - Full year

Operating Revenue:



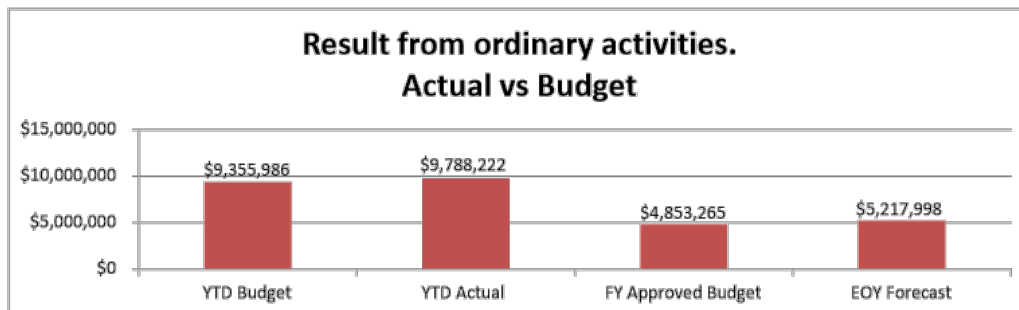
To date, Council's revenue is tracking slightly higher than the revised budget \$153k.

Operating Expenditure:



To date there is a favourable variance of \$216k.

Result from ordinary activities:

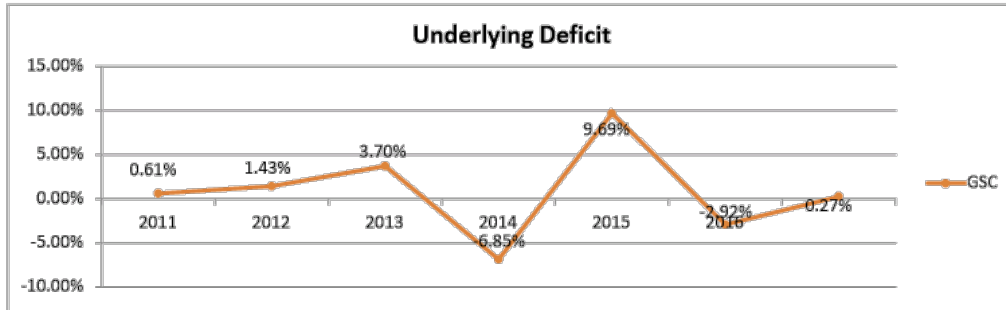


A favourable year to date result has been achieved.

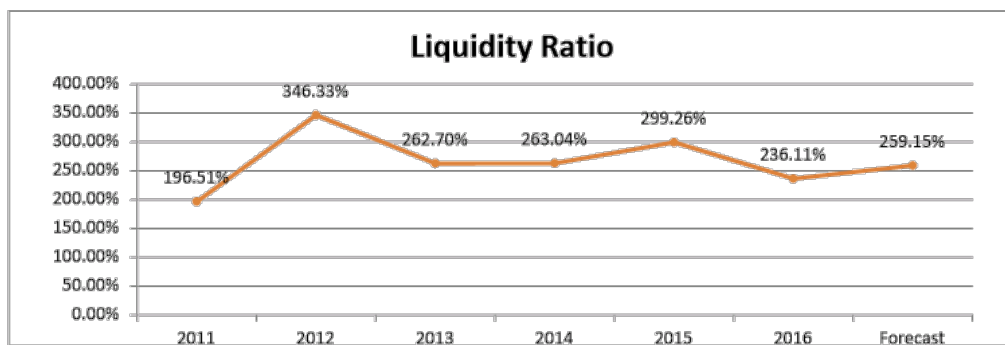
Abbreviations: YTD - Year to date FY - Full year EOY - End of year

Financial Ratios

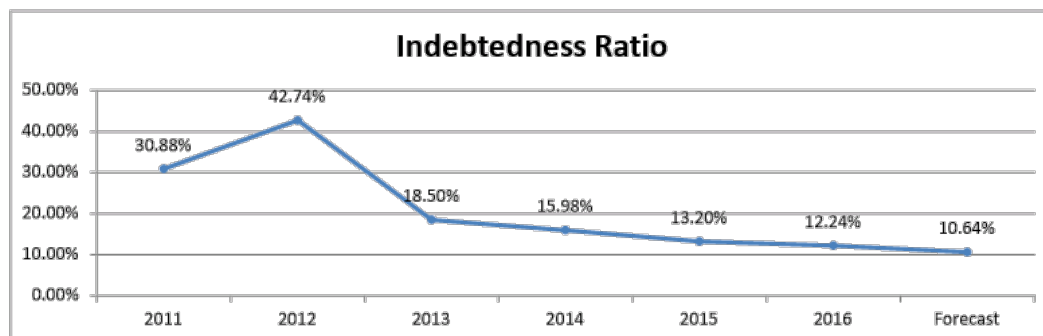
Financial Sustainability:



Underlying surplus(deficit): An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. The underlying deficit removes Non-Recurrent Capital grants from the surplus and reflects Council's ability to fund its operating expenditure out of all other operating income. A shift in the level of operating grants leads to a material change in the underlying deficit.



Liquidity ratio: Measures the level of Council's current assets to meet its current liabilities. A ratio higher than 100% indicates current assets being greater than current liabilities.



Indebtedness Ratio: Measures Council's non-current liabilities as a percentage of Council own source income.

8.2 DOMESTIC ANIMAL MANAGEMENT PLAN (NOVEMBER 2016) - ADOPTION**Author:** Wesley Dillon, Administration Officer**Authoriser:** Geoff Rollinson, Director Infrastructure Services**Attachments:** 1 2017 - 2020 Domestic Animal Management Plan (under separate cover)**RECOMMENDATION****That Council adopt the Gannawarra Shire Domestic Animal Management Plan (November 2016) as presented.****EXECUTIVE SUMMARY**

Council is required to have a Domestic Animal Management Plan (DAM Plan) which has a life of 4 years and is reviewed every 12 months. The DAM Plan is a statutory requirement and the new draft DAM Plan is presented for consideration. The development of the draft DAM Plan has included both community and stakeholder consultation. It identifies key priorities for Council's domestic animal officers and creates measurable and achievable targets for improved performance and community satisfaction over 4 years.

The Domestic Animal Management Plan 2017 -2020 has been exhibited for community comment from 16 August 2016 until 13 September 2016 and is before Council for adoption.

BACKGROUND

A four year Domestic Animal Management Plan (DAM Plan) is a statutory requirement for every Victorian municipality under the Domestic Animal Act 1994. It is intended to provide Council with a management plan for dogs, cats and domestic animal businesses within the municipality. Gannawarra Shire Council's existing DAM Plan was adopted by Council in November 2012 and expires in November 2016. This new draft DAM Plan is expected to operate from January 2017 through to November 2020.

POLICY CONTEXT

- | | |
|----------------------------|--|
| 1. Leadership & Governance | Compliance with legislative requirements;
Maintain an open and transparent relationship with the community;
Continue to improve levels of external communications. |
| 2. Economic Prosperity | Support of existing businesses;
Support the growth and development of tourism. |
| 3. Sustainable Communities | Improved health, wellbeing and safety. |

DISCUSSION

Council offers a comprehensive range of animal management services with limited resources.

This new draft DAM Plan identifies key priority goals to enhance Council's performance.

Priority goals have been identified through analysis of Council's existing performance and through community and stakeholder consultations. The most important priorities clearly identified included:

- Improve animal management
- Educate the community about responsible pet ownership
- Ensure compliance with relevant legislation
- Promote registration and identification of domestic animals
- Reduction in number of unidentified animals impounded by Council
- Create an environment where people and animals can coexist safely
- Identify and control restricted breed, dangerous and menacing dogs
- Assist Domestic Animals Businesses to gain registration and meet their legislative requirements

In all of these areas there is opportunity for Council to pro-actively improve performance in relation to other municipalities and State averages. The Action Plan in Part 3 of the draft DAM Plan proposes a number of clearly measurable and achievable targets and actions to be undertaken to achieve those targets over the next four years.

In developing the draft DAM Plan, the stresses faced by the community in recent years (Floods, changes to milk payments etc) and the limitations imposed by Council's resources have been carefully taken into account. A sustainable workload in the Local Laws Department is a prerequisite for Council to be able to address many of the dog and cat issues identified in the draft DAM Plan.

Monitoring, evaluating and reporting to Council are also important elements of the draft DAM Plan to ensure progress and revision in the light of experience.

CONSULTATION

Community consultation on issues of domestic dogs and cats within the municipality was undertaken by way of public meetings in Kerang 31 August 2016 and Cohuna on 1 September 2016, Information was placed on council website and face book page.

Copies of the draft plan were displayed in the Kerang office and the Cohuna office for members of the community to read and make submissions.

Advertisements were placed in the Gannawarra Times, 16 and 30 August and the Barham Koondrook Bridge 18 August 2016.

No submissions were received by Council for the plan.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no Conflict of Interest in regards to this matter.

CONCLUSION

A four year DAM Plan is a statutory requirement and the new draft DAM Plan is presented for consideration. The development of the draft DAM Plan has included both community and stakeholder consultation. It identifies key priorities for Council's domestic animal officers and creates measurable and achievable targets for improved performance and community satisfaction over 4 years.

8.3 COUNCILLOR AND MAYORAL ALLOWANCE - 2016

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments: 1 Councillor Allowances per Category

RECOMMENDATION

That Council;

1. Determine what allowance is to be paid to the Councillors and Mayors, noting that the range must be between \$8,121 and \$19,350 for Councillors and a Maximum of \$57,812 for the Mayor, plus an additional 9.5% being an amount equivalent to superannuation.
2. Give notice under Section 74 and Section 223 of the *Local Government Act 1989* of its intention to:
 - (a) Fix the Councillor allowance at \$19,350 per annum and an amount equivalent to the superannuation guarantee of 9.5 per cent of the relevant allowance, equating to \$21,188 (exclusive of annual indexation).
 - (b) Fix the Mayoral allowance at \$57,812 per annum and an amount equivalent to the superannuation guarantee of 9.5 per cent of the relevant allowance, equating to \$63,304 (exclusive of annual indexation).
3. Authorise the Manager Governance to carry out the administrative procedures necessary to enable the Council to carry out its functions under Section 223 of the Act in relation to the review of Councillor Allowance and the Mayoral Allowance.
4. Consider, and if requested, hear any submission received in accordance with Section 223 of the Act at a meeting of the Council on a date to be determined.

EXECUTIVE SUMMARY

The purpose of this report is to commence the public review process for the Mayoral and Councillor Allowances within the framework established by the *Local Government Act 1989*.

BACKGROUND

Councillors are democratically elected by the residents and ratepayers of the municipality. Once elected, councillors are required to carry out various roles and functions impartially, to the best of their ability, and in the best interests of the municipality. This includes providing community leadership and guidance, through attendance at various Council and Community Meetings, and setting the strategic direction for the municipality. In recognition of this, Councillors and the Mayor are entitled to receive an allowance.

The Victorian Government sets upper and lower limits for all allowances paid to Councillors and Mayors. For the purpose of these allowance limits, Councils are divided into three Categories based on the income and population of each Council.

Soon after being elected, each Council is required to determine the precise annual amount that will be paid to its Mayor and Councillors, within the limits of the Categories set by the

Government. These amounts apply from the time of the Council making a resolution after conducting a review of its allowances. Section 74(1) of the *Local Government Act 1989* requires that Councils must review and determine the level of Mayoral and Councillor Allowances within six months after a general election or by the next 30 June, whichever is later. The allowance level determined remains in effect until the time of the next election. Allowances levels are subject to annual automatic adjustments that are announced in the Victoria Government Gazette by the Minister for Local Government. A Council would only do another review of its allowance level during its term under the following circumstances:

- If the limits set by the Government for any of the categories are changed;
- If a Council's category status was upgraded after an annual assessment found upward movements in its population and revenue figures that made it eligible for a higher Category; or
- A Council makes a successful submission to a Local Government Panel to have its Category changed on the basis of an exceptional circumstances case.

POLICY CONTEXT

Council Plan 2013-2017 – Leadership and Governance: Demonstrate commitment to strong Corporate Governance and ethical behaviour.

DISCUSSION

The relevant allowance range limits that apply to Gannawarra Shire Council (as a Category 1 Shire) from 1 December 2015 (subject to annual increases imposed by the State, and an additional amount equivalent to the superannuation guarantee of 9.5 per cen.) are:

- An allowance paid to Councillors for performing their duties – minimum \$8,121, maximum \$19,350 (subject to any amendments by Order in Council).
- An allowance paid to the Mayor for performing his/her mayoral duties – maximum amount \$57,812 (subject to any amendments by Order in Council).

Gannawarra Shire has historically opted to take the maximum allowance (currently \$21,188 and \$63,304, inclusive of superannuation) however that not all Council exercise the option to take the maximum amounts, Buloke Shire, our neighbouring Council for example have opted to take lessor amount (\$18,521 and \$55,565 respectively).

CONSULTATION

In accordance of section 223 of the *Local Government Act 1989*, Council is required to consult with the community by giving 28 days' notice of its intention to set Councillor Allowances. Council must also consider any submissions that may be received.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no Conflict of Interest in regards to this matter.

CONCLUSION

That Council seek public submissions under Section 223 of the *Local Government Act 1989* in respect to the review of Mayoral and Councillor Allowances for Gannawarra Shire Council, being at the upper limited of the Category 1 Council as required by Section 74(1) and 74(4).

Councillors receive an allowance that's fixed by an order in council. Each council determines the amount paid to councillors within limits set by the Victorian Government. These limits vary depending on the revenue and population base of each council.

Mayors receive a larger allowance due to their increased workload and role.

The Victorian Government determines how much allowances increase by each year.

ALLOWANCES FROM DECEMBER 2015		
Category one	Category two	Category three
Councillors: \$8,121 to \$19,350 Mayor: up to \$57,812	Councillors: \$10,033 to \$24,127 Mayor: up to \$74,655	Councillors: \$12,065 to \$28,907 Mayor: up to \$92,333
Plus nine per cent superannuation where applicable under the new policy.	Plus nine per cent superannuation where applicable under the new policy.	Plus nine per cent superannuation where applicable under the new policy.
Alpine Shire Council Ararat Rural City Council Beech Hill Rural City Council Borough of Queenscliffe Buloke Shire Council Central Goldfields Shire Council Gannawarra Shire Council Golden Plains Shire Council Heathcote Shire Council Hindmarsh Shire Council Horsham Rural City Council Indigo Shire Council Loddon Shire Council Mansfield Shire Council Mount Alexander Shire Council Murrindindi Shire Council Northern Grampians Shire Council Pyrenees Shire Council Southern Grampians Shire Council Strathbogie Shire Council Towong Shire Council West Wimmera Shire Council Yarriambiack Shire Council	Bairat City Council Banyule City Council Bass Coast Shire Council Baw Baw Shire Council Bayside City Council Campaspe Shire Council Cardinia Shire Council Colac Otway Shire Council Corangamite Shire Council East Gippsland Shire Council Glenelg Shire Council Greater Shepparton City Council Hobsons Bay City Council Latrobe City Council Macedon Ranges Shire Council Manningham City Council Maribyrnong City Council Maroondah City Council Mildura Rural City Council Mitchell Shire Council Moria Shire Council Moorabool Shire Council Moyness Shire Council Nillumbik Shire Council South Gippsland Shire Council Surf Coast Shire Council Swan Hill Rural City Council Wangaratta Rural City Council Warrambool City Council Wellington Shire Council Wodonga City Council Yarra City Council	Boroondara City Council Brimbank City Council Casey City Council Darebin City Council Frankston City Council Glen Eira City Council Greater Bendigo City Council Greater Dandenong City Council Hume City Council Kingston City Council Knox City Council Melton Shire Council Monash City Council Moonee Valley City Council Moreland City Council Mornington Peninsula Shire Council Port Phillip City Council Stonnington City Council Whitehorse City Council Whittlesea City Council Wyndham City Council Yarra Ranges Shire Council

8.4 PROPOSED COUNCIL MEETING DATES AND TIMES FOR 2017**Author:** Eric Braslis, CEO**Authoriser:** Eric Braslis, CEO**Attachments:** 1 Proposed Meeting Dates and Times**RECOMMENDATION****That Council adopt the attached listing for the 2017 Ordinary Council meetings.**

EXECUTIVE SUMMARY

To present to Council the proposed Council meeting dates, times and locations for 2017.

BACKGROUND

Each year Council nominates a calendar of dates for the Ordinary Council Meetings. Council meetings have typically been held on the third Wednesday of each month, except for June where it is the 4th Wednesday of the month as it coincides with the National General Assembly in Canberra. Council has in the past varied its times from 7:00pm in summer and 5:30pm in winter. It has been suggested that Council consider having a consistent time throughout the year, and as a result, a 7:00pm start time has been chosen.

While the Council Chambers in Kerang remain the principle location for Council meetings, Council has also held meetings in other locations in the municipality. Council recognises that Kerang is centrally located for the entire Shire, but it appreciates the need to get out all part of the community and will do so regularly by attending the monthly Progress meetings, and will include 2 off site Council meetings each year. In the first year this will include Cohuna and Quambatook. Other locations will be included in each year of the term of this Council.

CONSULTATION

Consultation has occurred with Councillors and Executives at a recent Council Briefing Session which also took into consideration previous community feedback and meeting attendance over the past few years.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act* 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

For Council to agree on the proposed dates, times and locations for the Ordinary Council Meetings for 2017

Ordinary Council Meeting Dates for 2017

Month	Meetings
February	Ordinary Council Meeting – Wednesday 15 at 7:00 pm
March	Ordinary Council Meeting – Wednesday 15 at 7:00 pm
April	Ordinary Council Meeting - Wednesday 19 at 7:00 pm (<i>Cohuna</i>)
May	Ordinary Council Meeting – Wednesday 17 at 7:00 pm
June	Ordinary Council Meeting – Wednesday 28 at 7:00 pm
July	Ordinary Council Meeting – Wednesday 19 at 7:00 pm
August	Ordinary Council Meeting – Wednesday 16 at 7:00 pm
September	Ordinary Council Meeting - Wednesday 20 at 7:00 pm
October	Ordinary Council Meeting – Wednesday 18 at 7:00pm (<i>Quambatook</i>)
November	Ordinary Council Meeting – Wednesday 15 at 7:00 pm
December	Ordinary Council Meeting – Wednesday 20 at 7:00 pm

- June Council Meeting is one week later due to the National General Assembly Conference

8.5 CUSTOMER SERVICE CHARTER - QUARTERLY REPORT

Author: Alissa Harrower, Continuous Improvement Officer

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments: 1 Customer Service Charter Standards July - September 2016

RECOMMENDATION

That Council receive and note the Customer Service Charter Quarterly report, July to September 2016.

EXECUTIVE SUMMARY

The Customer Service Charter is an important element of the development of a customer focused approach to service delivery and is reported against quarterly to ensure staff are maintaining a high standard of service and implementing new processes to ensure standards are continually achieved.

The report details the 41 standards which make up the Charter with results showing 38 standards having been met for the July to September quarter.

BACKGROUND

The purpose of the Customer Service Charter is to improve access to Council's services and promote quality service delivery by informing customers of the standard to expect, what to do if their expectations aren't met and how to make contact with Council. The Charter also assists employees by clearly defining the range of services that Council provides and the minimum standard to which those services should be provided.

The Customer Service Charter is an important element of the development of a customer focused approach to service delivery. The chart below shows actual performance against targets set within the Charter.

POLICY CONTEXT

Council Plan 2013 – 2017 – Effective Leadership and Management – Transform Council into a customer focused, solutions based organisation.

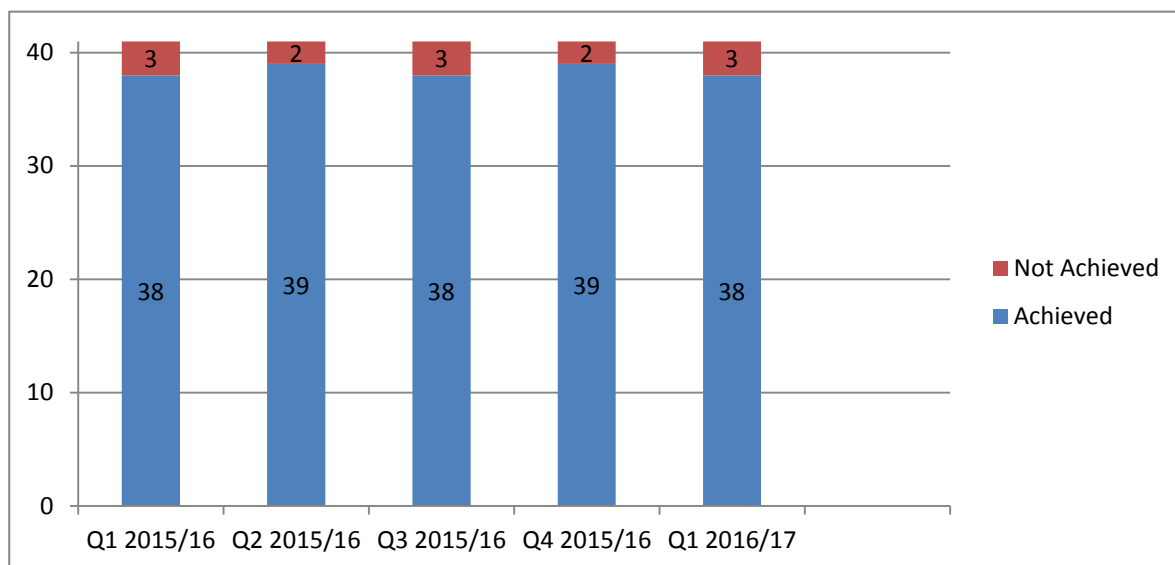
DISCUSSION

Of the 41 standards within the Charter, 38 of those achieved a positive result.

Results for the *process a planning application* standard show one application out of the 29 received was not processed within the required 60 days due to the complexity of the application requiring further negotiations. The permit has now been issued.

Results for the *produce council media release* under the Community Engagement Service show a lower than expected number of media releases produced for the month of April attributed to the commencement of the Election Period (caretaker) arrangements.

Results for the *respond to customer action requests* standard under Infrastructure Services show the standard of 100% response has not been met with data indicating 7% of requests not responded to within 10 business days. Whilst this standard saw exceptional results during the last quarter (April to June), Officers have acknowledged further work is to be undertaken in this area by reviewing and implementing processes to ensure this standard will be met.



CONSULTATION Council Officers nominated to produce data have been involved in compiling the report.

CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

A total of 41 standards make up Councils Customer Service Charter. Council performance has achieved 38 or 92% of these standards.

Council Officers continue to work towards maintaining a high standard by reviewing and implementing new internal processes where appropriate to ensure high standards are continually achieved.

**Customer Service Charter Standards
July - September 2016**

SERVICE	STANDARD	RESULT	COMMENTS
Building and Planning			
Process a building permit	Within seven business days of receiving fee and completed application	√	
Process building, planning and flood certificates	Within 10 business days of receiving fee and completed application	√	
Process a planning application	Within 60 business days of receiving fee and completed application, unless required to go to Council for decision.	X	29 permits were issued. One took longer than 60 days due to the complexity of the application.
Process a subdivision application	Within 60 business days of receiving fee and completed application, and where all statutory consultees have responded within the prescribed time-frame, unless required to go to Council for decision.	√	There were no subdivision permits issued during this quarter.
Community Care Services			
Process client intake	Within 3 business days	√	48 new clients.
Conduct home assessment	Within 10 business days	√	77 assessments undertaken.
Provide after hours service for urgent matters	Availability 24 hours, seven days per week	√	
Community Engagement			
Produce the Gannawarra News	As least once per month	√	Gannawarra News is now printed fortnightly as of July 2016.
Promote items of community interest through social media	Five per week	√	
Update Council's Community Directory	Quarterly	√	Most recent update of the Community Directory undertaken in September 16.

Produce council media release	12 per month	X	July – 13 August – 15 September – 11 During September we commenced caretaker mode for the Council Elections, which has had an impact on the number of media releases produced.
Community Sustainability			
Notify community grant applicants of Councils decision	Within 10 business days of Council decision.	✓	Community Grants awarded at Ordinary Council meeting on 14/9/16. Applicants advised via telephone on 15/9/2016 and letter on 20/9/2016.
Continuous Improvement			
Report to the community achievement of best value principles	Annually	✓	
Customer Service – Frontline			
First call resolution	70 % of the time	✓	77.28 % achieved – 6042 solved at first contact.
Answer telephones	Within 15 seconds	✓	Average answer time - 7.35 seconds.
Process disabled parking permits	Within 10 business days	✓	34 permits processed.
Environmental Health			
Respond to food complaints	Within two business days	✓	No complaints were received for the quarter.
Inspect registered food premises	Minimum once per year	✓	
Conduct immunisation clinics	Fortnightly	✓	9 completed for the quarter.
Conduct school immunisation program	Annually	✓	
Process septic tank application	Within five business days of receiving fee and completed application	✓	9 permits to install & 7 approvals to use processed.
Finance			

Payment of accounts	Within 30 days of receiving invoice 90% of the time	√	95%
Respond to rates enquiries	Within two business days	√	
Respond to debtor/creditor enquiries	Within two business days	√	
Process land information certificates	Within five business days of receiving completed fee and application	√	77 certificates issued.
General Service			
Reply to correspondence	Within 10 business days 90% of the time	√	93% - 1135 documents received requiring a response – 1055 responded to within 10 business days.
Respond to complaints	Within 10 business days	√	No complaints were received for the quarter.
Provide after hours service for Council emergencies	Availability 24 hours, seven days per week	√	
Respond to enquiries through social media	Within 1 business day	√	
Governance			
Respond to freedom of information requests	Within 45 days of receiving a valid request	√	Two FOI requests received for the quarter.
Review Council plan and strategic resource plan	Annual	√	
Submit annual report to the Minister	30 September, annually	√	
Display documents for public submission	28 days	√	
Adopt budget	30 June, annually	√	
Conduct Council meetings to which residents and ratepayers are invited to attend with an opportunity to ask questions	Monthly, excluding January	√	
Make Council meeting agendas available	Two days prior to meeting	√	
Human Resources			
Acknowledge receipt of all job applications	Within seven business days of closing date	√	
Infrastructure Services			

Respond to customer action requests	Within 10 business days	X	352 requests received for the quarter with 327 or 93% responded to within the timeframe.
Local Laws			
Respond to urgent domestic animal complaints	Availability 24 hours, seven days per week	✓	70 complaints responded to for the quarter.
Respond to routine domestic animal complaints	Within one business day	✓	114 complaints responded to for the quarter.
Respond to livestock on road complaints	Availability 24 hours, seven days per week	✓	41 complaints responded to for the quarter.

8.6 DELEGATION REVIEW - COUNCIL TO MEMBERS OF COUNCIL STAFF

Author: Alissa Harrower, Continuous Improvement Officer

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments: 1 Instrument of Delegation - Members of Staff (under separate cover)

RECOMMENDATION

That Council;

- 1. In exercising of its powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of delegation to members of Council staff, resolve that;**
 - (i) 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 the instrument, subject to the conditions and limitations specified in that instrument.**
 - (ii) The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
 - (iii) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.**
 - (iv) 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.**

EXECUTIVE SUMMARY

Gannawarra Shire Council has functions and duties which it must perform and powers which it may exercise, pursuant to the Local Government Act 1989 ('the Act') as well as a range of other Acts. Section 98 of the Act allows for a Council to delegate certain powers, duties or functions to members of its staff rather than having all functions and duties dealt with by Council resolution.

Whilst Council delegations are regularly reviewed to reflect changes in legislation and regulations and changes to Council's organisational structure, the Act specifies that they must be reviewed within twelve months after a general election.

BACKGROUND

As a statutory entity, Council is only able to do those things which it is authorised by statute to do. As a legal entity and not a 'natural' person, Council can act in only one of two ways: by resolution or through others acting on its behalf. The power of Council to act by resolution is set out in section 3(5) of the Local Government Act 1989.

"(5) Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of Council."

Alternatively, a Council can act through others. Section 98 of the Act allows for a Council to delegate to a member of its staff any power, duty or function of a Council under both the Act and any other Act, other than –

1. this power of delegation; and
2. the power to declare a rate or charge; and
3. the power to borrow money; and
4. the power to approve any expenditure not contained in a budget approved by the Council; and
5. any power, duty or function of the Council under section 223; and
6. any prescribed power

Where this is to occur, appointments are formalised through written ‘instruments of delegation’.

While under the Act, delegations must be reviewed within twelve months after a general election, Gannawarra Shire Council staff conduct reviews more regularly to reflect changes in legislation and regulations and changes to Council’s organisational structure.

POLICY CONTEXT

Council Plan 2013 – 2017 – Effective Leadership and Management – Council maximises its financial capability whilst paying close attention to risk factors and statutory requirements.

Policy No. 127 - Compliance

DISCUSSION

A recent review of delegations identified a number of required changes resulting from changes in legislation and regulations and Council’s organisational structure.

Summary of changes:-

Changes to delegates to reflect staff structure and responsibilities:

Former Director Strategic Development position delegations reassigned as appropriate to Director Infrastructure and Development and Manager Planning and Regulatory Services.

New Provisions:

New duties and powers have been inserted into the *Road Management (General) Regulations 2016*, where Council is the coordinating road authority including r.9(3), r.13(1) and r.23(4).

A number of provisions have changed as a result of amendments to the following Acts and Regulations:

Cemeteries and Crematoria Act 2003
Planning and Environment Act 1987
Road Management Act 2004
Road Management (General) Regulations 2016

CONSULTATION

Lawyers from Maddocks provide Council with regular updates of relevant changes to legislation and regulations. Council staff with delegations and authorisations under legislation and regulations that have recently changed, and those affected by new legislation, have been involved in the delegation review process.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The review of the Instrument of Delegation to Members of Council Staff has been completed, reflecting current legislation and regulations as well as Council's organisational structure.

8.7 COUNCIL COMMITTEE MEMBERSHIPS 2016/17**Author:** Eric Braslis, CEO**Authoriser:** Eric Braslis, CEO**Attachments:** 1 Councillor Committee Membership 2016/17**RECOMMENDATION****That Council adopt the list of Council Committee memberships as attached to this report.**

EXECUTIVE SUMMARY

To present to Council the proposed Committee memberships for representation by Councillors of the Gannawarra Shire Council.

BACKGROUND

Each year Council nominates Councillors to represent Council on various Committees within and external to our Municipality.

This allows Councillors to pursue an area in which they have an interest and/or some expertise and to use this knowledge to enhance their contribution to Committees on which they serve.

POLICY CONTEXT

Council Plan 2013-2017: Effective Leadership and Management.

CONSULTATION

Councillors have been consulted on the committees in which they may have a particular interest and these are reflected in the attached tables.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no Conflict of Interest in regards to this matter.

CONCLUSION

Active representation on Council committee's is an important and rewarding function of Council.

COUNCIL COMMITTEES 2016	
Committee	Councillor
Loddon Mallee Waste and Resource Recovery Group	Cr Learmonth
Central Victorian Greenhouse Alliance	Cr Wright
MMLLEN	Cr Arians
CCLLEN	Cr Learmonth
Municipal Fire Management Planning Committee	Cr Tasker
Municipal Emergency Management Planning Committee	Cr Gibson
MAV	Cr Basile
Audit Committee x 2	Cr Gibson & Cr Basile
Murray River Group of Councils	Mayor
Loddon Campaspe Councils	Mayor

8.8 SECTION 86 COMMITTEES OF COUNCIL

Author: Alissa Harrower, Continuous Improvement Officer

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council;

- 1. Appoint members of the Lake Charm, Murrabit, Dingwall, Gannawarra, Koroop and Myall Hall Committees, the Quambatook Caravan Park Committee and the Leitchville War Memorial Swimming Pool Committee as advised to Council and summarised in this report to respective Special Committees in accordance with Section 86 of the *Local Government Act 1989* for the ensuing 12 months.**
- 2. Exempt members of the Lake Charm, Murrabit, Dingwall, Gannawarra, Koroop and Myall Hall Committees, the Quambatook Caravan Park Committee and the Leitchville War Memorial Swimming Pool Committee from the requirement to submit primary and ordinary returns of interest in accordance with Section 81 of the *Local Government Act 1989*.**

EXECUTIVE SUMMARY

Under section 86 of the *Local Government Act 1989* (the Act), Councils may establish one or more special committees and delegate to committee members certain functions, duties or powers. Gannawarra Shire Council currently has eight such committees.

Committee and Office Bearer details have now been received from each Gannawarra Shire Council Special (Section 86) Committee for the 2016/2017 year and Committee members may now be formally appointed by Council.

Under Section 81(2A) of the Act, a Council may exempt a member of a special committee who is not a Councillor from being required to submit a primary or an ordinary Interest Return.

As the risk to Council resulting from a Special Committee member's conflict of interest has been mitigated through the Deeds of Delegation, and consequently assessed as negligible, Council may exercise its right to exempt members from being required to submit primary and ordinary interest returns.

BACKGROUND

Special committees established by councils under Section 86 of the Act operate as part of the Council to undertake delegated functions, such as managing Council owned or controlled cultural or recreational facilities, conducting specific projects or providing advisory services to Council.

Gannawarra Shire Council currently has eight such committees operating under two different structures, relevant to the amount and type of use of the facility they are managing. The main difference between the two structures relates to meeting requirements.

All committees are required to provide the following documentation after their Annual General Meeting:

- copies of Minutes from all meetings conducted throughout the year
- copies of end of year financial statements
- names of office bearers and committee members for ensuing year
- signed Deed of Delegation.

All Section 86 Committees have now conducted Annual General Meetings and forwarded requested information to Council including Committee and office bearers as listed for the 2016/2017 year:

Dingwall Hall	President Vice President Secretary Treasurer	Alan Bott Russell Bott Lorraine Zanker Irene Martin
Gannawarra Hall	President Vice President Secretary Treasurer	Glen Bottcher Jamie Forster Trevor Ibbs Trevor Ibbs
Koroop Hall	President Vice President Secretary Treasurer	Stuart Richardson Alan Pryor John Corry Bruce Lindsay
Lake Charm Hall	President Vice President/s Secretary Treasurer	Stuart Simms Robert Stevenson Fiona Copland Charles Gillingham
Leitchville War Memorial Swimming Pool	President Vice President Secretary Treasurer	Skye Perry Ryan Mahoney Caitlyn Taylor-Irvine Michelle Gladman

Murrabit Hall	President Vice President Secretary Treasurer	Neil Hopkins Gordon Yard Marlene Laursen Marlene Laursen
Myall Hall	President Vice President Secretary/Treasurer	Gary Napier Rod Troy Graham Cockroft
Quambatook Caravan Park	President Vice President Secretary Treasurer	David Hosking Trevor Bennett Norma Bennett Jackie Ritchie

POLICY CONTEXT

Council Plan 2013 – 2017 – Effective Leadership and Management – Council maximises its financial capability whilst paying close attention to risk factors and statutory requirements.

Policy No. 127 - Compliance

DISCUSSION

Council staff continue to monitor each Special Committee's capacity to comply with the Act and requirements contained within its Deed of Delegation, and provide support and advice as required.

Section 86(6) of the Act requires Council to review Special Committee delegations within twelve months after a general election. The next review of Gannawarra Shire Council Special Committees will include investigating alternative models for community members managing facilities on Council's behalf, particularly those that reduce administrative requirements whilst also ensuring legislative compliance and retaining appropriate insurance cover. Special committees will be consulted throughout the review process.

CONSULTATION

A number of Council staff maintain regular contact with Section 86 Committees to support and monitor legislative compliance, maintenance requirements and operational matters.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

The matter for consideration in this report is procedural and prescribed by section 86 of the *Local Government Act 1989*.

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS

11 NOTICES OF MOTION

Nil

12 DELEGATES REPORTS

12.1 DELEGATES REPORT - FRIDAY 4 NOVEMBER TO WEDNESDAY 16 NOVEMBER

Author: Kate Callow, Administration Assistant - Chief Executive Office

Authoriser: Eric Braslis, CEO

Attachments: Nil

EXECUTIVE SUMMARY

Delegate Reports from Friday 4 November to Wednesday 16 November.

Cr Brian Gibson

4 Nov	Special Council Meeting – Kerang
8 Nov	Council Briefing – Kerang
10 Nov	VLGA Councillor Welcome Event – Melbourne
11 Nov	LMCLP Graduation - Bendigo
	Remembrance Day Service - Kerang
14 Nov	Koondrook Wharf Opening
	Kerang Splash Park Opening
16 Nov	Ordinary Council Meeting – Kerang

Cr Mark Arians

4 Nov	Special Council Meeting – Kerang
8 Nov	Council Briefing – Kerang
14 Nov	Koondrook Wharf Opening
	Kerang Splash Park Opening
16 Nov	Ordinary Council Meeting – Kerang

Cr Jodie Basile

4 Nov	Special Council Meeting – Kerang
	Breast Cancer Breakfast – Kerang Primary School
8 Nov	Council Briefing – Kerang
11 Nov	Remembrance Day Service – Kerang
14 Nov	Annual Volunteers Day – Kerang
	Koondrook Wharf Opening
	Kerang Splash Park Opening
16 Nov	Ordinary Council Meeting – Kerang
	Northern District Community Health Services AGM

Cr Charlie Gillingham

4 Nov	Special Council Meeting – Kerang
8 Nov	Council Briefing – Kerang
11 Nov	Remembrance Day Service – Quambatook
14 Nov	Koondrook Wharf Opening
	Kerang Splash Park Opening
16 Nov	Ordinary Council Meeting – Kerang
	Northern District Community Health Services AGM

Cr Lorraine Learmonth

- 4 Nov Special Council Meeting – Kerang
- 8 Nov Council Briefing – Kerang
- 9 Nov Elders Meeting – Kerang
Discussion re: Dedication of rock for Stolen Generation
AGM Cohuna District Hospital & Retirement Village
- 10 Nov Senior Advisory meeting chair
- 11 Nov Remembrance Day Service - Cohuna
LMCLP Graduation - Bendigo
- 14 Nov Koondrook Wharf Opening
Annual Volunteers Event
Kerang Splash Park Opening
- 15 Nov CCLLEN Vet Awards Night - Echuca
- 16 Nov Ordinary Council Meeting – Kerang
Northern District Community Health Services AGM

Cr Steve Tasker

- 4 Nov Special Council Meeting – Kerang
- 14 Nov Koondrook Wharf Opening
- 16 Nov Ordinary Council Meeting – Kerang

Cr Sonia Wright

- 4 Nov Special Council Meeting – Kerang
- 8 Nov Council Briefing – Kerang
- 11 Nov Cohuna and Leitchville RSL Remembrance Day Service
- 14 Nov Koondrook Wharf Opening
Kerang Splash Park Opening
- 16 Nov Ordinary Council Meeting – Kerang
Northern District Community Health Services AGM

13 CONFIDENTIAL ITEMS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

13.1 CP285 - Wet Plant Hire 2016

This matter is considered to be confidential under Section 89(2)(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.

13.2 CP292 - Property Maintenance Service Contract 2016-2019

This matter is considered to be confidential under Section 89(2)(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.