



GANNAWARRA

Shire Council

Wednesday, 21 December 2016

7:00pm

Kerang Council Chambers

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 DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 AFFIRMATIONS OF OFFICE

It is to be noted that the Councillors that took the Affirmation of Office, reconfirmed them at the December Council Briefing meeting before the Chief Executive Officer.

4 APOLOGIES

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That Council adopts the minutes from the Ordinary Council Meeting held 16 November 2016.

6 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.

7 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.

8 ASSEMBLY OF COUNCILLORS

8.1 ASSEMBLY OF COUNCILLORS NOVEMBER 17 TO DECEMBER 21

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments: 1 Assembly of Councillors Record Form - 13 December 2016

RECOMMENDATION

That Council notes the records of Assembly of Councillors from Thursday 17 November to Wednesday 21 December.

EXECUTIVE SUMMARY

To present to Council the Assembly of Councillors Record Form – Tuesday 13 December 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.

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.

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, 13 December 2016
Time:	9am - 2:30pm
Location:	Council Chambers, Kerang
In Attendance: (Councillors)	Cr Lorraine Learmonth, Cr Mark Ariens, Cr Brian Gibson, Cr Jodie Basile, Cr Sonia Wright, Cr Charlie Gillingham and Cr Steven Tasker
Apologies	
In Attendance: (Officers)	Tom O'Reilly, Sid Hutchinson, Geoff Rollinson, Mandy Hutchinson, Alissa Harrower, Jo Haw
Matters Discussed:	<p>Mayoral Correspondence</p> <p>Opening Declaration</p> <p>Rural Councils Victoria (RCV) Ballot - Vote</p> <p>Mayoral update on recent forums</p> <p>Councillor In The Loop (attachments/links)</p> <p>GSC statement regarding the Syrian Refugee Crisis</p> <p>Proposed Budget Timetable 2017/18</p> <p>CEO KPIs (Quarterly Report)</p> <p>Staffing / EBA Update</p> <p>Building Stronger Region – Round 4 (Feb 2017)</p> <p>Council Plan Program – Community Sessions and Surveys, Feb Cr Session, Councillor Survey</p> <p>Australia Day Awards</p> <p>Nightsoil depot options</p> <p>Lake Meran Financial Request</p> <p>Ibis Rookery - Middle Lake Toilets</p> <p>Future Report Listing</p> <p>Councillor Code of Conduct Review</p> <p>Grants Update</p> <p>Draft 2017-18 Capital Works Program</p> <p>Rating Strategy Options</p> <p>Kerang Sheep Yards</p> <p>Gunbower Creek Waterway Rules</p> <p>Skip Bin Permits on Road Reserves</p> <p>Fruit Fly Regional Grants</p> <p>Koondrook Memorial Hall (demolition)</p> <p>Murray Explored – where to from here</p> <p>Outdoor Pools</p> <p>Murray Darling Basin Plan – 450GL</p> <p>Advocacy – Hospital</p> <p>Kerang Museum – Building Inspector</p>

	Murray Darling Association Wharf Financials Cohuna RSL – Beautification Funding Solar Farms Presentation - NBN Child Safety Policy – Adoption Council Policy Reviews Councillor Advisory Committee Memberships Audit Committee Report Quarterly Capital Works Program Update Victorian Non Metropolitan Public Holiday Kerang CBD Renewal – Adoption Citizenship Ceremony Dates Property Lease – 12 View Street, Koondrook Asset Disposal – Keath Street Leitchville Flocon Tender – Heavy Plant Replacement Program
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).

9 BUSINESS REPORTS FOR DECISION

9.1 CHILD SAFE POLICY - ADOPTION

Author: Mandy Hutchinson, Director Community Wellbeing

Authoriser: Mandy Hutchinson, Director Community Wellbeing

Attachments: 1 Child Safe Policy

RECOMMENDATION

That Council Adopt the attached Child Safe Policy No. 132.

EXECUTIVE SUMMARY

This report outlines the new Child Safe Policy as a requirement of Council's compliance with the recently-introduced legislation relating to the Child Wellbeing and Safety Amendment Act 2015 (Vic), and changes to the Crimes Act. It requires Council to comply through the adoption of an appropriate Policy, followed by an ongoing process of actions across the organisation.

BACKGROUND

Council received Ministerial Order No. 870- Child Safe Standards -Managing the risk of child abuse in schools in December 2015. The Ministerial Order is a key part of the Government's response to the recommendations of the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations. The Inquiry's Betrayal of Trust report made a number of recommendations aimed at protecting children from all forms of abuse and neglect.

In particular, the Betrayal of Trust report recommended that the government implement minimum standards for maintaining 'child-safe environments' for all organisations with direct and regular contact with children. The recommendations recognised that there was an over-reliance on the Working with Children Check and a limited use of other prevention tools, gaps and inconsistencies in policies and practices to prevent abuse, and that more support needed to assist organisations to implement child safe policies.

Council were named as Category 1 organisations under the legislation, which came into effect 1 January 2016. It is a requirement that Category 1 organisations make significant progress towards compliance in the first year. The requirements include:

- a child safe policy as a commitment to child safety
- strategies to embed an organisational culture of child safety, including through effective leadership arrangements

- a code of conduct that establishes clear expectations for appropriate behaviour with children
- screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel
- processes for responding to and reporting suspected child abuse
- strategies to identify and reduce or remove risks of child abuse
- strategies to promote the participation and empowerment of children.

POLICY CONTEXT

Various inquiries were conducted, from which recommendations for changes to legislation were adopted and implemented, including:

January 2012: Protecting Victoria's Vulnerable Children Inquiry recommends a formal investigation into how religious organisations respond to child abuse within their organisations

April 2012: Parliamentary Inquiry initiated into handling of child abuse by religious and other non-government organisations

November 2013: Betrayal of Trust report tabled in Parliament

May 2014: The Victorian Government accepted in principle all fifteen recommendations and outlined three phases for implementation: criminal law reform, civil law reform and child safe organisations.

November 2014: The Government further committed to implement the remaining Betrayal of Trust recommendations in.

- Child Wellbeing and Safety Amendment Act 2015 (Vic)
- Amendments made to Crimes Act 1958 (Vic): Three new crimes were introduced: grooming, failure to disclose child sexual abuse, and failure to protect a child from sexual abuse.

DISCUSSION

This legislation is intended to protect children. Council compliance will assist in increasing the level of protection through the services it provides to the community.

Council Officers have commenced work on developing a framework to support the implementation of the Child Safe Policy. The initial process will be undertaken with existing resources, and are not expected to be substantial. A working group has been established to undertake the following:

- education of current Councillors, staff, volunteers and contractors
- update Code of Conduct documents
- update recruitment and induction processes
- ensure that reporting mechanisms are in place to support compliance.

Council may choose to undertake a community leadership role to support community volunteer organisations within the shire to understand their role in ensuring the safety of all Gannawarra's children.

CONSULTATION

Council has consulted with other Councils and partner agencies, such as Southern Mallee Primary Care Partnership, Kerang District Health, Northern District Community Health and Cohuna District Hospital. There is also much interest from the community, as expectations regarding child safety standards across the volunteer sector increases. Consultation with children and young people will assist Council as it starts to build the organisation's resources and capacity to prevent, recognise and report child abuse.

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

Over the last decade, there has been significant research into child abuse in organisations. Measures have been identified that reduce the risk of children being exposed to or experiencing harm. Council has an important role in demonstrating leadership in implementing these measures so that children in our care are safe, happy and empowered. The Child Safe Policy sets the scene so that the real work can commence. *'All abuse harms children. Even injuries that are not visible can be profound. They can strike at a child's sense of identity, make them fearful or ashamed, and reduce their ability to participate in their community.'* Commission for Children and Young People.

Policy No. 132 – Child Safe

1. POLICY STATEMENT

Council is committed to promoting and protecting the interests and safety of children.

Council supports and respects the rights of all children, and for children to feel and be safe, happy and empowered. Council has a zero tolerance to child abuse.

This Policy applies to Councillors, staff, contractors and volunteers engaged by Council.

2. POLICY

Council will focus on actions and activities designed to prevent child abuse within the Gannawarra Shire by:

1. Working towards an organisational culture of child safety, that balances respect for cultural differences and diversity.
2. Ensuring that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs.
3. Providing guidance to councillors, employees, volunteers and contractors as to action that should be taken where they suspect any abuse within or outside of the organisation.
4. Providing a clear statement to councillors, employees, volunteers and contractors forbidding any such abuse.
5. Providing assurance that any and all suspected abuse will be reported and fully investigated.
6. Demonstrating leadership by promoting the participation and empowerment of children.

3. RELATED LEGISLATION

- *Charter of Human Rights and Responsibilities Act 2006*
- *Crimes Act 1958 (Vic)*
- *Child Wellbeing and Safety Amendment Act 2015 (Vic)*

4. RELATED POLICIES/DOCUMENTS

- Police and Working with Children Check – Employee Policy No. 029
- Code of Conduct for Employees – Employee Policy No. 034

5. POLICY REVIEW

Council will review this policy as required but always within 2 years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

6. FURTHER INFORMATION

Members of the public may inspect all Council Policies at Gannawarra Shire Council's Kerang and Cohuna offices or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this Policy should be directed to the Director, Community Wellbeing on (03) 5450 9333.

Records – Document Profile No.

Originally adopted:

Reviewed:

Reviewed:

Minute Book Reference:

Minute Book Reference:

9.2 COUNCIL POLICIES

Author:	Alissa Harrower, Continuous Improvement Officer
Authoriser:	Tom O'Reilly, Director Corporate Services
Attachments:	1 Policy No. 092 - Councillor Allowances and Support
	2 Policy No. 116 - Private Assets in Road Reserve
	3 Policy No. 117 - Complaint Handling
	4 Policy No. 117 - Complaint Handling Procedure
	5 Policy No. 121 - Smoke Free Zones
	6 Policy No. 123 - Roadsides, Parks and Reserves Trading
	7 Policy No. 124 - Asset Protection
	8 Policy No. 093 - Vehicle Usage
	9 Policy No. 103 - Arts and Culture

RECOMMENDATION

That Council;

- 1. Endorse the following reviewed policies:**
 - (a) Policy No. 092 – Councillor Allowances and Support**
 - (b) Policy No. 116 – Private Assets in Road Reserve**
 - (c) Policy No. 117 – Complaint Handling and Complaint Handling Procedure**
 - (d) Policy No. 121 – Smoke Free Zones**
 - (e) Policy No. 123 – Roadsides, Parks and Reserves Trading**
 - (f) Policy No. 124 - Asset Protection**

- 2. Repeal the following policies:**
 - (a) Policy No. 093 – Vehicle Usage**
 - (b) Policy No. 103 – Arts and Culture**

EXECUTIVE SUMMARY

Council Officers undertake regular reviews of Council policies to ensure they are up to date and reflective of current practices. This report deals with the following policies which have been reviewed:

- Policy No. 092 – Councillor Allowances and Support
- Policy No. 093 – Vehicle Usage
- Policy No. 103 – Arts and Culture
- Policy No. 116 – Private Assets in Road Reserves
- Policy No. 117 – Complaint Handling
- Policy No. 121 – Smoke Free Zones

- Policy No. 123 – Roadside Parks and Reserves Training
- Policy No. 124 – Asset Protection

BACKGROUND

Council Officers undertake regular reviews of Council policies to ensure compliance with relevant legislation and that they are reflective of current practice. In most instances, the policy is updated and presented to Council for endorsement.

At times, during the review process, officers determine that a policy is no longer required. In these instances, the policy is presented to Council for repeal and then removed from Council’s website and policy manuals. Policies may be presented for repeal when the content is of an operational nature or is a legislative requirement, the matter has been addressed in a Council strategy or is obsolete.

POLICY CONTEXT

Effective Leadership and Management	<i>Council maximises its financial capability whilst paying close attention to risk factors and statutory requirements</i>
Healthy Liveable Communities	<i>Lead the way on local planning efforts to improve health and wellbeing outcomes to the community</i>
Healthy Liveable Communities	<i>Create liveable environments and inspiring public places that value-add to the tourism and lifestyle appeal of the area</i>
Victorian Ombudsman	<i>Complaint Handling Guide for the Public Sector</i>
Victorian Ombudsman	<i>Managing Unreasonable Complainant Conduct Manual</i>
Council Policy	<i>No. 127 - Compliance</i>

DISCUSSION

Policy No	Policy Name	Comments
092	Councillor Allowances and Support	The Reimbursement rate for private vehicle usage has now been brought into line with the standard Australian Tax Office ‘cents per kilometre’ method, which is currently set at \$0.66 The Policy has been amended to allow Councillors to have a Smartphone supplied by Council or alternatively supply and utilise their own personal Smartphone and receive a monthly allowance of \$25 for notional council business usage.
093	Vehicle Usage	A review of this policy identified its content is of an operational nature and is no longer required. An Employee (internal) policy has been developed and Council Policy No. 093 – Vehicle Usage should now be repealed.

103	Arts and Culture	<p>In May 2016, Council adopted the Creative Arts and Activation Strategy 2016 – 2020. The Creative Arts and Activation Strategy (CAAS) reflects Council’s commitment to regional growth and economic development. The specific reference to ‘Activation’ in the Strategy reflects the acknowledged local opportunities to increase arts and culture activity to the wider social and economic benefit of the Shire and wider region.</p> <p>This policy is no longer required and may be repealed.</p>
116	Private Assets in Road Reserves	<p>A review of this policy identified a small number of required additions and a change to permit title.</p> <p>Road Opening Permits are now titled Works Within a Road Reserve Permit. This change was made throughout the policy.</p> <p>Addition of exclusion of pipelines in rural areas less than 60 metres in length and under 150 millimetres in diameter.</p> <p>Annual inspection of the asset to include timelines set out in the Section 173 Agreement depending on the road classification.</p>
117	Complaint Handling	<p>A recent review of this policy identified the need to expand the content in line with recommendations from the Victorian Ombudsman’s Complaint Handling Guide for the public sector.</p> <p>The updated policy now includes direction relating to unreasonable complainant conduct and directly links to a Complaint Handling Procedure and is presented to Council for endorsement.</p>
121	Smoke Free Zones	No changes were identified during the review of this policy.
123	Roadside, Parks and Reserves Trading	A review of this policy identified the need to change reference to the <i>Fair Trading Act 1999</i> to <i>Australian Consumer Law and Fair Trading Act 2012</i> .
124	Asset Protection	No changes were identified during the review of this policy.

CONSULTATION

Council’s Executive Leadership Team, Management Team and Council Officers with operational responsibility for the policies have been involved in the review process.

CONFLICT OF INTEREST

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

CONCLUSION

This report has addressed recently reviewed policies for the consideration of Council. Eight of these policies have been updated to reflect current best practice and are presented to Council for endorsement; two are now deemed obsolete and are presented to Council for repeal.

Councillor Allowances and Support – Council Policy No. 092

1. POLICY PURPOSE

To provide guidance on the reimbursement of expenses, provision of facilities and support for Councillors.

2. DEFINITIONS

Nil

3. POLICY

COUNCILLORS' ALLOWANCES

1. The Local Government (Elections) Act 1995 provides for the upper limit of Councillors allowances to be fixed by Order in Council.
2. In accordance with the provisions contained in Australia Tax Office Interpretive Decision 2007/205, Council may enter into a voluntary arrangement with a Councillor under which the Councillor agrees to forego all or part of their Councillors Allowance, including Mayoral Allowance if applicable, in exchange for the Council making contributions to Vision Super, or such other complying superannuation fund nominated by the Councillor and agreed to by the Chief Executive Officer, on their behalf of the amount foregone by the Councillor.
3. Mayoral and Councillors allowances will be paid by EFT, in advance, on a monthly basis.

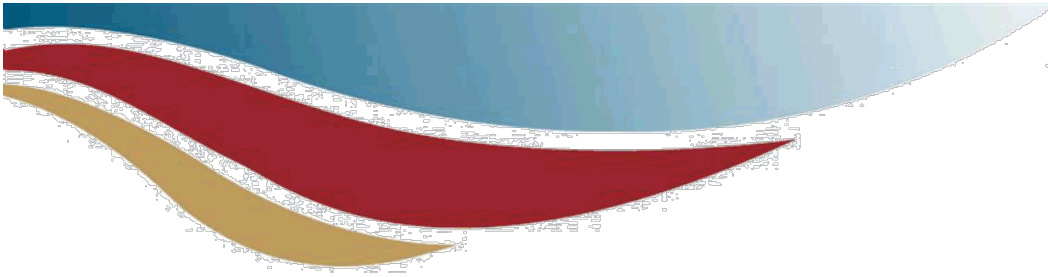
PAYMENT OF EXPENSES

General

1. Section 75 of the Local Government Act 1989 specifies that a Council may reimburse Councillors for necessary out-of-pocket expenses incurred while performing duties as a Councillor.
2. Councillors will be reimbursed for necessary out-of-pocket expenses on the presentation of a signed statement of expenditure on expenses supported by official receipts and other relevant documentation.
3. Councillors are expected to progressively submit their expense claims on a monthly basis as they are incurred. Claims for expenses during the prior month should be submitted by the last working day of the following month. This enables monitoring of expenditure against budget and accurate and meaningful reporting. All claims relating to each financial year are to be submitted by 15 July of the immediately following financial year.

Council Pool Vehicles and Private Use Vehicles

1. When available, Councillors are required to use a Council vehicle to attend events that form part of the Councillor's official duties outside of the Gannawarra Shire Council boundaries.

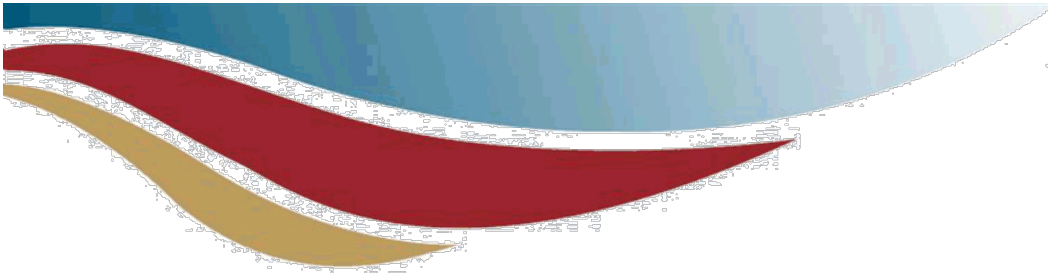


2. In the absence of a Council vehicle, a Councillor will be reimbursed for the use of their own private vehicle for:
 - a. attendance at Ordinary and Special Meetings of Council, Councillor Briefing Sessions and In Committee Meetings;
 - b. attendance at Committee or Advisory Committee meetings;
 - c. attendance at ordinary, committee or sub-committee meetings of State, Regional or local organisations or bodies where the Councillor has, by Council resolution been elected as a Council delegate;
 - d. attendance at meetings and civic or ceremonial functions convened by the Mayor or the Council;
 - e. attendance at a meeting, function or other official role as a representative of the Mayor;
 - f. attendance at a meeting or function falling within the Councillors appropriate ward, if outside of the Councillors ward Chief Executive Officer approval is required.
 - g. attendances at conferences, seminars, professional development and training where the attendance has been approved by the Chief Executive Office;
 - h. to and from the airport, rail or bus station or other point where travel to conferences, seminars, professional development and training commences.
3. Reimbursement for private vehicles will be paid in accordance with the prevailing 'cents per kilometre' rate prescribed by the Australian Taxation Office as varied from time to time. Councillors seeking reimbursement are required to submit to the Chief Executive a signed record of private use claim on a monthly basis.
4. Council will not reimburse the cost of any infringements incurred by Councillors.

TRAVEL EXPENSES

General Travel

1. Council will provide the following to Councillors;
 - a. Dinners/meals within reasonable limits for the duration of the stay;
 - b. Accommodation – appropriate accommodation as selected, after consultation, by the Chief Executive's office. Any additional accommodation costs as a result of the attendance of Councillors partners or family members will be met by the Councillor, with the exception of the Mayor's partner;
 - c. Transportation – Council will cover the cost of transportation to, during and from the conference. This applies to any of the following forms of travel:
 - i. return economy class air. All overseas travel is to be authorized by resolution of the full Council.
 - ii. private vehicle with reimbursement as specified in this policy
 - iii. economy class train, tram or bus travel; and
 - iv. taxi
 - d. Car parking fees – fees will be reimbursed in respect of hotel/motel parking and airport parking.
2. All arrangements are to be handled through the Chief Executive office.



SEMINARS, CONFERENCES, PROFESSIONAL DEVELOPMENT AND TRAINING

1. Council recognises the need for Councillors to attend seminars, conferences, professional development and training in order to be kept fully informed on all Local Government matters and to assist them to perform their roles as Councillors.
2. The annual budget will cover the cost of Seminars, Conferences, Professional Development and Training attendance by Councillors including registration, course or sessional fees;
3. Councillors will be required to submit a written report in respect of any conference or seminar attended except for the ALGA Annual Conference, the Local Government Managers Association National Congress, the MAV Councillor Development Weekend and the VLGA Mayors Weekend. Where more than one Councillor attends an interstate or overseas conference or seminar, a joint report may be submitted.

CHILD CARE

1. Council will cover the cost of reimbursing legitimate family care and child care expenses for attendance at Council functions submitted by Councillors.
2. Councillors will on the production of a receipt or relevant documentation, be reimbursed the cost of child care expenses for children up to and including the age of 14 years
3. Child care costs are not reimbursable if paid for a child cared by a person who normally or regularly lives with the Councillor.
4. All claims for reimbursement are to be supported by a completed claim form refer Appendix 2.

INFORMATION TECHNOLOGY

Computer facilities

1. Internet – Councillors will be provided with an internet enabled device to allow access to email and internet.
2. Email – Councillors will be provided with an email account managed through Gannawarra Shire Council. Councillors' email addresses will be part of the domain name: gsc.vic.gov.au.
3. Document management – Councillors are responsible to ensure all corporate information is forwarded to Gannawarra Shire Council for registration in the electronic document management system. This refers to, but is not limited to, formal letters in Microsoft Word and emails.
4. Personal use – Personal use of Council provided equipment is permitted as long as it does not affect the primary use of the device. Councillors will not install any non-approved non council products on the device.

Telecommunications via Smartphone

Councillors have the choice of two (2) options regarding Smartphones as follows:

1. Councillors can elect for Council to provide a Smartphone for their Council business use only. The Smartphone is provided on the basis that personal calls are to be kept to a minimum. It is acknowledged that on occasion personal calls may be required when a Councillor is:
 - unable to access a landline or
 - on Council business outside normal business hours.

Personal calls in these situations and in urgent and/or emergency situations are acceptable. Personal calls outside the situations referred to above are not permitted.

The Council telephone number will be made available to the public, and should only be answered by the relevant Councillor or the built-in message bank service.

Councillors may be required to reimburse Gannawarra Shire Council for excess charges if this policy is not followed.

2. Alternatively, Councillors may choose to provide their own Smartphone i.e. 'Bring Your Own Equipment' and receive a monthly allowance of \$25 as reimbursement for the notional data and phone usage charges relating to Council business undertaken on their personal Smartphone. Where a Councillor wishes to use their own Smartphone for Council use, Councillors must make their personal mobile number available for publication. Note; Council takes no responsibility for loss, breakage, failure, repair or misplaced 'Bring Your Own Equipment'.

Information Technology support

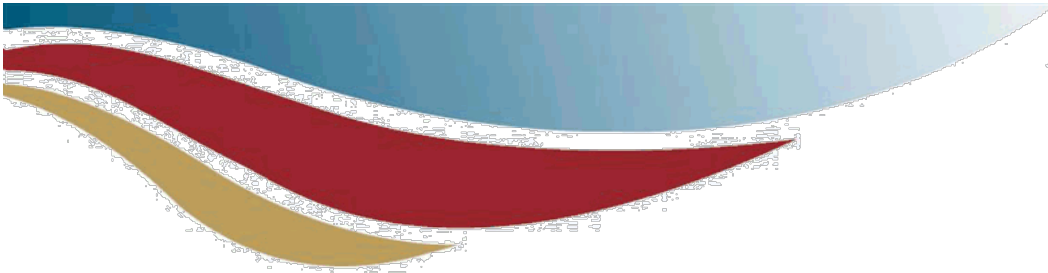
1. The Corporate Services Directorate will provide familiarisation training for Councillors in addition to documentation aiding Councillors in relation to using the IT systems provided. Council will provide Councillors with application specific training where necessary through a local training provider.
2. The Corporate Services Directorate will update the software on each Council provided device. Any non-approved non-Council software will be uninstalled during maintenance.
3. The Corporate Services Directorate will provide IT support in line with that provided to Council office.
4. All Council provided equipment is to be returned to the Corporate Services Directorate on the conclusion of the Councillor's term, or in the event the Councillor resigns the position earlier.
5. Faulty equipment or issues are to be reported to the Corporate Services Directorate as soon as possible. All repairs to equipment can only be undertaken by Council and only apply to Council provided equipment
6. In the event that equipment is lost, stolen or misplaced the Corporate Services Directorate is to be informed as soon as possible to put in place all preventative measures.

Equipment

1. Councillors will be issued with the following equipment:
 - One (1) only iPad, Tablet, Notebook, Laptop or equivalent(with mobile internet capabilities), charger and protective cover
 - Mobile telephone and charger for Council supplied equipment
2. Councillors will have access to the following for Council business:
 - Printing equipment
 - Audio visual equipment

COUNCILLOR'S INSIGNIA OF OFFICE

1. Councillors shall be provided with the following, upon request:
 - Business Cards
 - A supply of Council logo metal lapel badges (small)
 - A Council tie or scarf
 - A Council badge for Councillors and partners



ADDITIONAL FACILITIES FOR THE OFFICE OF THE MAYOR

Mayoral Vehicle

Council will provide at its cost to the Mayor a fully registered, insured and maintained vehicle for official and personal use during the mayoral term if he/she so requires. The vehicle will be up to a similar standard to the vehicle available to the Chief Executive Officer.

Office Support

The Mayor will be provided with appropriate administrative support during normal business hours to undertake the duties of the Mayor.

Travel Expenses and Accommodation

Council will reimburse travelling expenses for the Mayor's partner whilst accompanying the Mayor on official business.

INSURANCE

1. Councillors are covered by the following insurance policies while performing the duties of civic office including attendance at meetings of external bodies as Council's representative – Personal Accident, Public Liability, Professional Indemnity and Councillors and Officers Liability insurances.
2. Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's Insurers, whether defended or not.

4. RELATED PROCEDURES/GUIDELINES

Nil

5. REFERENCES/LEGISLATION

Nil

6. POLICY REVIEW

Council will review this policy as required but always within 12 months after a general election of the Council.

At the time it was reviewed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

7. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Director Corporate Services on (03) 5450 9333.

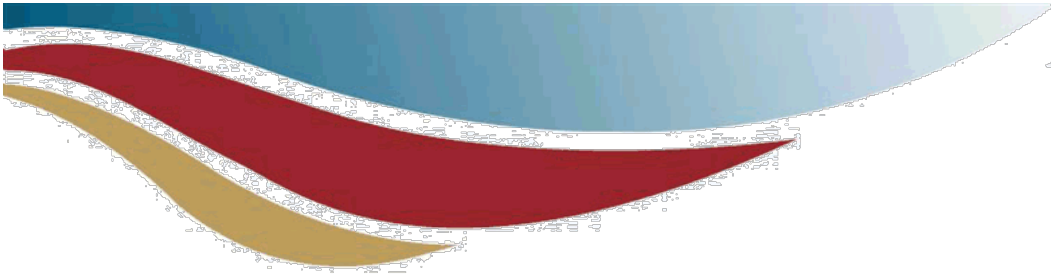
Records – Document Profile No. 14/00459

Originally adopted: 2006

Reviewed: 22/04/2009 Minute Book Reference: 7387

Reviewed: 17/09/2014 Minute Book Reference: 11022

To be reviewed: 2018



COUNCILLORS EXPENDITURE CLAIM FORM

APPENDIX 1

NAME OF COUNCILLOR:

DATE:

DATE	TYPE OF EXPENDITURE	AMOUNT CLAIMED
SUB TOTAL		\$

DATE	DESTINATION/MEETING	MILEAGE	AMOUNT CLAIMED
		Km	
		Km	
		Km	
		Km	
		Km	
SUB TOTAL			\$
TOTAL AMOUNT CLAIMED			\$

(a) ATO cents per kilometre rate for all vehicles. 2016/17 rate = 66 cents per business kilometre

SIGNED: _____

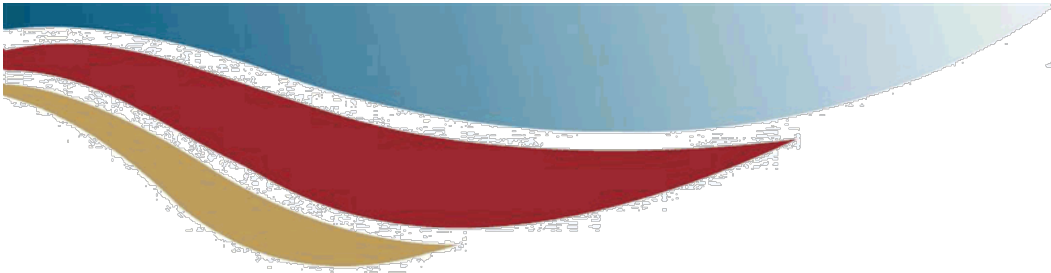
COUNCILLOR

AUTHORISED: _____

CHIEF EXECUTIVE OFFICER

DATE: _____

PLEASE ATTACH ALL RECEIPTS FOR VERIFICATION



CHILD CARE EXPENSES CLAIM FORM

APPENDIX 2

Claim Form for Child Care Expenses for Councillors

Name: _____
Date Submitted: _____

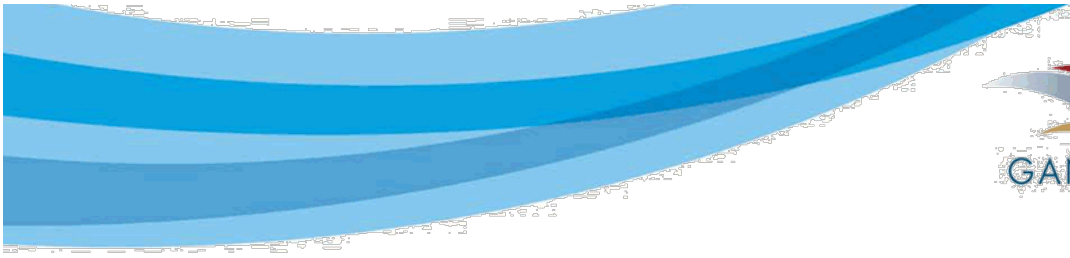
Date of Care	Time of Care	Child Care Provider	Nature of Council Business	Amount Claimed \$

I certify that the costs claimed for reimbursement have been incurred by me while performing my duties as a Councillor of the Gannawarra Shire.

I can confirm that I have no Conflict of Interest to disclose in accordance with the *Local Government Act 1989*

SIGNED: _____ COUNCILLOR
 AUTHORISED: _____ CHIEF EXECUTIVE OFFICER
 DATE: _____

PLEASE ATTACH ALL RECEIPTS FOR VERIFICATION



Private Assets in Road Reserves – Council Policy No. 116

1. POLICY PURPOSE

Council is responsible for the provision and maintenance of local roads infrastructure.

All roads have a defined road reserve which is owned or managed via Council and the legislative framework for such is established under the Local Government Act 1989 and the *Road Management Act 2004*. Such legislation provides a rigorous framework designed to protect the purpose of the road and the road user.

It is acknowledged that the use of the road must be considered alongside other factors such as economic benefit and social need, which may require the installation of “non-road infrastructure” in the form of privately owned assets. Notwithstanding this, this Policy intends to provide a framework to enable such needs to be balanced with the protection of the primary purpose of the road.

Some statutory service providers have rights and obligations outlined in various Acts to install infrastructure in road reserves without permission of the road authority. Private individuals do not have this right.

This policy deals only with assets installed or modified after the date of adoption of this policy, within a road reserve. This policy does not cover or deal with assets that are installed or maintained by a statutory service provider, or assets installed within a road reserve within a township such as, but not limited to, driveways or stormwater pipes that are installed under Council’s works within a road reserve permit process or pipelines in rural areas less than 60 meters in length and under 150 millimetres in diameter.

2. DEFINITIONS

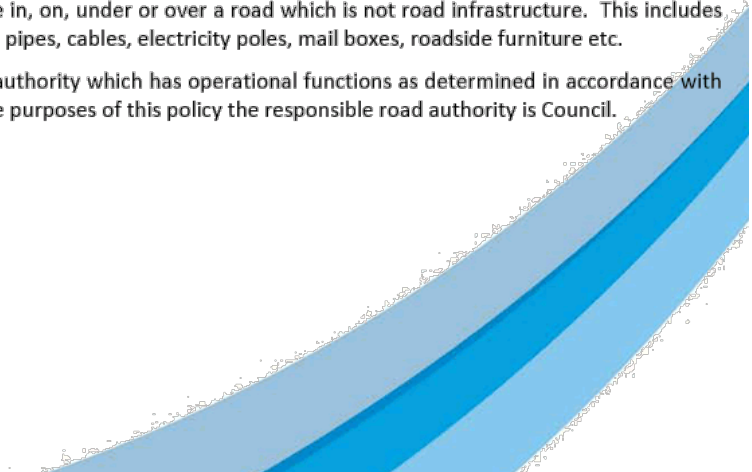
Asset – a physical component of a facility which has value, enables services to be provided and has an economic life of greater than twelve months.

Asset Owner – for the purposes of this Policy the asset owner should be read as “Council” as per the *Road Management Act 2004*.

Exceptional circumstances – the existence of a physical obstacle (buildings, natural structures including waterways, rock formations, culturally sensitive land, land with significant native vegetation) that prevents access and an alternative route is not available; or where all reasonable attempts have been unsuccessful in obtaining the necessary consent of a non-beneficiary landowner, and a reasonable alternate route within private land is not available. The determination of exceptional circumstance will be at the sole discretion of the Director Infrastructure Services. This assessment is required to be balanced with the requirement of Council to protect the road reserve as outlined in s.4d of the *Road Management Act 2004*.

Non-road infrastructure – means infrastructure in, on, under or over a road which is not road infrastructure. This includes such infrastructure such as water and sewerage pipes, cables, electricity poles, mail boxes, roadside furniture etc.

Responsible road authority – means the road authority which has operational functions as determined in accordance with s.37 of the *Road Management Act 2004*. For the purposes of this policy the responsible road authority is Council.



Road infrastructure – means the infrastructure which forms part of a roadway, pathway or shoulder, including –

- a) structures forming part of the roadway, pathway or shoulder;
- b) materials from which a roadway, pathway or shoulder is made;

Road reserves – means all of the area of land that is within the boundaries of a road.

Section 173 Agreement – is a legal contract allowed under s.121 of the *Road Management Act 2004* and s.173 of the *Planning and Environment Act 1987* that outlines rights and obligations and is attached to title of private land.

Statutory service providers – authorities empowered under an Act with providing utility services such as power, gas, water and telecommunication infrastructure.

User Pays Principle – when users pay the full costs of the goods or services they consume. It is premised on a principle that those who do not use a service should not be obligated to pay for it. Such a principle is most effective when the beneficiary aligns exactly with the user.

Works within A Road Reserve permit – evidences the final approvals for work that, once received, allows works within the road reserve to commence.

3. POLICY

Council is responsible for the provision and maintenance of local roads infrastructure.

Under section 34 of the *Road Management Act 2004* a responsible road authority is compelled to manage the use of roads having regard to the principle that the primary purpose of a road is to be used by members of the public and that other uses are to be managed in a manner which minimises any adverse effect on the safe and efficient operation of the road. It further requires the authority to coordinate the installation of infrastructure on roads and the conduct of other works in such a way as to minimise, as far as is reasonably practicable, adverse impacts on the provision of utility services.

Infrastructure within road reserves includes, but is not limited to, the road itself (including formation and sub grade), pavement, seal, shoulders, guideposts, table drains or side cuts, culverts and regulatory or discretionary road signage installed by the road authority.

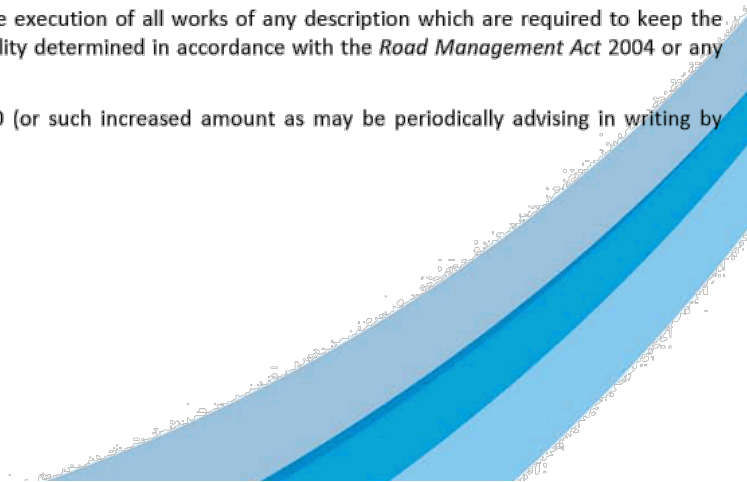
Maintenance obligations are imposed on all owners of infrastructure in a road reserve through the *Road Management Act 2004* and other Acts which include such things as inspection requirements, documentation, processes for undertaking works and safety regulations. The vast majority of owners of infrastructure within road reserves are statutory service providers. Such bodies have a legislative framework within which they operate and access to appropriate levels of insurance coverage should legal proceedings be undertaken against them.

3.1 Legal Framework

A Section 173 Agreement will be required to be entered into with the beneficiary landowner prior to approval of works in road reserves. The provision of assets is usually for the benefit of the current owner of the land and it is appropriate that obligations should be transferred with the land to ensure integrity of the management framework.

Requirements of a Section 173 Agreement

- Inspection requirement: For assets installed within road reserves, inspections will be required upon completion of the works.
- Maintenance requirements: includes the execution of all works of any description which are required to keep the road or infrastructure in the state of utility determined in accordance with the *Road Management Act 2004* or any other Act deemed applicable.
- Public liability insurance of \$10,000,000 (or such increased amount as may be periodically advising in writing by Council) to be held and kept current.



3.2 Design Considerations

Council will require any assets within road reserves to be installed fence to fence, by the shortest possible route or running perpendicular across roads. Required technical specifications regarding design, annual maintenance, depth, materials and location requirements will be outlined to the applicant by Council's Director Infrastructure Services.

Assets will be required to be installed underground where possible.

Sharing of Council's existing or future infrastructure which compromises its intended purpose (such as culverts) will not be allowed.

Applications to install assets running longitudinally within road reserves will only be approved in exceptional circumstances. Should such a circumstance exist, and an application is received to install a privately owned asset longitudinally in a road reserve, permission would only be granted after the acceptance of the following conditions, including but not limited to:

The availability of the corridor within the road reserve between the road reserve fence line and the commencement of Council's road drainage infrastructure. This is the only location where Council will consent to such privately owned assets being installed.

- a) Only the portion of the pipeline affected by the exceptional circumstance will be considered for inclusion in the road reserve.
- b) Applicant enters into an agreement with Council for use of the part of the road reserve required for installation of the infrastructure.
- c) Council will, at its discretion, retain the right to terminate the agreement with a minimum of one months notice, and recover costs for non-compliance should the landholder fail to maintain the asset in good condition.
- d) Should Council provide notice under c) the landholder will be required to remove the infrastructure and reinstate the reserve to Council's satisfaction, at their own cost.

3.3 Construction Considerations

Council's preferred construction approach for installation of privately owned assets is to bore under roads. However, it is acknowledged this is sometimes not possible and in such cases, trenches may be the only reasonable alternative.

Requirements for construction will be outlined in detail during the application process and will be controlled through the issuing of a Works Within A Road Reserve Permit.

3.4 Payment of Fees

The costs associated with the generation and application of the Section 173 agreement onto a beneficiaries land title will be borne by the applicant.

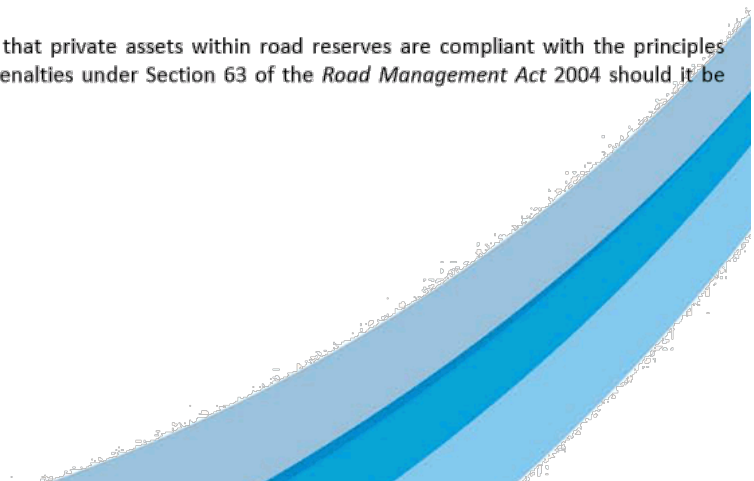
3.5 Ongoing Obligations

Council requires landowners to:

- Inspect the asset per timelines set out in the Section 173 Agreement, depending on the road classification
- Maintain public liability insurance to Council's satisfaction

Appropriate management frameworks are crucial within road reserves given the risk associated to communities and Council should incidents/accidents occur.

Council will rigorously and proactively ensure that private assets within road reserves are compliant with the principles contained within this policy and will impose penalties under Section 63 of the *Road Management Act 2004* should it be required.



4. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

5. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

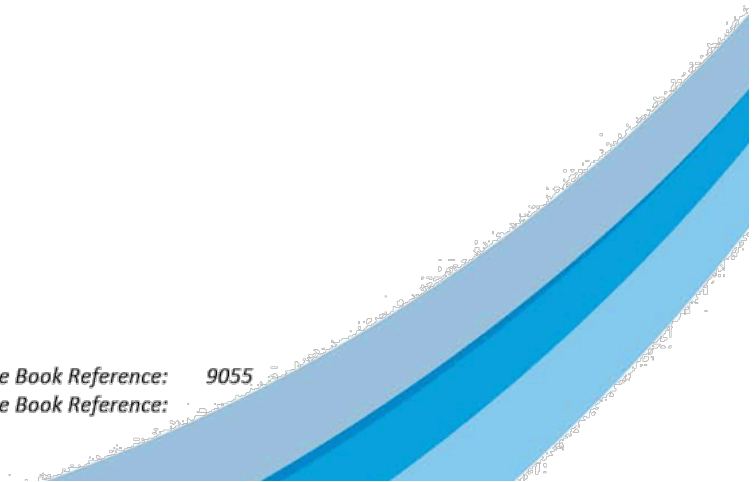
Any enquiries in relation to this policy should be directed to the Director Infrastructure Services on (03) 5450 9333.

Records – Document Profile No. 14/00482

Originally adopted: 15/02/2012 Minute Book Reference: 9055

Reviewed: 18/11/2016 Minute Book Reference:

To be reviewed by: 2018



Complaint Handling (including Unreasonable Complainant Conduct) – Council Policy No. 117

This Policy should be read in conjunction with Gannawarra Shire Council's Complaint Handling Procedure and Protected Disclosure (formally Whistleblowers Protection) Policy No. 107.

1. POLICY OBJECTIVE

The objective of this policy is to:

- Put in place an open and transparent complaint handling system
- Specify the key performance indicators to which we will hold ourselves accountable
- Ensure staff handle complaints fairly and objectively.

2. POLICY STATEMENT

Gannawarra Shire Council is committed to providing the best services and facilities to its community. Council employees and Councillors are committed to Council's values of: Integrity; Reliability; Respectfulness; Openness; Responsiveness; Fairness and Enjoyment.

All complaints will be acted upon promptly and in accordance with Council's Complaint Handling Procedure.

3. GUIDING PRINCIPLES

This policy is based on seven principles, as outlined in the Victorian Ombudsman's *Councils and complaints – a good practice guide*:-

Commitment

We are committed to resolving complaints that we receive. Our culture recognises people's right to complain and considers complaint handling to be part of our core business of serving the community and improving service delivery.

Accessibility

People can easily find out how to complain to us and we actively assist them with the complaint process.

Transparency

The complaint handling system clearly sets out how to complain, where to complain and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny.

Objectivity and fairness

Under the complaint handling system, complainants and staff are treated with respect and courtesy, and complaints are judged on merit and fact.

Confidentiality

The complaint handling system protects the personal information of people making a complaint, and council staff are informed only on a 'need to know' basis.

Accountability

We are accountable, both internally and externally, for our decision making and complaint handling performance. We provide explanations and reasons for decision, and ensure that our decisions are subject to appropriate review processes.

Continuous Improvement

We regularly analyse complaint data to find ways to improve how we operate and how we deliver our services. We then implement these changes.

4. SCOPE

This policy applies to all Councillors and Council Staff. It also applies to third party contractors carrying out services on Gannawarra Shire Council's behalf.

5. DEFINITIONS

Complaint - An expression of dissatisfaction with the quality of action taken, decision made, or service provided by Gannawarra Shire Council or its contractor and a delay or failure in providing service, taking action or making a decision by Gannawarra Shire Council or its contractor.

The matter is not a complaint if it is any of the following:

- A request for service (unless there was no response to a first request)
- A request for information
- Disagreement with a policy of Council
- An appeal or request for internal or external review of a decision for which a structured process applies, other than that made as a result of the complaint
- An expression concerning the general direction and performance of Council or its Councillors
- An expression of dissatisfaction with the behaviour of a Councillor
- Reports of damage or faulty infrastructure
- Reports about neighbours, noise, dogs, nuisances or similar issues that fall into the regulator aspect of our service.

Note: Complaints concerning alleged corrupt conduct, conduct involving a substantial mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment will be taken extremely seriously and may be referred to external agencies for investigation. In these situations, the complaint may be actioned through Council's Protected Disclosure Policy and/or referred directly to the Independent Broad-based Anti-corruption Commission Victoria.

Complainant Person or entity affected by the action or inaction of Council.

Complaint handling system - The way individual complaints are dealt with by Council including the policy, procedures, practices and technology.

Customer Service Charter – Document outlining Council’s commitment to customers, and includes the standards the customer can expect, how the customer can measure whether Council is achieving the specified standards and the rights and obligations customers have when using Council services.

Frontline Staff - Customer Service Officers located within the Kerang and Cohuna Customer Service Centres.

Request for Service - Contact with Council to seek assistance, advice, information, access to a new service or to inform/make a report about something for which the Council has responsibility.

Unreasonable Complainant Conduct (UCC) - Any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council, Council staff, Council contractors, agents or volunteers, other service users and complainants or the complainant himself/herself.

UCC can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours.

6. ROLES AND RESPONSIBILITIES OF COUNCIL STAFF AND CONTRACTORS

Councillors - Councillors in receipt of a complaint should refer the complainant to Customer Service or refer the matter directly to the Chief Executive Officer.

Chief Executive Officer (CEO) - Responsible for investigation and resolution of complaints about the behaviour of the Mayor, Councillors or a Director.

Director Corporate Services - Responsible for investigation and resolution of complaints about the behaviour of the CEO. If the complaint is a reportable complaint under the *Local Government Act 1989* (bullying, victimisation or harassment), the CEO must notify Council. In this event the CEO or the Mayor may request the appointment of a probity auditor.

Directors and Managers - Responsible for participating in and cooperating with investigations of complaints and formulating appropriate resolutions.

Continuous Improvement Officer - Responsible for overseeing and reviewing the complaint handling process, monitoring trends in complaints received, overseeing implementation of remedial actions and reporting on complaint handling.

Frontline Staff - Responsible for resolving complaints, directing complainants to another organisation or referring an unresolved complaint to appropriate Council Officer/s.

Records Management Staff - Responsible for registering complaints and assigning them to an appropriate Council Officer in accordance with the Complaint Handling Procedure.

Third Party Contractors - Third Party Contractors will refer any complaint received by them to the Continuous Improvement Officer for assessment and investigation.

7. UNREASONABLE COMPLAINANT CONDUCT (UCC)

When customers behave unreasonably when interacting with Staff, their conduct can have a negative impact on Council's service delivery to other customers. Because of this, Council will take immediate action to manage customer conduct that negatively and unreasonably affects the organisation, and support staff to do the same.

It is recognised that all members of the community have a right to ask questions about Council and the services it provides, express opinions about Council and Council services and to lodge complaints about Council and Council services. However, the right to ask questions, express opinions and lodge complaints is not unqualified and Council may, and in some cases is legally obliged to, take action when faced with UCC.

Council's responses to UCC will be reasonable and proportionate, and will, as far as is practicable, allow the individual or group involved in the UCC to continue to communicate with Council in a controlled manner.

Nothing in this policy limits the capacity and legal requirement of Council to take appropriate action where the circumstances so dictate, such as where the UCC involves an imminent threat to the mental or physical health or well-being of another customer, Councillor, volunteer or staff member, or the failure to obey a lawful instruction.

The appropriate strategy for dealing with UCC will depend on the specific circumstances and will be incident specific.

Managing UCC will generally involve placing a reasonable and proportionate limitation on one or more of the following:

- Subject matter of communications, such as where a reasonable person would believe that a specific issues has been adequately addressed
- Timing of communications, including time of day and frequency or duration of contact
- Access, including prohibiting entry to Council premises
- Method of communication, such as all contact to be via a single email address.

8. HOW TO MAKE A COMPLAINT

A person can make a complaint in a number of ways:

Mail:

Gannawarra Shire Council

PO Box 287

KERANG VIC 3579

Telephone:

(03) 5450 9333

Email:

council@gannawarra.vic.gov.au

In person:

Patchell Plaza
47 Victoria Street
Kerang Vic 3579

Civic Centre
23 King Edward Street
Cohuna Vic 3579

Fax:

(03) 5450 3023

9. REFERENCE

- The Victorian Charter of Human Rights and Responsibilities Act 2006
- The Commonwealth Ombudsman's Better Practice Guide to Managing Unreasonable Complainant Conduct 2009
- The Victorian Ombudsman's Managing Unreasonable Complainant Conduct Practice Manual 2012.

10. POLICY REVIEW

Council will review this policy at least every two years.

11. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Complaint Handling Procedure (Council Policy 117)

INTRODUCTION

Gannawarra Shire Council is committed to being a customer focussed organisation, striving to deliver excellent service and encouraging customer feedback, whether a complaint or compliment.

BACKGROUND

This procedure was developed taking into account guidance provided within the Victorian Ombudsman's Good Practice Guide and should be read in conjunction with Council's Complaint Handling Policy.

COMPLAINTS

A complaint is an expression of dissatisfaction with the quality of action taken, decision made, or service provided by Gannawarra Shire Council its contractor and a delay or failure in providing service, taking action or making a decision by Gannawarra Shire Council or its contractor.

A matter is not a complaint if it is any of the following:

- A request for service (unless there was no response to a first request)
- A request for information
- Disagreement with a policy of Council
- An appeal or request for internal or external review of a decision for which a structured process applies, other than that made as a result of the complaint
- An expression concerning the general direction and performance of Council or its Councillors
- An expression of dissatisfaction with the behaviour of a Councillor
- Reports of damage or faulty infrastructure
- Reports about neighbours, noise, dogs, nuisances or similar issues that fall into the regulator aspect of our service.

Many of the matters listed above are classed as requests. Requests are dealt with as part of Council's normal approach to customer service (see Customer Service Charter).

Some common examples of complaints and requests for service are outlined below.

Complaint to be dealt with according to the council's complaint handling policy	Request for service
I put my bin out on time and the truck didn't collect it	I forgot to put my bin out and missed the collection truck. Can you send someone to collect my bin this afternoon?
The council has said the neighbour's barking dog isn't breaching any noise laws, but I think the council is wrong and feel they haven't investigated the situation properly.	My neighbour's dog's keeps barking and I can't sleep. Can the council do something about it?
I reported a pothole to council six weeks ago and I have not heard anything since and it still isn't fixed.	There is a pot hole on the road out the front of my house. Can you send someone to fix it?

COMPLAINT HANDLING PROCESS

Gannawarra Shire Council takes the following four-tiered approach to complaint handling:

- Frontline Resolution** - Customer Service officers receive the complaint and are able to resolve it immediately. Examples include report of damaged or faulty infrastructure, report concerning neighbouring properties etc.

Note: Complaints about the behaviour of staff members, the Mayor or Councillors must be made in writing and referred to Records staff to be registered and have an action officer assigned.

 - Complaint is received
 - Complaint is acknowledged in accordance with Council's Customer Service Charter
 - Outcome the complainant is seeking is clarified
 - If council is not the right organisation to respond to the complaint, the complainant will be notified of the contact details of the right organisation.
 - Complaint is assessed to determine how it should be dealt with
 - Complaint is dealt with immediately or referred to another member of staff as a task request or through Council's Customer Request System.
- Investigation** – Complaints referred from Customer Service officers to another member of staff and those registered by Records staff.

 - The officer assigned the complaint will advise the complainant who the contact person is and how long it will take to respond to the complaint
 - Complaint handling staff will aim to resolve all complaints within 28 days
 - If it takes longer than 28 days to resolve a complaint, the contact officer will contact the complainant prior to or at this time to explain why
 - Complaints that are not resolved within 28 days will be subject to review and escalated if necessary to ensure a resolution is expedited.
 - The officer responsible for handling the complaint will write to the complainant to advise them of the outcome. The outcome letter will contain reasons for the decision made and the contact information for the responsible officer
 - Where possible, the officer handling the complaint will contact the complainant via telephone to discuss the outcome of their complaint, prior to sending the outcome letter.

3. **Internal Review** - If the complainant is not satisfied with the outcome of the investigation, they can request an internal review. The nature of the complaint and who initially investigated it will determine who will undertake the internal review however, it will be a senior member of Council staff who was not involved with the original decision and is not from the same work area.

A written outcome letter signed by the officer responsible for the internal review will be provided to the complainant at the conclusion of every internal review.

Where available, the outcome letter will advise the complainant of any avenues of external review available in relation to the matter.

4. **Access to External Review** - If the complainant is not satisfied with the process or outcome of the internal review, he or she will be advised of any external avenues through which they can pursue their complaint.

COMPLAINTS ABOUT CONTRACTORS

Council recognises it has a level of responsibility for services carried out by contractors on its behalf.

Complaints about contractors will be referred to the Continuous Improvement Officer for investigation. The Officer will undertake a thorough assessment involving project manager(s) and contractor(s). The complainant will be advised of the outcome as soon as practical.

COMPLAINTS ABOUT SPECIFIC MATTERS

Complaints about the behaviour of staff members will be referred to the relevant Director and HR Manager for investigation and resolution. Should a complaint about the behaviour of an employee be substantiated, action may be taken under Council's disciplinary process.

Complaints about the behaviour of a Director will be referred to the Chief Executive Officer for investigation and resolution.

Complaints about the behaviour of the Chief Executive Officer will be referred to the Director Corporate Services for review. If the complaint is a reportable complaint under the Local Government Act (bullying, victimisation or harassment) the CEO must notify Council. In this event, the CEO or the Mayor may request the appointment of a probity auditor.

Complaints about the behaviour of the Mayor or Councillors will be referred to the CEO for investigation and resolution.

MANAGING UNREASONABLE COMPLAINANT CONDUCT

Unreasonable Complainant Conduct can be divided into five categories of conduct:

1. **Unreasonable persistence** - continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:
 - An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.

- Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
 - Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their complaints.
 - Reframing a complaint in an effort to get it taken up again.
 - Excessive phone calls, visits, letters, and emails (including cc'd correspondence) when requested not to do so.
 - Contacting different people within our organisation and/or externally to get a different outcome or more sympathetic response to their complaint – internal and external forum shopping.
2. **Unreasonable demands** - any demands (express or implied) that are made by complainant that have disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonable demands include:
- Issuing instructions and making demands about how we have/should handle their complaint, the priority it was/should be given, or the outcome that was/should be achieved.
 - Insisting on talking to a Manager (or the Chief Executive Officer / Director) personally when it is not appropriate or warranted.
 - Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised - when this is not the case.
 - Insisting on outcomes that are not possible or appropriate in the circumstances. For example, demanding for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this exists.
 - Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.
 - Insisting on an outcome when that matter is before a court or tribunal.
 - Insisting on an outcome when the matter relates to a decision of Council or relates to a matter awaiting determination by Council.
3. **Unreasonable lack of cooperation** - unwillingness and/or inability by a complainant to cooperate with our organisation, staff, or complaints system and processes that results in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:
- sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of complaint or explaining how they relate to the core issues being complained about - only where the complainant is clearly capable of doing this.
 - Providing little or no detail with a complaint or presenting information in 'drips and drabs'.
 - Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
 - Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
 - Displaying unhelpful behaviour - such as withholding information, acting dishonestly, misquoting others, and so forth.
4. **Unreasonable arguments** - include any arguments that are not based on reason or logic, that are incomprehensible, false or inflammatory, trivial or irrational and that disproportionately and unreasonably impact upon our organisation, staff, services, time, and/or resources.
- Arguments are unreasonable when they:

- Fail to follow a logical sequence.
- Are not supported by any evidence and/or are based on conspiracy theories.
- Lead a complainant to reject all other valid and contrary arguments.
- are trivial when compared to the amount of time, resources and attention that
- The complainant demands.
- Are false, inflammatory or defamatory.

5. **Unreasonable behaviours** - conduct that is unreasonable in all circumstances - regardless of how stressed, angry or frustrated that a complainant is - because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself. Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks.
- Harassment, intimidation or physical violence.
- Rude, confronting and threatening correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
- Stalking (in person or online).
- Emotional manipulation.

Council may decide to deal with unreasonable customer conduct in one or more of the following ways:

1. **Restricting access** - Where a customer demonstrates unreasonable persistence or demands, it may be appropriate to restrict their access to a sole contact point. This staff member will exclusively case manage their complaint(s) and interactions with Council.
2. **Restricting what they can raise with Council - Where customers continue to engage in unreasonable conduct** about issues that have already been comprehensively considered and or reviewed by Council, restrictions may be applied to the issues/subject matter the customer can raise with Council.
3. **Limiting interaction** - A customer's telephone, written or face-to-face contact with the Council may place unreasonable demand on time and resources, the health, safety and wellbeing of staff due to persistent, rude, threatening, abusive and/or aggressive behaviour. As such, Council may limit when, where and or how the customer can interact with Council.

REMEDIES

Where we have found that we have made an error, we will take steps to redress the situation. Possible remedies include, but are not limited to:

- An explanation of why the error occurred and the steps taken to prevent it happening again
- A reversal of the decision
- Disciplinary action taken against a staff member
- Providing the means of redress requested by the complainant.

Where we identify an error, we will consider offering a genuine apology to the complainant, in addition to any other remedies offered, irrespective of whether the complainant specifically requests this.

PRIVACY AND CONFIDENTIALITY

When gathering information to respond to a complaint, we will only:

- Use it to deal with the complaint or to address systemic issues arising from the complaint
- Disclose it in a de-identified format when disclosing data to the public
- Share it with council staff on a need to know basis.

RECORDING COMPLAINTS

Complaints are recorded in either Council's Customer Request or Records Management System.

Complaint data is analysed and for trends and opportunities to reduce their number and improve services. Complaint data is regularly reported to Council.

The following information is recorded relevant to each complaint:

- Complainant details
- How the complaint was received
- A detailed description of the complaint
- Complainant's desired outcome (if known)
- The Council officer responsible for handling the complaint
- Any action taken, including contact with the complainant, response times and the outcome
- Any recommendations for improvement, and who is responsible for implementing them.

Any queries regarding the recording of complaints should be directed to the Continuous Improvement officer.

REPORTING ON PERFORMANCE

To measure our performance we will:

- Report on the Customer Service Charter standards on a quarterly basis
- Deliver a report annually at Council meetings detailing any service improvements made as a result of complaints received
- Deliver a report in Council's Annual Report, detailing any service improvement made as a result of complaints received.

EXTERNAL

If the complainant is not satisfied with the resolution of their complaint or wishes to get independent advice, they may be referred to the following agencies:

- The Victorian Ombudsman – www.ombudsman.vic.gov.au
- Independent Broad-based Anti-corruption Commission – www.ibac.vic.gov.au
- Local Government Victoria – www.dpdc.vic.gov.au/localgovernment
- Privacy Victoria – www.privacy.vic.gov.au
- Human Rights and Equal Opportunity Commission Victoria – www.humanrightscommission.vic.gov.au
- Australian Competition and Consumer Commission (ACCC) – www.accc.gov.au
- WorkSafe – www.worksafe.vic.gov.au

Smoke Free Zones – Council Policy No. 121

1. POLICY OBJECTIVE

To support the community to become safer and healthier in a smoke-free environment.

2. DEFINITION

‘Smoke-free zone’ means part of an outdoor area in which smoking is not permitted. The ‘smoke-free zone’ will be identified by the presence of one or more signs displaying the phrase ‘smoke-free zone’. Smoking means smoking, holding or otherwise having control over an ignited smoking product. Smoking product includes any tobacco or other product that is intended to be smoked.

3. POLICY

In the interests of providing a smoke-free environment, smoking will not be permitted in specified public places and Council controlled land, in particular places used for recreation and places used by children.

The following locations have been declared “smoke-free zones” at all times by Gannawarra Shire Council:

1. Council controlled infrastructure and buildings, including children centres:
 - (a) All indoor areas;
 - (b) Within five (5) metres of major thoroughfares and access points to buildings, such as doors, windows, air conditioning vents and air intakes.
2. Within five (5) metres of substantially enclosed courtyards and building surrounds.
3. Within 10 metres of play equipment, including skate parks.
4. Inside the external fence of all swimming pools, including Koondrook and Quambatook swimming pools which are located on Crown land and managed by an appointed Committee of Management.

Council will erect and maintain in all proclaimed no smoking areas, signage that clearly indicates that the area has been declared a “Smoke-free zone”.

Adherence to Policy No. 121 – Smoke Free Zones will be enforced by Local Law No.1 – Community Amenity 2012 and will attract a penalty in accordance with Clause 70 of Part 8 of the Local Law No.1 – Community Amenity 2012.

4. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

5. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

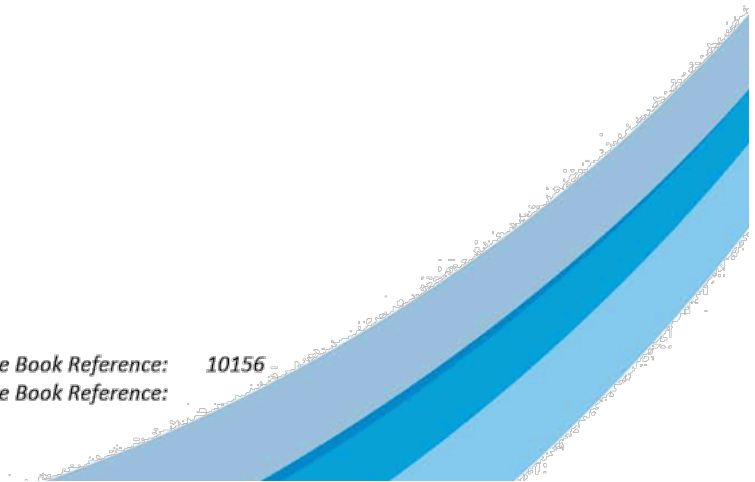
Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Records – Document Profile No. 14/00487

Originally adopted: 17/07/2013 Minute Book Reference: 10156

Reviewed: 18/11/2016 Minute Book Reference:

To be reviewed by: 2018



Roadsides, Parks and Reserves Trading – Council Policy No. 123

1. POLICY PURPOSE

Policy No. 123 – Roads, Parks and Reserves Trading specifies Council's requirements and expectations relating to authorisation of the use of public footpaths, roadside, parks or reserve areas for the purpose of operating an itinerant business and to ensure that such activities do not adversely impact on local residents or business operators.

2. DEFINITIONS

2.1 Itinerant Trading –

The temporary or regular offering of goods or services for sale for the benefit of a person, a company or organisation, in or on a public place, or a street or road, and from a vehicle, caravan, trailer, table, bicycle, stall or similar structure.

2.2 Designated Areas –

All locations within the Gannawarra Shire. Locations to be limited, reviewable and allocated by transparent procurement process.

2.3 Permit Holder –

A permit holder can be an individual, community group or commercial enterprise that is charged with the responsibility for a private function, commercial or public event. If the individual, community group or commercial enterprise holds the permit for an event, individual traders who participate in that event do not require a permit.

3. POLICY PROCESS

3.1 Fee Structure

Fees will be applied in accordance with Gannawarra Shire Council's Fees and Charges Schedule, and will include a trading site fee payable in full in advance at the same time as the permit fee.

3.2 Duration of Permit

A permit will be issued for a period of not more than three (3) months per permit for the first application for any site by an applicant and a maximum of twelve (12) months for subsequent permits by the same applicant for the same site.

3.3 Hours of Operation

Traders will be limited by the time on the permit, but may be extended for special events by prior written agreement.

3.4 Risk Assessment and Insurance

Prior to a permit being issued, the applicant must provide evidence of:

- Compliance with the *Food Act 1984* and other relevant legislation.
- Public Liability Insurance for at least \$10 million
- Risk management plan, including traffic control for both pedestrians and vehicles.

3.5 Compliance Instrument

Council regulates itinerant (Roads, Parks and Reserves Trading) activity through the clauses and provisions of the Gannawarra Shire Council Local Law No 1 – Community Amenity 2012 Part 7 – Business and Builders Section 52 (1) Roadside Trading, Busking and Performing states:

A Person must not, without a Permit, erect or place on any Road or Council Land a Vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

Further, Part 9 – Public Places, Parks and Reserves, and Council Buildings – Section 76 states:

A Person who is required by this Local Law to obtain a Permit in order to use a Municipal Reserve in a specified way must not use the Municipal Reserve in this way without a Permit.

Permit holders are required to comply with a range of State and Commonwealth legislation and associated regulations and Australian Standards including, but not limited to the *Food Act 1984*, the *Public Health and Wellbeing Act 2008*, the *Building Act 1993*, the *Disability Discrimination Act 1992 (Cth)*, and the *Road Safety Act 1986*.

3.6 Approval:

Council's principal concern with itinerant trading is the protection of the amenity of the municipality including roads, streets and public places. Council is also obliged to ensure a fair return for the use of a public asset for private profit. Council will not grant permits where there is sufficient evidence to the Council, or its officers that granting the permit would have detrimental effects on an area or is not in accord with a surrounding public area, its general amenity, Council heritage codes or other Council codes.

Council will take into consideration any concerns, opinions or submissions of businesses or traders within the municipality without in any way whatsoever discriminating against the applicant or breaching conditions of the *Australian Consumer Law and Fair Trading Act 2012* and its associated regulations.

In considering any application, Council will make reasonable assessment of the type of itinerant trading, proposed hours of operation and season of operation.

Council will adopt a fair and transparent site allocation process for itinerant trading sites.

Council will consider any complaints or non-compliance by the permit holder from any itinerant trading site within the Shire in accordance with the discretion guidelines set out in Local Law No.1 – Community Amenity 2012.

Council reserves the right to refuse to renew any permit or to change or cancel altogether any existing itinerant trading site location.

In addition to requiring a permit fee and an itinerant trading site fee for all itinerant trading applications, Council or its officers may impose any condition, separate to planning conditions which applications may be subjected to from time to time, which Council believes is necessary or which will increase the likelihood of trading activity being compatible with an area and municipal amenity.

4. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.



5. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

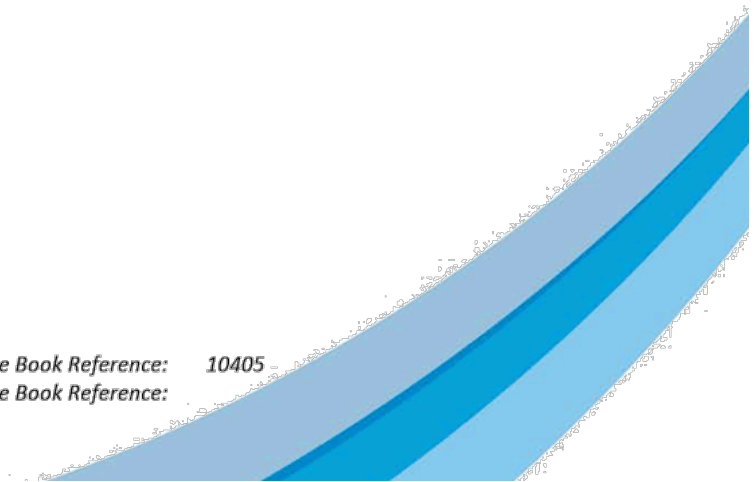
Any enquiries in relation to this policy should be directed to Council's Local Laws staff on (03) 5450 9333.

Records – Document Profile No. 14/00489

Originally adopted: 18/11/2013 Minute Book Reference: 10405

Reviewed: 18/11/2016 Minute Book Reference:

To be reviewed by: 2018



Asset Protection – Council Policy No. 124

1. POLICY PURPOSE

To provide a policy that clearly informs builders, developers, municipal and private building surveyors, contractors, demolition crews and landowners about the responsibilities associated with the protection and reinstatement of assets vested in Council for the safety of persons on, adjacent to, opposite or passing a building site.

2. POLICY

Council has an obligation and right to ensure that any demolition or building works are not carried out at the cost of its infrastructure assets. Council will ensure that the condition of its assets that may be affected by demolition or building works are monitored throughout the life of the works.

Infrastructure that may need monitoring includes, but is not limited to:

- Kerb and guttering
- Vehicle crossings
- Constructed footpaths (paved/unpaved)
- Nature strips and trees
- Stormwater drainage pits or channels
- Roads
- Street furniture (seats, bins, signage)

3. POLICY REVIEW

Council will review this policy as required but always within two years after a general election of the Council.

At the time it was developed, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

4. FURTHER INFORMATION

Members of the public may inspect all policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.

Records – Document Profile No. 14/00490

Originally adopted: 18/11/2013 Minute Book Reference: 10411

Reviewed: 18/11/2016 Minute Book Reference:

To be reviewed by: 2018

Vehicle Usage – Council Policy No. 093

1. POLICY

This Policy should be read in conjunction with Gannawarra Shire Council's Vehicle Usage Procedure.

AIM

To provide a framework within which Council vehicle provisions or Council vehicle benefits will be managed in an equitable and cost effective manner, apply to all employees involved in either driving a Council vehicle, receiving a Council vehicle benefit or in administering any aspect of the procedures as outlined.

GENERAL

It is the responsibility of the officer to whom a vehicle is allocated (the Responsible Officer) to ensure that it is properly maintained both mechanically and appearance wise. Directors and Managers are to ensure that those vehicles in their unit are being properly maintained.

Directors and Managers are to ensure that this Policy and 093 – *Conditions of Vehicle Usage* are brought to the attention of all personnel under their control who are either allocated a vehicle or may have occasion to use a vehicle.

All vehicles are under the direct care and control of Council. With the exception of the vehicles allocated to the Mayor, **all vehicles are to be utilised as pool vehicles during office hours and after normal duty hours by arrangement.**

2. POLICY REVIEW

Council will review this policy as required, but always within twelve months after a general election of the Council.

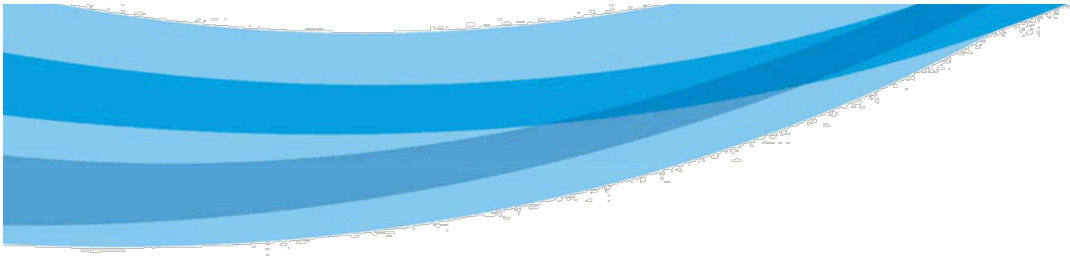
At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

3. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Director Corporate Services on (03) 5450 9333.

Records – Document Profile No. 14/00460
Originally adopted: 2006
Reviewed: 25/11/2009 Minute Book Reference: 7695
To be reviewed: 2011



Arts and Culture – Council Policy No. 103

1. POLICY OBJECTIVE

The objective of this policy is to outline Council’s responsibility in ensuring arts and culture services are delivered to provide maximum benefit to the Gannawarra community.

2. POLICY STATEMENT

Arts and culture contribute significantly to our community’s identity; its sense of place and civic spirit; and the well-being and cohesion of this community. Arts and culture also influence and enhance economic prosperity and tourism and encourage diversity and creativity, leading to a thriving and healthy community.

Gannawarra Shire Council will:

- Celebrate our identity through cultural, heritage, recreation and other activities.
- Actively encourage and foster an innovative arts and cultural environment.
- Facilitate events and activities within the Gannawarra Shire to enhance the lifestyle of residents.
- Investigate possible partnerships for cultural planning with neighbouring municipalities.
- Source or provide an appropriate range of facilities and resources for cultural, leisure and recreational purposes, for all sectors of the community.
- Investigate metropolitan sister Council relationships for cultural exchange and/or economic development.
- Develop a strategic and coordinated approach to cultural services across the Shire.

3. POLICY REVIEW

Council will review this policy as required, but always within twelve months after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

4. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council’s Kerang and Cohuna offices or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Chief Executive Officer on (03) 5450 9333.



Records – Document Profile No. 14/00470

Originally adopted: 19/12/2007 Minute Book Reference: 6293

Reviewed: 17/03/2010 Minute Book Reference: 7882

To be Reviewed: 2013

9.3 AUDIT COMMITTEE REPORT NOVEMBER 2016

Author: Tom O'Reilly, Director Corporate Services

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council note the recommendations and outcomes of the Audit Committee meeting held on Tuesday 29 Nov 2016.

EXECUTIVE SUMMARY

To present to Council an outline of the outcomes from the Audit Committee Meeting held on Tuesday 29 November 2016.

BACKGROUND

The Audit Committee Charter documents the requirement for the Director Corporate Services to provide a report of each Audit Committee meeting to the next Ordinary Meeting of the Council.

A meeting of the Audit Committee was held on 29 November 2016, attended by the following members:

- Deanne Van der Drift - Independent Member –Chair
- Alan Darbyshire - Independent Member
- Cr Brian Gibson – Councillor Representative
- Cr Jodie Basile – Councillor Representative
- Brad Ead, Internal Auditor, AFS and Associates
- Eric Braslis - Chief Executive Officer
- Tom O'Reilly - Director Corporate Services
- Sid Hutchinson – Manager Finance
- Tina Fitzgerald - Administration Officer, Corporate Services
- *Apologies:* Lui Basile - Independent Member

POLICY CONTEXT

In accordance with Section 139 of the *Local Government Act 1989*, Council has established an Audit Committee as an Advisory Committee of Council.

This is an information report; there are no policies, financial or resource implications resulting from this report.

DISCUSSION

The following items were considered by the Committee at the November meeting:

Report	Discussion	Recommendation/outcome
Audit Committee membership	Changes to the composition of the Audit Committee arising from the Council elections and the impending retirement of Independent Member Lui Basile in December 2016 were noted.	The Audit Committee acknowledged the changes.
Quarterly Financial Update	The quarterly financial report for the period ending 30 Sept 2016 as presented to the Ordinary Council Meeting of 16 Nov 2016 was presented for review.	The Audit Committee acknowledged receipt and presentation of the report.
2017/18 Budget Timetable	The timetable for the preparation of the 2017/18 Budget was provided for information.	The Audit Committee noted receipt of the Budget Timetable 2017/18.
Review of the three (3) Year Internal Audit Program	The Audit Committee reviewed the status of the existing 3 Year Audit Program as presented by Internal Auditor, Brad Ead of AFS & Associates	The Audit Committee confirmed the status of the current program and provided direction to develop a future forward program.
Proposed Audit Committee Meeting Dates	The dates of Tuesday March 7 and Tuesday 13 June 2017 were proposed for future Audit Committee meetings.	The Audit Committee confirmed the proposed future meeting dates.
Victorian Auditor-General's Office (VAGO) Report – Financial and Performance Statement	The VAGO report on the Financial and Performance Statement, and Management Letter arising from the financial year-end audit were reviewed; noting no high risk items were identified.	The Audit Committee noted and reviewed the reports.
AFS & Associates “Past Issues – Follow Up Review 2016-04”	Internal Auditor, Brad Ead of AFS & Associates presented the internal Audit Review titled ‘Past Issues – Follow Up 2016-04’.	The Audit Committee acknowledged receipt of the report along with the management responses and associated action plans to address matters raised.
Follow up of Previous Audit Recommendations	The status of every item on the register of previous audit recommendations was reviewed and discussed.	The Audit Committee approved the removal of twenty two (22) items which they determined had been satisfactorily addressed.

CONSULTATION

No consultation was required for this matter.

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

The recommendations and outcomes of the 29 November 2016 Audit Committee meeting are presented for the information and noting of Council.

9.4 QUARTELY CAPITAL WORKS PROGRAM UPDATE - JULY - SEPTEMBER

Author: Brent Heitbaum, Manager Projects and Design

Authoriser: Geoff Rollinson, Director Infrastructure Services

Attachments: Nil

That Council receive and note the Quarterly Capital Works Program Update for July – September 2016.

EXECUTIVE SUMMARY

To provide Council with a quarterly update on the progress of the 2016/17 Capital Works Program.

BACKGROUND

Council at its June 2016 meeting approved the current capital works program with a total value of \$10.433 million. The original program is funded by a combination of grants \$5.084 million, and Council cash of \$5.348 million.

Council officers have commenced delivery of the 2016/17 Capital Works Program. There are currently 34 projects listed in the program. Of the 34 projects listed their status can be described as:

Project Status	Number	\$
Commenced	24	\$6,986,950
In Final Design / yet to commence	6	\$2,829,534
Complete	3	\$99,288
On Hold	1	\$806,950
Total	34	\$10,722,362

POLICY CONTEXT

Council Plan – Strong and Diverse Economy – Continue to improve existing infrastructure that will support further business development.

DISCUSSION

The Capital Program commences each year with the intention of completing all listed projects. Gannawarra has an excellent track record of completing its capital program, consistently achieving over 90% completion. Projects that are not completed are generally listed the following year as carry over projects of which this year there are four, being:

- Kerang Town Centre Improvements
- Koondrook Caravan Park Toilets and Laundry
- Vine Street Pump

- Finance System Upgrade 2016

Work or final designs are now well underway on all except one listed project. Due to external funding availability it is anticipated that work will not commence on the Quambatook Township Flood Mitigation Strategy as it is dependent on external funding of \$255,600. And the funding program is yet to be announced. Therefore this project is unlikely to commence this financial year.

Four projects have been added to the capital program since its adoption by Council with a value of \$289,835. This is due to external funding received or need. The projects being:

- Cohuna Netball Court Toilets \$132,647
- Wandella Netball Courts \$137,899
- Cohuna Children's Centre Improvements \$15,000
- Office Furniture \$4,288

Three projects have already been completed, being:

- Cohuna Caravan Park Hydrants (stage 2 of 4)
- Kerang Depot Chemical Storage Shed
- Office Furniture Purchase

It is anticipated at this date that 33 of the 34 listed projects will be completed this financial year.

CONSULTATION

This report has been prepared in consultation with relevant project managers.

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

That Council note the progress made towards completing the 2016/17 Capital Works Program.

9.5 KERANG CBD RENEWAL - ADOPTION OF FINAL CONCEPT PLANS

Author: Brent Heitbaum, Manager Projects and Design

Authoriser: Geoff Rollinson, Director Infrastructure Services

Attachments: 1 Victoria Street/Victoria Square Landscape and Public Realm Works Plan - Version F (under separate cover)

RECOMMENDATION

That Council adopt Version F of the Victoria Street/Victoria Square Landscape and Public Realm Works Plan.

EXECUTIVE SUMMARY

To present to Council for adoption, the Victoria Street/Victoria Square Landscape and Public Realm Works Plan.

BACKGROUND

Council received \$500,000 funding from the Department of Economic Development, Jobs, Transport and Resources to continue the revitalisation of the Kerang CBD. This phase of works focuses specifically on the renewal of Victoria Square and Victoria Street.

Council appointed Hansen Partnership Pty Ltd to produce the concept plans and documentation which will inform the construction works associated with this phase of the Kerang CBD renewal. Over the past six months the concept plans were developed, having regard for the previously adopted Kerang CBD Masterplan, 2014.

At the Ordinary Council Meeting held 17 August 2016, Council resolved to endorse, for public exhibition, the Draft Victoria Street/Victoria Square Landscape and Public Realm Works Plan. It was initially envisaged that the Draft Plan would be placed on public exhibition from 17 August 2016 to 31 August 2016. However, due to an overwhelming response from the public, Council extended the consultation period until 25 September 2016.

At the close of the consultation period, Council received 83 feedback forms and one petition. Whilst the feedback received from the community varied considerably the main concerns expressed by the community, focused on the memorial seat located outside the Kerang Post Office, concerned loss of car parking spaces, the number of accessible parking bays in Victoria Street and the lack of shade or shelter.

Following the close of the consultation period, officers continued to work with Hansen Partnership to make revision to the Draft Concept Plans in order to ensure that the community's feedback was incorporated into the final iteration of the Plans.

POLICY CONTEXT

Council Plan 2013-2017 - Healthy Liveable Communities - Our community has access to a range of facilities and opportunities that promote active lifestyles.

DISCUSSION

The Victoria Street/Victoria Square Landscape and Public Realm Works Plan, which revisits and refines the illustrative and indicative concepts developed in the Kerang CBD Master Plan, provides a unique and exciting opportunity to not only improve the aesthetic appeal of Victoria Street/Victoria Square but also to enhance the functionality of this key area.

The concept plan developed for Victoria Square proposes a number of alterations to the current visual appearance and functionality of Kerang's primary civic space including the following:

- Implementation of traffic calming measures on the approach to Victoria Square
- Creation of a shared zone, within Victoria Square, which effectively gives priority to pedestrians and improves safety
- Construction of custom timber bench seats
- Installation of raised grass and garden pods with raised concrete edges
- Installation of in-ground lighting
- Plantation of new canopy vegetation and low lying shrubs and ground covers
- Potential installation of public art/sculpture (to be subject to a separate design, development and funding process)
- Construction of a raised platform to unify the heritage buildings
- Removal of outdated street furniture and inappropriate existing planting

The concept plan developed for the broader streetscape along Victoria Street proposes a number of modifications to the current appearance of the street including the following:

- Implement new paving along kerb side which complements paving to Victoria Square
- Implement new canopy vegetation along street
- Upgrade planters with new timber and/or metal planters which complement standard street furniture
- Allow provisions for outdoor dining associated with hospitality uses
- Upgrade and enhance garden bed planting at roundabouts
- Provide a new pedestrian link from Victoria Square to car park
- Streetscape upgrade to incorporate new street furniture based on standard seating and rubbish bin (opportunity to investigate options for custom seating arrangements in strategic locations)
- Incorporate opportunities for removable shade structures.

In order to ensure that the final iteration of the Victoria Street/Victoria Square Landscape and Public Realm Works Plan incorporates the feedback received from the community, during the public exhibition period; revisions have been made to the Plan. Changes to the Plan include the following:

- Ensuring that the custom timber bench seats are accessible for all users
- Provision of more tree planting within Victoria Square to increase the amount of shade that will be available in this area.
- Increase in the number of accessible parking bays, within Victoria Street, from two to six parking spaces
- Retention of the memorial seat into the final design.

Due to funding constraints, not all the works identified in the Plan will be able to be carried out under the first stage of the project, however that minor works will be carried out along the wider

streetscape in order to revitalize the entire CBD. Council will actively pursue funding opportunities which would enable further phases of construction/renewal works to be completed within the Kerang CBD, these works would ultimately result in the completion of all concept design ideas identified in the Victoria Street concept plan.

CONSULTATION

As mentioned previously the Draft Victoria Street/Victoria Square Landscape and Public Realm Works Plan was placed on public exhibition from 17 August until 25 September 2016. There was an overwhelming interest in the Concept Plans with Council receiving 83 feedback forms and one petition at the close of the consultation period.

Following the close of the consultation period Council Officers worked with Hansen Partnership to make revisions to the Draft Concept Plans in order to ensure that the community's feedback would be incorporated into the final iteration of the Plans.

Prior to this Council Meeting, Council Officers placed the revised plans on display to show the community how their feedback has been incorporated into the reviewed Plan. In addition, Council Officers also sent letters to those community members whom had left postal details on their feedback form, to advise them of the changes that had been made to the concept plans.

It should be noted that Council Officers have also met with the Kerang & District Family History Group and Kerang Progress to present to them the revised concept plans.

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 upgrade of the civic and retail 'heart' of the CBD provides a unique and exciting opportunity to not only improve the aesthetic appeal of Victoria Street/Victoria Square but also to enhance the functionality of this key area. The upgrade will improve pedestrian safety, reactivate Victoria Square and Victoria Street as a whole and encourage both local residents and tourists to engage with the public realm and spend more time in the CBD. It is necessary to finalise the concept plans for Victoria Street and Victoria Square in order to ensure that the construction works are carried out in a timely manner and to ensure that all relevant milestones are met. Officers will now progress to prepare detailed design plans, with construction expected to commence in April 2017.

9.6 2017 CITIZENSHIP CEREMONY DATES

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

RECOMMENDATION

That Council adopt the following dates for the 2017 Citizenship Ceremonies;

- **Thursday 26 January**
 - **Tuesday 11 April**
 - **Tuesday 11 July, and**
 - **Tuesday 10 October.**
-

EXECUTIVE SUMMARY

To present to Council the proposed dates for Australian Citizenship Ceremonies to be held in 2017.

BACKGROUND

Citizenship ceremonies fulfil legal requirements prescribed by the Australian Citizenship Act 2007 and the Australian Citizenship Regulations 2007. They are conducted by a presiding officer, usually the Mayor, Deputy Mayor or Chief Executive Officer, under the authority of the Minister for Immigration and Border Protection.

POLICY CONTEXT

Council Plan 2013-2017: Healthy Liveable Communities - Encourage supportive and inclusive communities and involvement in local planning and decision making.

DISCUSSION

Each year Council is required to set a schedule of ceremony dates and provide this schedule to the Department of Immigration and Border Protection as soon as possible, usually three to six months in advance. Council are also encouraged to avoid Parliamentary Sitting dates to allow for elected representatives from all three tiers of government to attend throughout the year.

CONSULTATION

No formal consultation has been undertaken, however public notice will be given of the schedule.

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

Citizenship ceremonies are public ceremonial occasions which provide an important opportunity to formally welcome new citizens as full members of the Australian community and are formal occasions conducted with dignity, respect and due ceremony. The 3 ceremonies will ensure that we provide this opportunity for our community throughout the year to become Australian Citizens.

9.7 PROPERTY LEASE - 12 VIEW STREET, KOONDROOK

Author: Jo Haw, Manager Strategic Assets
Authoriser: Tom O'Reilly, Director Corporate Services
Attachments: 1 Aerial View of 12 View Street Koondrook
2 Draft Site Layout Plans

RECOMMENDATION

That Council;

1. Give public notice under Sections 82A, 190 and 223 of the *Local Government Act 1989* ("the statutory advertising") of the Proposed Lease (as outlined below) in the appropriate newspapers and on Council's website.
 2. That any submissions received pursuant to Section 223 of the *Local Government Act 1989* ("submissions") following the statutory advertising be considered pursuant to the requirements of Section 223 prior to Council making a final decision.
 3. That the "Proposed Lease" will be as follows:
 - (a) Leasehold Area: part of the land comprised in certificate of Title Volume 11450 Folio 161 known as 12 View Street, Koondrook, as shown on the attached plan.
 - (b) Proposed Tenant: Optus Mobile Pty Limited.
 - (c) Lease Conditions: The lease conditions are to be in a form satisfactory to Council and be for an initial lease term of two (2) years, followed by a further lease of an initial five (5) year term with two further five (5) year options, giving a combined possible lease period of 17 years. The rental charged should commence at \$8,900 (plus GST) and increase by no less than 2% on an annual basis with rent reviews to be carried out every five (5) years. The permitted use of part of the Land will be for telecommunications network and services.
 4. That if no submissions are received as a result of the requirements of Section 223 and subject to Council receiving compliant construction plans and specifications, Council can negotiate and enter into both lease arrangements with the Proposed Tenant and the CEO is authorised to execute both Leases.
 5. That if submissions are received, Council must comply with the requirements of Section 223 of the *Local Government Act (Vic) 1989* prior to making a final decision.
-

EXECUTIVE SUMMARY

Optus are looking to expand their mobile network in the Barham/Koondrook area and have been liaising with Telstra regarding the potential to co-locate on their existing 35m pole situated at 12 View Street Koondrook. The property is owned by Council and is the Koondrook depot site.

In March 2016, Council was approached by Daly International (who acts on behalf of Optus Mobile Pty Ltd) to enter into a lease arrangement with Council on the same site.

Telstra have advised Daly International that while they are agreeable to co-location of infrastructure on the pole, they would not share their base station shed with Optus, thus making it necessary for Optus Mobile Pty Ltd to seek to enter into a lease arrangement with Council for land to construct their own base station.

BACKGROUND

Council has had a lease arrangement with Telstra to maintain a phone base station at 12 View Street Koondrook for many years without incident. Optus intends to use the premises for the purpose of constructing and operating a telecommunications network and service that requires maintaining, altering and replacing telecommunication equipment consistent with the evolving nature of telecommunications services that is in accord with the Telstra infrastructure already in place.

The proposed works will consist of:-

- Three (3) new panel antennas, each less than 2.8m in length, mounted on the existing Monopole;
- One (1) new equipment shelter mounted at ground level adjacent to the structure;
- One (1) new radio communications dish, with a diameter of 1.2m, mounted on the existing Monopole; and
- Installation of ancillary equipment associated with operation and safety of the facility, including fifteen (15) Remote Radio Units (RRUs).

POLICY CONTEXT

Loddon Mallee Regional Strategic Plan 2015-18: Strategic Direction 2 – 2.1 Invest in mobile connectivity and access to high quality broadband.

Gannawarra 2025: Strategy Platform 6: Facilitate local, regional and global connectivity.

DISCUSSION

Optus Mobile Pty Ltd intends to commence construction as soon as practicable after the public consultation period has been conducted by Council.

Council does not require the site for the conduct of Council business so this proposal further enhances Council's financial return on the use of the site. The rental amount proposed to Optus is commensurate with the amount paid by their competitor on the current site. During each term, the rent will increase by no less than 2% per annum on the anniversary of the commencement date and will be inclusive of all outgoings including Council rates and insurances. The proposed commencement rent payable of \$8,900 (plus GST) will be negotiated with Optus Mobile Pty. Ltd prior to the signing of the lease.

The proposed installation is considered to be a Low Impact Facility under the *Telecommunications (Low Impact Facilities) Determination 1997* and should not pose any detrimental health or wellbeing impacts on the community.

A planning permit will not be required given the low impact nature of the facility.

CONSULTATION

A public notice will be advertised under Section 190 and Section 223 of the *Local Government Act 1989* in the Gannawarra Times, the Koondrook and Barham Bridge newspaper and on Council's website, pending Council's resolution to enter into a lease arrangement with Optus Mobile Pty Ltd.

Daly International placed an advertisement in the Gannawarra Times on Friday 2 September 2016 outlining Optus Mobile Pty Ltd intentions to upgrade the existing telecommunications facility located at 12 View Street Koondrook and seeking submissions to the proposal. No submissions were received as a result of the advertisement.

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

Considering that Telstra already have an existing structure on the site that has had little or no impact on the local community, it is prudent for Council to take advantage of an opportunity to enhance and expand the mobile connectivity and capability of the Barham/Koondrook region. It is anticipated that Optus Mobile Pty Ltd will adhere to all relevant legislative and OH&S requirements and maintain the site in accordance with Council's expectations and lease conditions. It is therefore considered appropriate that Council enter into the proposed lease arrangements as requested by Optus Mobile Pty Ltd.

12 View Street, Koondrook



GANNAWARRA
SHIRE COUNCIL

Map



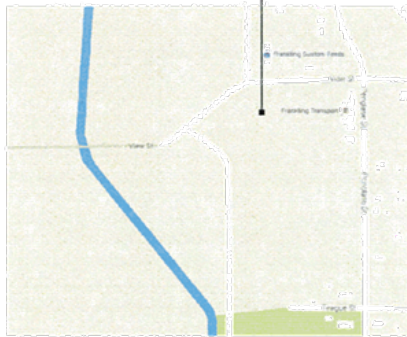
Map Zoom: 0.3558 km

About this Document	Disclaimer
<p>This map has been created for the purpose of showing basic locality information over Gannawarra Shire Council. Property boundary line network data is supplied by State Government. Any error should be reported to the GIS Section, Gannawarra Shire Council.</p>	<p>This map is a representation of the information currently held by Gannawarra Shire Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.</p>

Created by InternetUsers on Wednesday, 7 December 2016

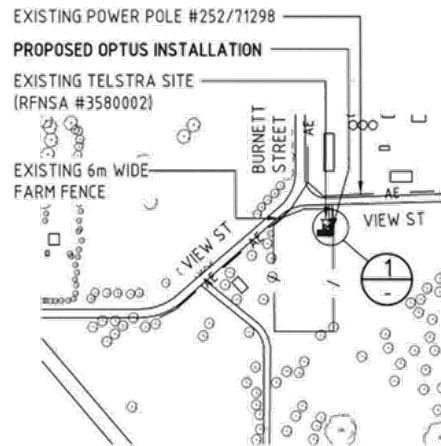


PROPOSED OPTUS
BASE STATION



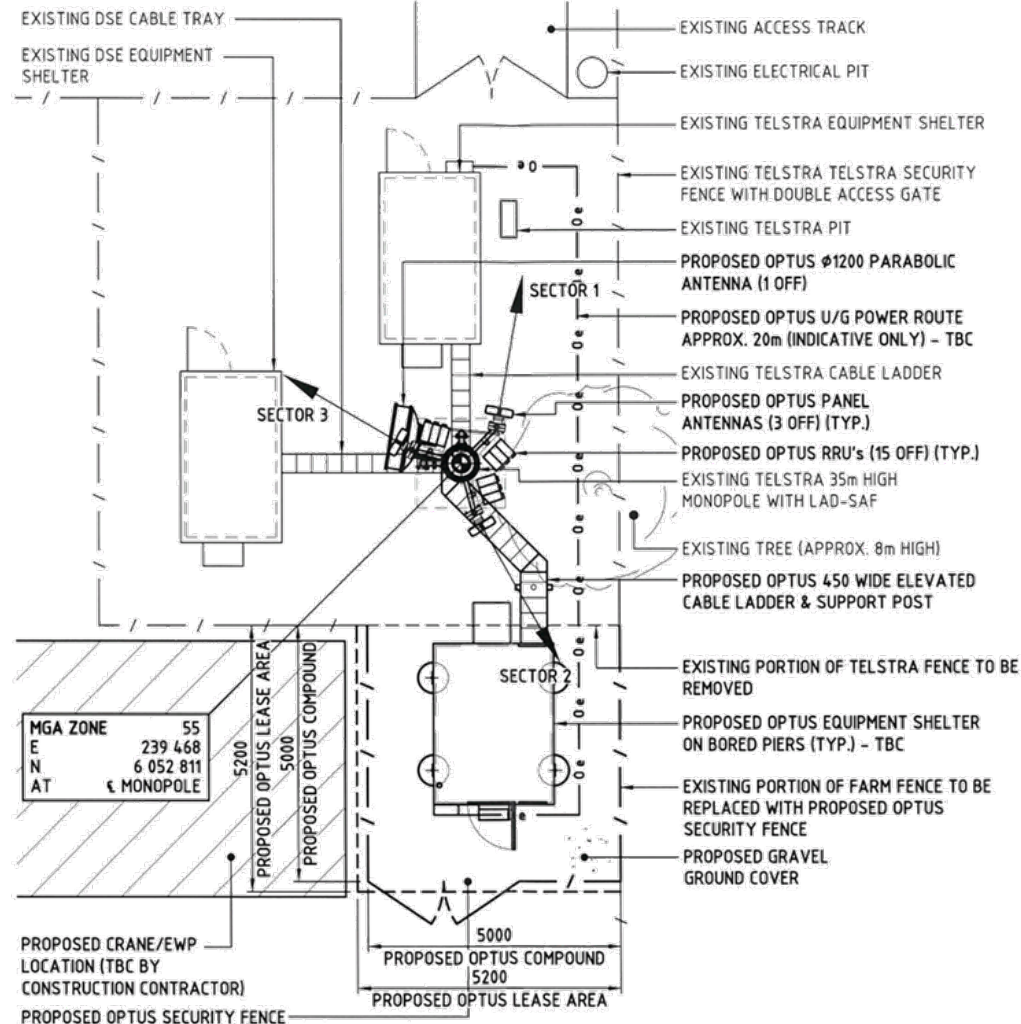
LOCALITY MAP

COPYRIGHT © GOOGLE MAPS



OVERALL SITE PLAN

SCALE 1:5000



DETAIL
SCALE 1:100



NOTE:
THIS DRAWING IS DIAGRAMMATIC ONLY
AND SHOULD NOT BE SCALED.
DIMENSIONS, COORDINATES, AND LEVELS
SHOWN ARE NOMINAL AND SUBJECT TO
CONFIRMATION BY SURVEYOR.

SITE ADDRESS:

12 VIEW STREET
KOONDROOK VIC 3580

NOTES:

1. BASIS OF DESIGN
 - > SITE INSPECTION 09/06/2016
2. PANEL ANTENNAS
 - > 1-OFF PER SECTOR (EACH 2.6m LONG) AT EL 25m
 - > SECTOR 1 - 30°, SECTOR 2 - 150°, SECTOR 3 - 300°
 - > MOUNTED ON SPOKE MOUNT
3. TRANSMISSION
 - > Ø1200 PARABOLIC ANTENNA AT EL 22m - TBC
 - > LINK SITE: TBC
 - > TO BE CONFIRMED BY OPTUS
4. EQUIPMENT SHELTER
 - > VOS 1.3 EQUIPMENT SHELTER (3.15m x 2.38m)
 - > SANDWICH PANEL SHELTER, COLOURED "PALE EUCALYPT"-TBC
 - > SUPPORTED ON BORED PIERS-TBC
5. TELSTRA MONOPOLE
 - > 35m HIGH MONOPOLE WITH SPOKE MOUNT AT EL 25m
6. FEEDER CABLES
 - > 3 OFF 6/12 MLEH ALL SECTORS
 - > LENGTH: 35m ALL SECTORS
 - > 450mm WIDE HORIZONTAL CABLE LADDER
7. SITE ACCESS
 - > OFF VIEW STREET
8. ANTENNA ACCESS
 - > EXISTING LAD-SAF PROVIDED ON MONOPOLE/EWP FOR ACCESS
9. POWER SUPPLY
 - > 3-PHASE LV SUPPLY IS AVAILABLE FROM POWER POLE #252/712938-TBC
 - > OPTUS POWER CONNECT WITH EXISTING TELSTRA METER PANEL
 - > DETAILS TO BE CONFIRMED/ADVISED BY POWER AUTHORITY
10. OTHER (PAINTING, LANDSCAPING, SCREENING)
 - > N/A

Item 9.7 - Attachment 1

81 08.07.16 ISSUED FOR APPROVAL

DALY AB KL DI KM
Consultant CAD Designer Verifier Approver



HUAWEI TECHNOLOGIES (AU) PTY LTD
405 W 1070 361
SYDNEY
LEVEL 4 TOWER B 788 PACIFIC HIGHWAY
CHERRYWOOD NSW 2057
TEL: +61 2 9108 5888 FAX: +61 2 9111 8531
MELBOURNE
LEVEL 24 489 COLLINS STREET
MELBOURNE VIC 3008
TEL: +61 3 9370 5666 FAX: +61 3 9321 1575



Client:
Project: MOBILE NETWORK AUSTRALIA
SITE No:- S2686 - A
BARHAM
12 VIEW STREET, KOONDROOK

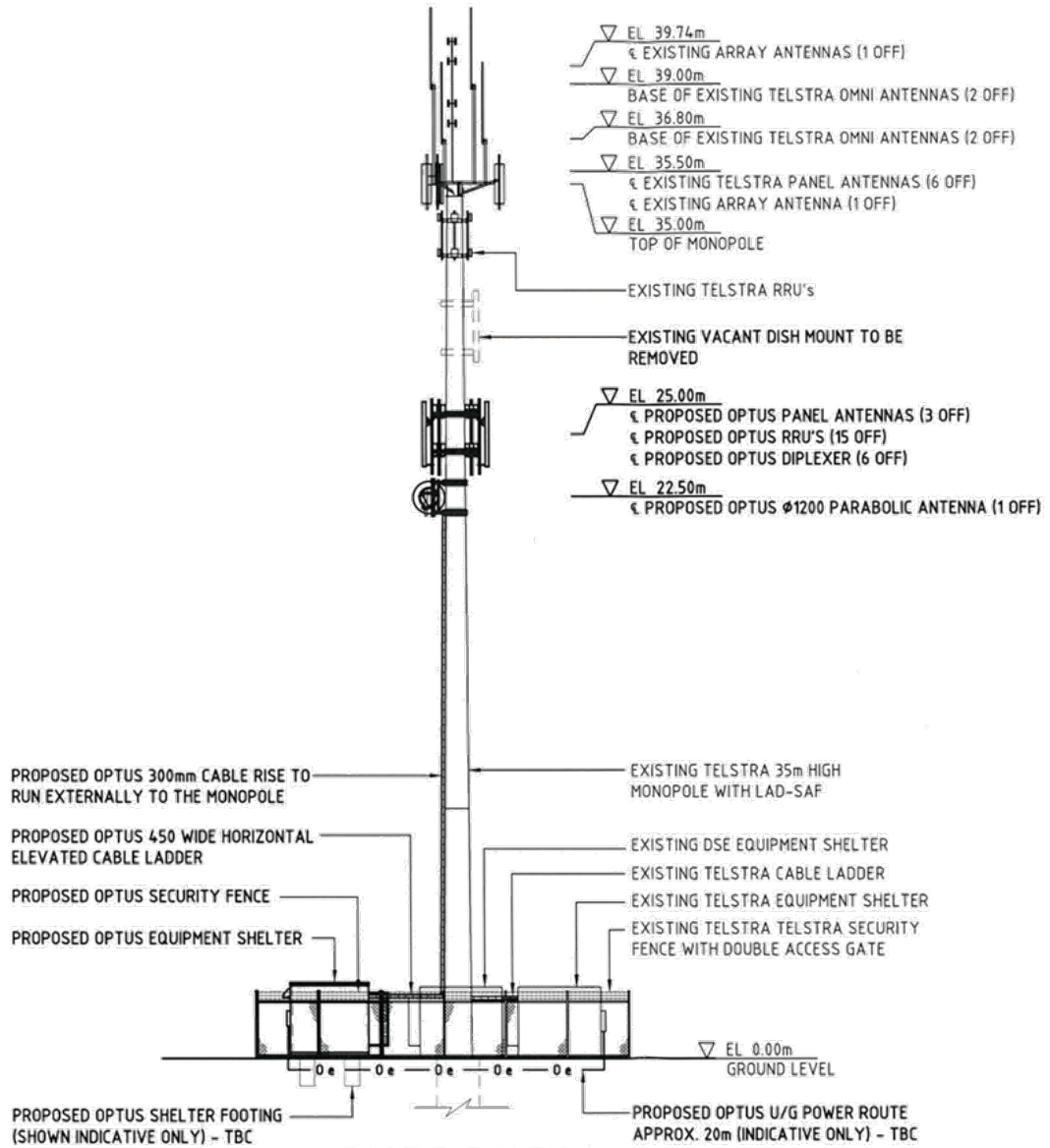
Drawing Title:
DRAFT SITE LAYOUT

Drawing Status:
FOR APPROVAL



Drawing No. S2686-P1
Page 01

NOTE:
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AND SHOULD NOT BE SCALED.

NOTE:
EXISTING ANTENNAS AS SHOWN ARE INDICATIVE
ONLY AND ARE BASED ON INFORMATION SUPPLIED
BY OTHERS AND/OR BY INSPECTION ON SITE.



EAST ELEVATION
SCALE 1:200

 HUAWEI TECHNOLOGIES (AU) PTY LTD: 401 401 10333 00 SYDNEY LEVEL 4 TOWER B 750 PACIFIC HIGHWAY CHERRYBROOK NSW 2057 TEL: +61 2 9628 3888 FAX: +61 2 9431 9533 MELBOURNE LEVEL 24 480 COLLING STREET MELBOURNE VIC 3000 TEL: +61 3 8438 2600 FAX: +61 3 9421 1535		Client: 	Project: MOBILE NETWORK AUSTRALIA SITE No:- S2686 - A BARHAM	Drawing Title: DRAFT SITE ELEVATION	
01 08.07.16 - ISSUED FOR APPROVAL Rev Date Revision Details Consultant CAD Designer Verifier Approver	12 VIEW STREET, KOONDROOK		Drawing Status: FOR APPROVAL	Drawing No.: S2686-P2	Revision: 01

9.8 COUNCILLOR ADVISORY COMMITTEE MEMBERSHIPS - NOMINATIONS

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments: 1 Community Wellbeing External Community Meetings 2017

RECOMMENDATION

That Council endorse the nominations to various Advisory Committees for 2017;

Arts and Culture Gatherings	Councillor Learmonth and Councillor Arians
Early Years Board	Councillor Basile and Councillor Gibson
Elders Group	Councillor Learmonth
Seniors Advisory Committee	Councillor Learmonth
Youth Council	Councillor Wright and Councillor Gibson

EXECUTIVE SUMMARY

To present to Council a number of Advisory Committees that the Councillors may wish to be involved in.

BACKGROUND

Each year Councillors nominate to become involved in various Advisory Committees across the municipality. This allows Councillors to pursue an interest and/or some expertise and to use this knowledge to enhance their contribution to Committees on which they serve and share their experience with the broader Council.

The various Committees and the meeting schedules are attached.

POLICY CONTEXT

Council Plan 2013-2017 – Leadership and Governance - Transparent and accountable decision making - Effective communication with the community.

CONSULTATION

Councillors have been consulted on the advisory 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 Advisory committee's is an important and rewarding function of Council.

COMMUNITY WELLBEING MEETINGS

MEETING	FREQUENCY	GENERAL TIME
Elders Group	Monthly	Second Wednesday 2pm – 3pm February to November Kerang Offices 2017 Dates Attached
Early Years Board	Quarterly	After Hours Wednesday 7pm – 8.30pm Held at each of the Preschools Kerang, Cohuna, Koondrook and Leitchville 2017 Dates Attached
Senior Advisory Group	Quarterly	Second Thursday 2pm - 4pm February, May, August and November Various Senior Clubs Next Meeting 9 February 2017 At Kerang Seniors
Youth Council	Quarterly	Held during the day, may have additional evening meetings as arranged during the year
Art and Culture Gatherings	Twice Yearly	TBA

Kerang Elders Group 2017 Meeting Dates		
Wednesday 8 February 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 8 March 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 12 April 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 10 May 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 14 June 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 12 July 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 9 August 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 13 September 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 11 October 2017	Kerang Offices	2.00pm – 3.00pm
Wednesday 8 November 2017	Kerang Offices	2.00pm – 3.00pm

Gannawarra Early Years Board 2017 Meeting Dates		
Wednesday 8 February 2017	Gannawarra Shire Children's Centre	7.00pm – 8.30pm
Wednesday 3 May 2017	Koondrook Preschool	7.00pm – 8.30pm
Wednesday 2 August 2017	Cohuna Preschool Centre	7.00pm – 8.30pm
Wednesday 1 November 2017	Leitchville Preschool Centre	7.00pm – 8.30pm

9.9 VICTORIAN NON METROPOLITAN PUBLIC HOLIDAY

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments: 1 Non Metropolitan Holiday - Survey Results

RECOMMENDATION

That Council;

1. Recommend to the Minister for Local Government that Melbourne Cup Day be declared as a public holiday for the whole of the Gannawarra Shire municipality.
2. Continue to work proactively with the Kerang Agricultural Society Show Committee, to ensure its rich history dating back to 1883 is retained and kept viable in meeting the needs of future generations.

EXECUTIVE SUMMARY

To advise Council of the appointment of a Council declared Victorian non-metropolitan public holiday, in lieu of Melbourne Cup Day, for 2017 onwards.

BACKGROUND

A change in State Government legislation in 2009 resulted in local Councils no longer being able to take half-day public holidays. Councils had the option to choose Melbourne Cup Day, or one other single day in lieu of Cup day. At the time, Council chose Kerang Show day which was well received in some areas of the Shire, but caused concern in other areas which saw little value in a public holiday for the Kerang Show day.

Following this change, in 2010 Council advocated strongly to the Minister for Local Government and the legislation was relaxed slightly and no longer meant only one day could be chosen for the entire Shire and that half day holidays were acceptable. Council consulted widely with its network of community groups, and a recommendation was made to the Minister that the former Borough of Kerang be granted Kerang Show Day and other areas have Melbourne Cup Day as a public holiday.

In 2011 the *Public Holidays Act 1993*, was amended to restore regional Councils' ability to make public holiday arrangements that best suit their local communities, in lieu of Melbourne Cup Day. As a result, Council elected to have for the former Borough of Kerang a half-day public holiday for Kerang Show Day and a half-day public holiday for Melbourne Cup Day and for the rest of the municipality a full-day public holiday for Melbourne Cup Day.

Council officers undertook consultation with the community in 2012 where the results highlighted overwhelmingly that a full day public holiday was preferred throughout the Shire. It was evenly split as to which day was preferred.

In 2013 Council requested the Minister for Local Government to declare a public holiday in the area formerly known as the Borough of Kerang on the Kerang Show Day, with the remainder of the Shire to have a public holiday on Melbourne Cup Day. This request was approved and implemented for public holidays between 2013 and 2016.

In August 2015 a petition was received and tabled on behalf of the Kerang business community indicating that the existing arrangements for a public holiday within Gannawarra Shire are not working and more public consultation is required.

POLICY CONTEXT

The *Public Holiday Act 1993*, states that any request for permission to declare alternative arrangements to Melbourne Cup day must be received 90 days prior to Melbourne Cup Day. At the time (August 2015) there wasn't adequate time to alter the holiday arrangement, should Council had determined to, and hence the 2015 public holiday remained the same as 2013 and 2014, that being Kerang Show Day (Tuesday 6 October, 2015) for the Township of Kerang (the former Borough of Kerang) and Melbourne Cup Day (Tuesday 3 November, 2015) for the remainder of the Gannawarra Shire.

This report and recommendation aligns with *Council Plan 2013-2017*: Priority Area 4: Effective Leadership and Management, that our community has access to information, is kept informed and has the opportunity to participate in the decision-making processes.

CONSULTATION

Council undertook extensive community consultation in 2011 and 2012, which saw similar results in both years and the issues raised from previous community consultation would appear to remain relevant. The main issue revolves around declaring different holidays for the Kerang Township to the rest of the Shire and is encapsulated within the following comments;

Business

- The inconsistency of changing the date from year to year makes it difficult for businesses to plan ahead.
- Part-shire arrangements do not work for businesses with outlets in the different towns within the municipality (i.e. Cohuna and Kerang).
- Many businesses find it difficult to do business on Melbourne Cup Day. Primarily as most businesses outside of the municipality have their public holiday on Melbourne Cup Day.

Community

- Part-shire arrangements put additional pressure on families when parents work in one part of the Shire, but the children attend school in another, and
- Part-shire arrangements put pressure on the child care/family day care and in-home help services as these services span the whole municipality.

Council again, in late 2015, following receipt of a Petition, undertook another round of consultation within the community. Council hosted an online survey which was promoted via Council's website, print adverts, social media platforms and communication with community groups. A total of 320 people completed the survey, mostly online, with some hard copy versions of the survey completed.

The survey results demonstrate clear support for a public holiday for the whole Shire to be held on Melbourne Cup Day. A total of 64% of survey respondents selected 3579 as their postcode and 51% of respondents said they were not happy with the current arrangements, with 21% saying said they were not sure. The survey asked Kerang residents to indicate whether they actually attended the show; 53% said they did. A total of 69% of respondents said they believed the whole municipality should have the same holiday. When asked if there was to be only one public holiday for the whole Shire, which option would be preferred, 55% chose Melbourne Cup Day, 31% said Kerang Show Day and 12% indicated no preference. When asked whether they would prefer to have two half-day public holidays, 61% responded 'No'.

Options for the declaration of a public holiday in lieu of Melbourne Cup Day include:

1. Retain the current arrangement for the Kerang Show Day for the Kerang Township and Melbourne Cup Day for the remainder of the Shire.
2. Melbourne Cup Day for entire municipality.
3. ½ day Kerang Show Day and ½ day Melbourne Cup for the Kerang Township and retain the Melbourne Cup Day for the remainder of the Shire

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.

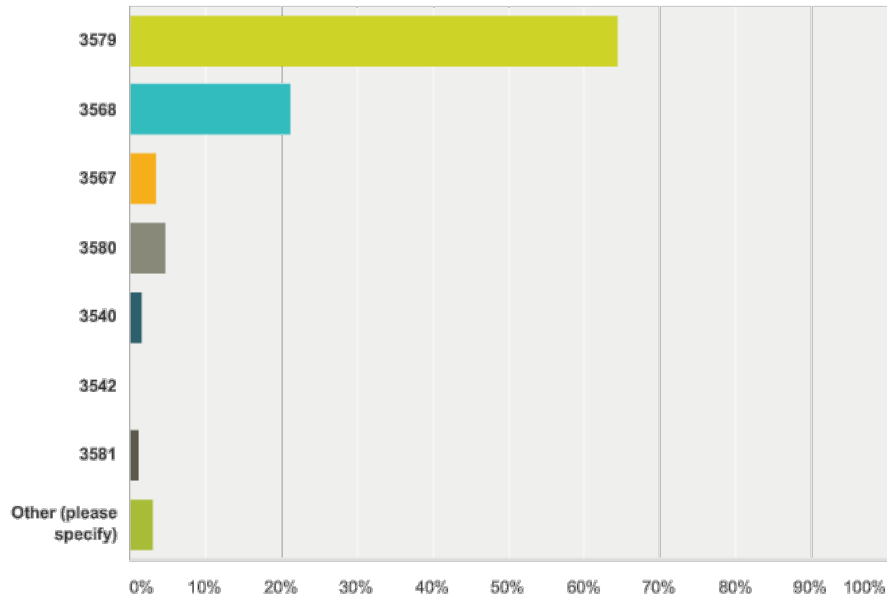
CONCLUSION

Various options now exist for Council in declaring a public holiday for the municipality in lieu of Melbourne Cup Day. Past consultation has shown that the community preference is for a full day public holiday to be declared by Council for the entire municipality.

Acknowledging the rich history of the Kerang Show, which dates back to 1883, Council will continue to liaise with the Kerang Agricultural Show Society into the future to ensure that its event continues to have the opportunity to prosper.

Q1 Please select your postcode

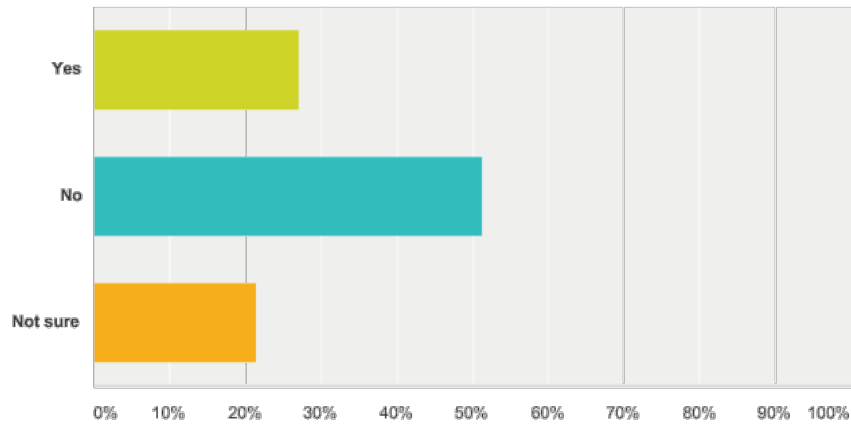
Answered: 319 Skipped: 1



Answer Choices	Responses	
3579	64.58%	206
3568	21.32%	68
3567	3.45%	11
3580	4.70%	15
3540	1.57%	5
3542	0.00%	0
3581	1.25%	4
Other (please specify)	3.13%	10
Total		319

Q2 Are you satisfied with the current arrangements?

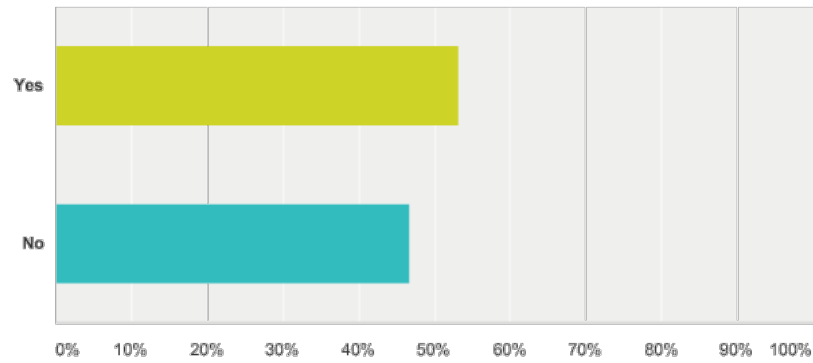
Answered: 317 Skipped: 3



Answer Choices	Responses
Yes	27.13% 88
No	51.42% 163
Not sure	21.45% 68
Total	317

Q3 If you are a Kerang resident, do you attend the Kerang Show?

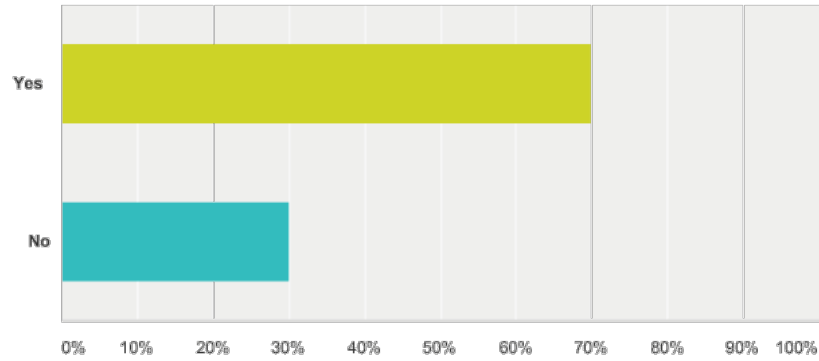
Answered: 235 Skipped: 85



Answer Choices	Responses
Yes	53.19% 125
No	46.81% 110
Total	235

Q4 Do you think the whole Shire should have the same public holiday?

Answered: 302 Skipped: 18



Answer Choices	Responses
Yes	69.87% 211
No	30.13% 91
Total	302

Q5 If yes, why?

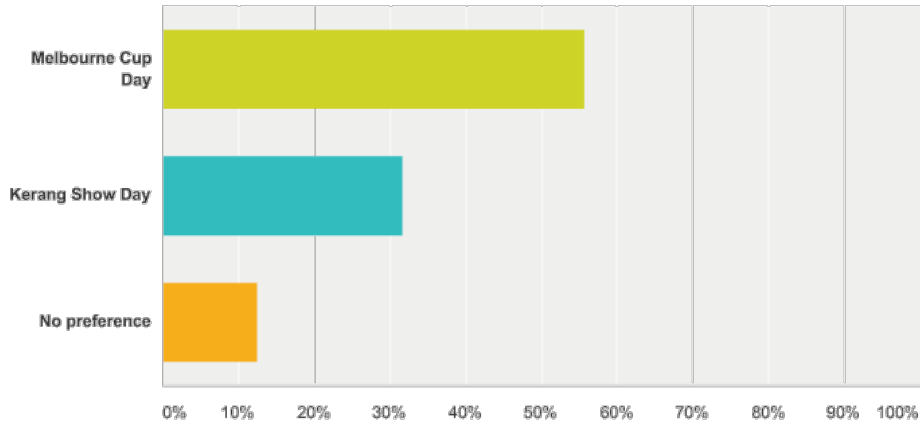
Answered: 156 Skipped: 164

Q6 If no, why?

Answered: 79 Skipped: 241

Q7 If there was to be only one public holiday for the whole Shire, would you prefer a public holiday for Melbourne Cup Day or Kerang Show Day?

Answered: 309 Skipped: 11



Answer Choices	Responses
Melbourne Cup Day	55.66% 172
Kerang Show Day	31.72% 98
No preference	12.62% 39
Total	309

**Q8 If you would prefer Melbourne Cup Day,
why?**

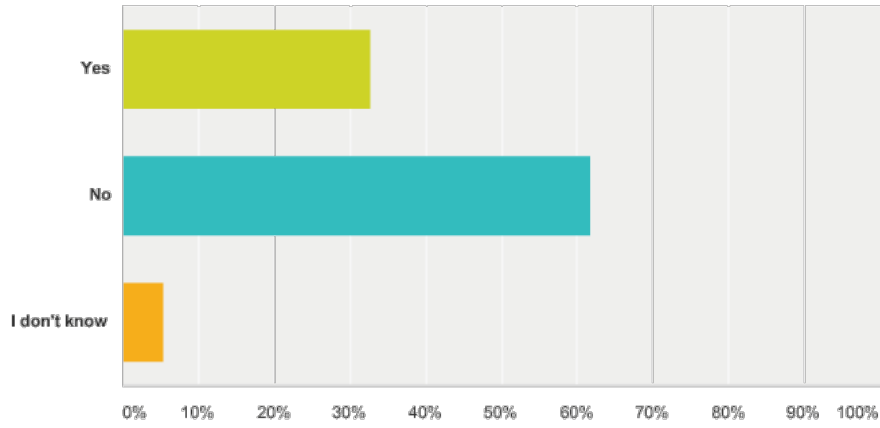
Answered: 151 Skipped: 169

**Q9 If you would prefer Kerang Show Day,
why?**

Answered: 68 Skipped: 252

Q10 Would you prefer to have two half-day public holidays (i.e. a half day holiday on Kerang Show Day and a half day holiday on Melbourne Cup Day)?

Answered: 314 Skipped: 6



Answer Choices	Responses
Yes	32.80% 103
No	61.78% 194
I don't know	5.41% 17
Total	314

Q11 Other comments

Answered: 113 Skipped: 207

10 INFORMATION REPORTS

Nil

11 URGENT ITEMS

12 NOTICES OF MOTION

Nil

13 DELEGATES REPORTS

13.1 DELEGATES REPORT - THURSDAY 17 NOVEMBER TO WEDNESDAY 21 DECEMBER

Author: Kate Callow, Administration Assistant - Chief Executive Office

Authoriser: Eric Braslis, CEO

EXECUTIVE SUMMARY

Delegate Reports from Thursday 17 November to Wednesday 21 December.

Cr Brian Gibson

18 Nov	Kerang South Walk to School Presentation Mayoral Induction – Kerang
20 Nov	Kerang Scouts 100 Years Celebrations Groove on the Green
22 Nov	Budget Briefing – Kerang Councillor Induction: Financial Planning and Stewardship
23 Nov	Murrabit Advancement Association meeting
25 Nov	VLGA Mayor’s Induction Weekend – Kalorama
29 Nov	Audit Committee meeting - Kerang Councillor Induction: Media Training – Kerang MRGC Mayors and CEOs Dinner – Wedderburn
30 Nov	MRGC Mayors and CEOs meeting – Wedderburn
1 Dec	Mallee Regional Assembly – Mildura
5 Dec	Loddon Campaspe Council Meeting – Wedderburn
6 Dec	Divisional Presentations – Kerang Councillor Induction: Relationships Part 2 - Kerang L2P Dinner - Cohuna
9 Dec	Mystic Melodies – Lake Charm
11 Dec	Carols in the Park – Kerang
12 Dec	Citizenship Ceremony - Kerang
13 Dec	Council Briefing – Kerang Koondrook Development Committee meeting
14 Dec	Kerang Technical High School – Speech Night
15 Dec	Christmas Drinks with Andrew Broad – Swan Hill
16 Dec	Meeting with Andrew Gibbs/Alan Williamson – Project Moo Moo Visit Mayoral Christmas Dinner – Kerang
18 Dec	Gala Ball – Upcoming Opening of New Bendigo Hospital
19 Dec	Cohuna and District Progress Association Meeting Leitchville Station Centenary
20 Dec	Meeting with Cricket Victoria Kerang Traders Christmas Celebrations
21 Dec	Ordinary Council Meeting – Kerang Divisional Presentations – Kerang

Cr Mark Arians

23 Nov	Kerang Progress Association meeting
26 Nov	Gannawarra Memorial Toy Run
11 Dec	Carols in the Park - Kerang
13 Dec	Council Briefing – Kerang
16 Dec	Mayoral Christmas Dinner

21 Dec Ordinary Council Meeting – Kerang
Divisional Presentations – Kerang

Cr Jodie Basile

22 Nov St Joseph’s Primary Walk to School Presentation
Budget Briefing – Kerang
Councillor Induction: Financial Planning and Stewardship

24 Nov MAV Councillor Induction Session

26 Nov Loddon Murray Youth Leadership Program Graduation – Swan Hill

27 Nov YMCA Skate Park Finals - Kerang

29 Nov Audit Committee meeting - Kerang

30 Nov Councillor Induction: Media Training – Kerang

1 Dec Mayors Welcome with Local Government Minister – Melbourne

6 Dec Divisional Presentations – Kerang
Councillor Induction: Relationships Part 2 - Kerang

13 Dec Council Briefing – Kerang

14 Dec Kerang Technical High School – Speech Night

15 Dec Christmas Drinks with Andrew Broad – Swan Hill

16 Dec Mayoral Christmas Dinner – Kerang

20 Dec Kerang Business Traders Christmas Draw

21 Dec Ordinary Council Meeting – Kerang
Divisional Presentations – Kerang

Cr Charlie Gillingham

22 Nov Budget Briefing – Kerang
Councillor Induction: Financial Planning and Stewardship

28 Nov Councillor Induction: Media Training – Kerang
Quambatook Community Development Association meeting

9 Dec Mystic Melodies – Lake Charm

13 Dec Council Briefing – Kerang

16 Dec Mayoral Christmas Dinner

21 Dec Ordinary Council Meeting – Kerang
Divisional Presentations – Kerang

Cr Lorraine Learmonth

18 Nov Cohuna U3A Annual Meeting

20 Nov Gateway Volunteer – Cohuna

21 Nov Walk to School Presentations – St Mary’s Cohuna

22 Nov Budget Briefing – Kerang
Councillor Induction: Financial Planning and Stewardship

25 Nov Cohuna Seniors Christmas Lunch

27 Nov Leitchville Carols

28 Nov Loddon Mallee Waste and Resource Management meeting - Swan Hill
Councillor Induction: Media Training

29 Nov MRGC Mayors and CEOs Dinner – Wedderburn

30 Nov MRGC Mayors and CEOs Meeting – Wedderburn

1 Dec Mallee Regional Assembly – Mildura
CCLLEN Breakfast

4 Dec Carols in the Park – Cohuna

5 Dec Maternal Health Young Mothers Christmas Lunch
CCLLEN Board Meeting – Echuca

6 Dec Divisional Presentations – Kerang
 Councillor Induction: Relationships Part 2 – Kerang

7 Dec Leitchville Progress Association

9 Dec Mystic Melodies – Lake Charm
 Meeting with Cr Wright and Lions Club re BBQ development

12 Dec Citizenship Ceremony – Kerang
 Meeting with Cr Wright re Performance area

13 Dec Council Briefing – Kerang
 Cohuna Secondary College Presentation Night

14 Dec Gateway Volunteer Bus Trip

15 Dec GoWomen Event – Melbourne

16 Dec NCCMA Community Reference meeting Gunbower
 Mayoral Christmas Dinner

19 Dec Cohuna Progress Association Meeting

21 Dec Ordinary Council Meeting – Kerang
 Divisional Presentations – Kerang

Cr Steve Tasker

22 Nov Budget Briefing – Kerang
 Councillor Induction: Financial Planning and Stewardship

23 Nov Murrabit Advancement Committee Meeting

24 Nov Koondrook Community Plan Meeting

25 Nov Koondrook Primary Walk to School Presentations

29 Nov Councillor Induction: Media Training – Kerang

6 Dec Divisional Presentations – Kerang
 Councillor Induction: Relationships Part 2 – Kerang

13 Dec Council Briefing – Kerang

16 Dec Mayoral Christmas Dinner

21 Dec Ordinary Council Meeting - Kerang
 Divisional Presentations – Kerang

Cr Sonia Wright

22 Nov Budget Briefing – Kerang
 Councillor Induction: Financial Planning and Stewardship
 Central Victorian Greenhouse Alliance AGM - Bendigo

29 Nov Councillor Induction: Media Training – Kerang

6 Dec Divisional Presentations – Kerang
 Councillor Induction: Relationships Part 2 – Kerang

8 Dec Youth Councillors Presentations – Barham High School

9 Dec Youth Council End of Year Dinner – Kerang

12 Dec Citizenship Ceremony – Kerang

13 Dec Council Briefing – Kerang

15 Dec GoWomen Event – Melbourne

16 Dec Meeting with Andrew Gibbs/Alan Williamson – Project Moo Moo Visit

19 Dec Cohuna and District Progress Association Meeting

21 Dec Ordinary Council Meeting - Kerang

14 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:

14.1 Plant Replacement Program - Road Maintenance Unit Purchase

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.

14.2 Asset Disposal - Keath Street Leitchville Land Sale

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.

14.3 Awarding of 2017 Australia Day Awards

This matter is considered to be confidential under Section 89(2)(h) 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 any matter which Council considers prejudicial to Council or any person.