



GANNAWARRA

Shire Council

Wednesday, 20 December 2017

6.00pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

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1 ACKNOWLEDGEMENT OF COUNTRY

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

2 OPENING 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 APOLOGIES AND LEAVE OF ABSENCE

Cr Sonia Wright - Apology

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 15 November 2017

5 DECLARATION OF CONFLICT OF INTEREST

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

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

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

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

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

Disclosure of conflict of interest

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

- if he or she will be present at the meeting, make a full disclosure of that interest by advising of the class and nature of the interest to either –

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

6 QUESTION TIME

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

QUESTIONS FROM THE GALLERY

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

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

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS NOVEMBER 16 2017 TO DECEMBER 20 2017

Author: Tom O'Reilly, Acting CEO

Authoriser: Tom O'Reilly, Acting CEO

Attachments: 1 Assembly of Councillors Record Form - 27 Novmeber 2017
2 Assembly of Councillors Record Form - 11 December 2017

RECOMMENDATION

That Council notes the records of Assembly of Councillors from 16 November, 2017 to 20 December, 2017.

EXECUTIVE SUMMARY

To present to Council written records of Assembly of Councillors in accordance with section 80A of the *Local Government Act 1989*.

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 2017-2021: Good Governance and a Healthy Organisation.

BACKGROUND INFORMATION

In accordance with Section 80A of the *Local Government Act 1989* a written record of assembly of councillors must be reported at an ordinary Council meeting and minuted as soon as practicable.

The record must include:

1. The names of all Councillors and members of council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a councillor attending
4. Whether a Councillor who has disclosed a conflict of interest left the assembly.

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:	Monday, 27 November 2017
Time:	5:30pm - 7.30pm
Location:	Council Chambers, Kerang
In Attendance: (Councillors)	Cr Brian Gibson, Cr Mark Arians, Cr Jodie Basile, Cr Lorraine Learmonth, Cr Steve Tasker, Cr Sonia Wright, Cr Charlie Gillingham
Apologies	Nil
In Attendance: (Officers)	Tom O'Reilly, Geoff Rollinson, Stacy Williams, Narelle O'Donoghue, Carole Wandin, Lisa Clue, Katrina Thorne
Matters Discussed:	<p>Presentation</p> <ul style="list-style-type: none"> • Cohuna District Hospital – Future Services Priorities – Kathy Day and Jean Sutherland <p>Advocacy Plan Update Aged Care Update including NDIS</p>
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Acting Chief Executive Officer



Assembly of Councillors Record Form

Date:	Monday, 11 December 2017
Time:	9.30am - 2.20pm
Location:	Kerang
In Attendance: (Councillors)	Cr Brian Gibson, Cr Jodie Basile*, Cr Charlie Gillingham, Cr Lorraine Learmonth, Cr Steve Tasker, Cr Sonia Wright
Apologies	Cr Mark Arians
In Attendance: (Officers)	Tom O'Reilly, Geoff Rollinson, Lisa Clue, Stacy Williams, Katrina Thorne, Stevie Pearce, Peter Bergman, Sid Hutchinson, Roger Griffiths, Brent Heitbaum, Jo Haw
Matters Discussed:	Presentation : <ul style="list-style-type: none"> • Mallee Skills Demand Profile – Glenn Stewart 2018 Queens's Baton Relay activities Gannawarra Planning Scheme Amendment C42 (Mapping Anomalies) Heavy Plant Replacement Contract VP84654 Kerang Cemetery – Road Discontinuance Audit Committee – Membership re-appointment Audit Committee – Meeting report Councillor Allowances – Endorsement of New Rates Rating Strategy – Options Paper Draft Victorian Rural Drainage Strategy Termination of Cohuna ECA Centre Joint Use Agreement Long Day care in Cohuna and Koondrook Wharf Inspired Business and Investment Strategy Report Quambatook Recreation Reserve Building Improvements Budget Draft 10 year capital works plan Proposed Sale of Scoresby Street Australia Day Awards Appointment of CEO
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Acting Chief Executive Officer

Tom O'Reilly
11/12/17

- Cr Basile arrived at 10.38am

8 BUSINESS REPORTS FOR DECISION

8.1 GANNAWARRA PLANNING SCHEME AMENDMENT C42 (MAPPING ANOMALIES)

Author: Stevie Pearce, Administration Support Officer

Authoriser: Geoff Rollinson, Director Infrastructure Services

Attachments:

- 1 Explanatory Report (under separate cover)**
- 2 Amendment Maps (under separate cover)**
- 3 Instruction Sheet (under separate cover)**

RECOMMENDATION

That Council adopt Amendment C42 to the Gannawarra Planning Scheme and refer the amendment to the Minister for Planning for approval.

EXECUTIVE SUMMARY

To seek Council's adoption of Amendment C42 to the Gannawarra Planning Scheme and refer the amendment to the Minister for Planning for approval.

PURPOSE

Amendment C42 is required to correct a number of anomalies and minor errors within the mapping component of the Gannawarra Planning Scheme. The amendment is also required to ensure that the Planning Scheme maps accurately reflect the existing use of land.

Furthermore, this amendment is required to delete a number of redundant overlay controls which are currently incorrectly applied to several properties within the Shire or which are no longer needed as the land has been subdivided or developed.

DECLARATIONS OF 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.

COUNCIL PLAN

Council Plan 2017-2021 – Good Governance and a Healthy Organisation – Identify innovative opportunities that create improvements.

BACKGROUND INFORMATION

Council's Planning Department has identified a number of minor errors and anomalies within the mapping component of the Gannawarra Planning Scheme. In order to ensure that the Planning Scheme is accurate and up to date it was considered necessary to undertake an amendment to the mapping component of the Gannawarra Planning Scheme.

At the Ordinary Council meeting held on 17 May 2017 Council resolved to request the Minister for Planning to authorise Council to prepare and exhibit Amendment C42 to the Gannawarra Planning Scheme for a period of a month.

In mid-June 2017 Council received authorisation from the Department of Environment, Land, Water and Planning (DELWP) to prepare Amendment C42 to the Gannawarra Planning Scheme.

CONSULTATION

As required by section 19 of the *Planning and Environment Act 1987*, Amendment C42 was formally exhibited.

Notification of the amendment comprised:

- Written notification to affected landowners/occupiers;
- Written notification to nearby owners/occupiers;
- Notices sent to relevant Ministers and public authorities;
- Notices published in the Gannawarra Times, Koondrook Barham Bridge and The Guardian newspapers;
- Statutory notice published in the Government Gazette.

A total of 17 submissions were received for Amendment C42. A summary of each submission is outlined below:

Submitter	Response
Coliban Water	No objection regarding that part of the amendment relating to RES1 PS633437, Kerang-Leitchville Road, Leitchville (Late Submission).
Goulburn-Murray Water	No objection.
Native Title Services Victoria	The proposed works are validated under section 24MD of the <i>Native Title Act 1993</i> .
North Central Catchment Management Authority	Supports as exhibited.
Coliban Water	No objection regarding that part of the amendment relating to Lot 2 & 3 TP836449 (20 Tragowel North Road), Lot 1 & 2 TP92523 (36 Tragowel North Road) and Lot 1 TP421965 (Tragowel North Road).
Environment Protection Authority Victoria	No concerns.
CASA	No concerns.
Lower Murray Water	No objection.
Aboriginal Victoria	Aboriginal Victoria is not a referral agency in relation to the Planning and Environment Act 1987.

GMMWater	No objections or comments.
DELWP	Supports the proposed amendment.
B Cruse	Supports the deletion of the Development Plan Overlay Schedule 1 (DPO1) from CA 6 Section 19A, Township of Koondrook.
GA & BF Molin	Supports the deletion of the Development Plan Overlay Schedule 1 (DPO1) from CA 3, 4, 5, 7, 8, 9 Section 19A, Township of Koondrook.
G & H Thies	<p>Objects to the rezoning of parts of land at 13A and 14 Farrant Court, Cohuna from Special Use Zone Schedule 2 (SUZ2) to Low Density Residential Zone (LDRZ).</p> <p>Their objection is based on the following grounds:</p> <ul style="list-style-type: none"> • Of the understanding that there would be no further expansion of the Golf Links Estate. • Concern regarding the removal of the easement located between 13A and 14 Farrant Court, which serves the purpose of a footway. • The proposals impact on an easement for water supply, used to service a number of properties within Golf Links Estate.
M Gardner	<p>Objects to the rezoning of parts of land at 13A and 14 Farrant Court, Cohuna from SUZ2 to LDRZ.</p> <p>The objection to the proposal is based on the following grounds:</p> <ul style="list-style-type: none"> • The proposed rezoning at 13A Farrant Court exceeds the property's boundary. • Is of the understanding that there would no further expansion of the Golf Links Estate. • The removal of native vegetation. • The obstruction of natural water courses within Golf Links Estate. • Issues regarding the alleged generation of excessive noise, in the area, through the use of gardening equipment at unreasonable times. • Issues relating to the burning of leaf/tree litter. • The removal of the easement located between 13A and 14 Farrant Court, which serves the purpose of a footway. • Impact on an easement for water supply, used to service a number of properties within Golf Links Estate.
G & L Wishart	Objects to the proposed rezoning of parts of land at 13A and 14

	<p>Farrant Court, Cohuna from SUZ2 to LDRZ.</p> <p>Their objection to the proposal is based on the following grounds:</p> <ul style="list-style-type: none"> • The proposed rezoning at 13A Farrant Court exceeds the property’s boundary. • Is of the understanding that there would no further expansion of the Golf Links Estate. • The removal of native vegetation. • The obstruction of natural water courses within Golf Links Estate. • The alleged generation of excessive noise, in the area, through the use of gardening equipment at unreasonable times. • The removal of the easement located between 13A and 14 Farrant Court, which serves the purpose of a footway. • The obstruction of the footway located between 13A and 14 Farrant Court, Cohuna. • The proposals impact on an easement for water supply, used to service a number of properties within Golf Links Estate.
<p>G & S Barnes</p>	<p>Objects to the proposed rezoning of part of 13A Farrant Court, Cohuna from SUZ2 to LDRZ.</p> <p>Their objection to the proposal is based on the following grounds:</p> <ul style="list-style-type: none"> • The removal of the Vegetation Protection Overlay Schedule 2 (VPO2). • Pre-existing permit conditions which may have been applied to the parcels of land, including those relating to wastewater treatment disposal, will be deleted if the Amendment is approved.

Following further communication with Council Officers G & S Barnes, G & L Wishart, M Gardner and G & H Thies have withdrawn their submissions to the Amendment. Written advice was received from G & H Thies on 19 October 2017, G & L Wishart on 2 November 2017, M Gardner on 16 November 2017 and G & S Barnes on 1 December 2017 advising that they had withdrawn their submission.

ASSESSMENT

The Amendment seeks to correct a number of anomalies and minor errors identified in the Gannawarra Planning Scheme maps. The table below identifies the land affected by the amendment, the proposed changes to that land and explains the reasons for the amendment.

Map No.	Address	Lot Description	What The Amendment Does	Why The Amendment Is Required
018	Kerang-Leitchville Road, Leitchville	RES1 PS633437	Rezones the subject land from Township Zone to Public Use Zone 1 – Service and Utility.	To rectify a mapping error. This parcel of land forms part of the Leitchville Water Treatment Plant and is currently used for this purpose.
002	Benjeroop-Tresco Road, Mystic Park	Lot 1 TP18197	Rezones the subject land form Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
016	209 Kervins Road, Cohuna	Lot 1 PS715412	Rezones that part of the property which is zoned Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned and is currently used for agricultural purposes. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
004	110 Lake Charm East Road, Lake Charm	CA 2F Sec. B, Parish of Dartagook	Rezones the subject land from Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.

013	13A Farrant Court, Cohuna	Lot 1 PS731113	Rezoned that part of the property which is zoned Special Use Zone Schedule 2 to Low Density Residential Zone.	To rectify a mapping error. The land is used for residential purposes. Existing overlay controls are retained.
013	193 Dicksons Road, Cohuna	Lot 2 PS333791	Rezoned that part of the property which is zoned Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
012	73 Browns Road, Gannawarra	Lot 1 PS725383	Rezoned that part of the property which is zoned Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
012	Browns Road, Gannawarra	CA 6B Sec. A Parish of Cohuna	Rezoned that part of the property which is zoned Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
011	2238 Kerang- Koondrook Road, Koondrook	Lot 4 LP8913 and CA 2A Sec. A Parish of Cohuna	Rezoned the subject sites from Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public

				land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
023 & 024	Murray Valley Highway, Lake Charm	Lot 1 TP168335 and Lot 1 TP168336	Deletes Heritage Overlay 9 from Lot 1 TP168335 and applies Heritage Overlay 9 to Lot 1 TP168336.	To rectify a mapping error. The former Post Office former Kangaroo Lake Inn is situated on Lot 1 TP168336 and not Lot 1 TP168335.
010	Scoresby Street, Kerang	Lot 1 LP69092, Lot 1 LP69093 and adjacent road reserve	Rezones the subject land from General Residential Zone – Schedule 1 to Public Park and Recreation Zone.	The subject site is in public ownership. The land is used for informal outdoor recreation. The current zoning of the site is inappropriate as the site is covered entirely by the Rural Floodway Overlay. The site is not suited to residential development. Any such development would likely pose a risk to life, health and safety.
025 & 026	387 Bael Bael-Boga Road Beauchamp and Lake Charm-Quambatook Road Bael Bael. [Buggar Castle heritage site]	CA 2006 Parish of Bael Bael, CA 3 Sec B Parish of Bael Bael and CA 2004 Parish of Bael Bael	Deletes Heritage Overlay 17 from CA 2006 Parish of Bael Bael and CA 3 Sec B Parish of Bael Bael and applies Heritage Overlay 17 to part of CA 2004 Parish of Bael Bael.	To rectify a mapping error. Buggar Castle is situated on part of CA 2004 Parish of Bael Bael and not CA 2006 Parish of Bael Bael and CA 3 Sec B Parish of Bael Bael.
008	Old Kerang Road, Kerang	CA 3A Sec. D Parish of Meran	Rezones the subject land from Public Conservation and Resource Zone to Farming Zone.	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public

				land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
007	2513 Lake Charm-Quambatook Road, Bael Bael	CA 8 Sec. A Parish of Bael Bael	Rezones the subject land from Public Conservation and Resource Zone to Farming Zone	To rectify a mapping error. The land is privately owned. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
028 & 029	Tragowel North Road Tragowel, 36 Tragowel North Road Tragowel and 20 Tragowel North Road Tragowel	Lot 2 & 3 TP836449, Lot 1 & 2 TP92523 and Lot 1 TP421965	Deletes Heritage Overlay 12 from Lot 2 TP836449, Lot 3 TP836449, Lot 1 TP92523 and Lot 2 TP92523 and applies the Heritage Overlay 12 to Lot 1 TP421965. Lot 3 LP2268 and Lot 2 LP2268 will continue to be covered by Heritage Overlay 12.	To rectify a mapping error. Heritage Overlay 12 should be applied to Lot 3 LP2268, Lot 2 LP2268 and Lot 1 TP421965 so that the Heritage Overlay is applying to both the significant building and its associated land. Heritage Overlay 12 should not be applied to Lot 2 & 3 TP836449, Lot 1 & 2 TP92523
027	54 Penglase Street Koondrook and 6-10 View Street Koondrook [former Koondrook Butter Factory]	CP152022 and Lot 1 TP431501	Deletes Heritage Overlay 15 from 54 Penglase Street and Lot 1 TP431501. 4 View Street will continue to be covered by Heritage Overlay 15.	To rectify a mapping error. The Koondrook Butter Factory is situated on 4 View Street and is not located on 54 Penglase Street or Lot 1 TP431501.
013	14 Farrant Court, Cohuna	Lot 14 PS501542	Rezones that part of the property which is zoned Special Use Zone Schedule 2 to Low Density Residential Zone	To rectify a mapping error. The land is used for residential purposes. The surrounding zone is LDRZ.

005	2619 Kerang-Murrabit Road, Murrabit	CA 5 Sec. 13 Township of Murrabit	Rezoned that part of land which is currently zoned as Special Use Zone Schedule 2 to Public Park and Recreation Zone.	To rectify a mapping error. The subject site is Crown Land. Rezoning that part of the subject site which is currently zoned Special Use Zone Schedule 2 to Public Park and Recreation Zone will ensure that the public land manager is aware of any applications for planning permits being made on the site.
001	View Street, Lalbert	CA 11 Sec A Parish of Lalbert	Rezoned the subject site from Special Use Zone Schedule 2 to Public Park and Recreation Zone.	To rectify a mapping error. The subject site is Crown Land. Rezoning the subject site to Public Park and Recreation Zone will ensure that the public land manager is aware of any applications for planning permits being made on the site.
014 & 021 & 030	57 Railway Avenue, Cohuna 55 Railway Avenue, Cohuna 53 Railway Avenue, Cohuna 51 Railway Avenue, Cohuna 49 Railway Avenue, Cohuna 47 Railway Avenue, Cohuna 45 Railway Avenue, Cohuna 43 Railway Avenue, Cohuna	Lot 66 PS707567 Lot 65 PS707567 Lot 64 PS707567 Lot 63 PS707567 Lot 62 PS707567 Lot 61 PS707567 Lot 60 PS707567 Lot 59 PS707567	Rezoned those parts of the properties which are zoned Public Park and Recreation Zone to General Residential Zone - Schedule 1 and deletes the Development Plan Overlay Schedule 1 and Vegetation Protection Overlay – Schedule 2 which covers the subject sites.	The rezoning of part of the subject sites from General Residential Zone – Schedule 1 and Public Park and Recreation Zone to solely General Residential Zone – Schedule 1 is required as the parcels of land are privately owned. Privately owned land should not be shown as a public land zone. The Development Plan Overlay – Schedule 1, which covers each subject site, is being

	41 Railway Avenue, Cohuna 39 Railway Avenue, Cohuna	Lot 58 PS707567 Lot 57 PS707567		deleted as the land has been subdivided and the subdivision has been finalised. The Vegetation Protection Overlay – Schedule 2, which covers all the subject sites, is being deleted as there is no remnant vegetation located on any of these parcels of land.
021	Part of 3 Railway Avenue Cohuna, as shown on the attached map	Lot 67 PS707567	Deletes the Development Plan Overlay Schedule 1 which covers a small portion of this parcel of land.	The Development Plan Overlay Schedule 1 has been incorrectly applied to this parcel of land.

The amendment also seeks to update the mapping component of the Gannawarra Planning Scheme by rezoning various parcels of land throughout the Shire to more accurately reflect their current land use and development. The table below identifies the land affected by the amendment, the changes to the land the amendment proposes and explains why the amendment is required.

Map No.	Address	Lot Description	What The Amendment Does	Why The Amendment Is Required
021	1 Stanley Court Cohuna, 2 Stanley Court Cohuna, 3 Stanley Court Cohuna, 4 Stanley Court Cohuna, 5 Stanley Court Cohuna, 6 Stanley Court Cohuna, 7 Stanley Court Cohuna, 8 Stanley Court Cohuna, 9a Stanley Court Cohuna, 10 Stanley Court Cohuna, 11 Stanley Court Cohuna, 14 Rosalind Street Cohuna, 13 Stanley Court Cohuna,	Lot 1 PS523211, Lot 5 PS523211, Lot 2 PS523211, Lot 6 PS523211, Lot 3 PS523211, Lot 7 PS523211, Lot 4 PS523211, Lot 8 PS523211, Lot RES1 PS523211, Lot 13 PS523211, Lot 10 PS523211, PC371485, Lot 11 PS523211,	Deletes the Development Plan Overlay – Schedule 1 which covers the subject sites.	The subdivision of land for Stage 1 and Stage 2 of the development has now been finalised. Although no development plan has been approved for the final stage, it is considered that the requirements for the development plan can be satisfied by assessing any future applications to subdivide land

	14 Stanley Court Cohuna, 15 Stanley Court Cohuna, 16 Stanley Court Cohuna 1 Redman Lane, Cohuna and 1 Redman Lane Cohuna	Lot 15 PS523211, Lot 12 PS523211, Lot 16 PS523211, Lot 9 PS523211 and Lot S3 PS523211.		under Clause 56.
003	Wilson Street, Mystic Park	Lot 1 TP409266	Rezones the subject site from Public Park and Recreation Zone to Farming Zone.	The subject site was previously owned by Council. As the site has now been disposed of to a private owner the site is required to be rezoned to a non-public use zone. Land adjoining the subject site is also zoned Farming Zone. No additional overlay controls are needed.
006	43 Meering Road, Quambatook	Lot 1 LP80656	Rezones the subject site from Township Zone to Public Use Zone 6 (Local Government).	To accurately reflect the current use of land as a municipal transfer station and depot.
017	150 Chuggs Road, Cohuna	Lot 1 PS322912	Rezones the subject site from Farming Zone to Public Use Zone 6 (Local Government).	To accurately reflect the current use of land as a municipal transfer station.

020	22 Main Street, Koondrook 6 Forest Street, Koondrook , 8 Forest Street, Koondrook, 10 Forest Street, Koondrook, 12 Forest Street, Koondrook, 14 Forest Street, Koondrook, 16 Forest Street, Koondrook, 20-22 Forest Street, Koondrook, 24-30 Forest Street, Koondrook, 32-34 Forest Street, Koondrook, 8 Maunder Street, Koondrook, 6 Maunder Street, Koondrook, 10-12 Maunder Street, Koondrook, 16 Maunder Street, Koondrook, 18 Maunder Street,	CA 9 & 10 Sec 19 Township of Koondrook CA 11 Sec. 19 Township of Koondrook Lot 2 PS520529 Lot 1 PS520529 Lot 2 LP207168 Lot 1 LP207168 CA 14 Sec.19 Township of Koondrook CA 15 Sec. 19 Township of Koondrook CA16 & 17 Sec.19 Township of Koondrook Lot 1 TP819410 and Lot 2 TP819410 Lot 2 LP202943 Lot 1 LP202943 CA 20 Sec. 19 Township of Koondrook Lot 3 LP215471 Lot 4 LP215471	The amendment deletes the Development Plan Overlay – Schedule 1 which covers the subject sites.	The land has been subdivided. Most of the lots are in residential use so the Development Plan Overlay – Schedule 1 is no longer needed to manage future subdivision and development.
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	<p>Koondrook, 20-24 Maunder Street, Koondrook, 49 Grigg Road, Koondrook, 35-41 Grigg Road, Koondrook, 23-33 Grigg Road, Koondrook, 21 Grigg Road, Koondrook, 30 Main Street, Koondrook, 46 Main Street, Koondrook, 34 Main Street, Koondrook 4 Maunder Street, Koondrook</p>	<p>Lot 1 TP753043 Lot 1 TP408258 CA 2 Sec.19 Township of Koondrook CA 3 Sec.19 Township of Koondrook Lot 1 TP747513 CA10 Sec.19A Township of Koondrook CA 6 Sec. 19A Township of Koondrook CA 3, 4, 5, 7,8 & 9 Sec. 19A Township of Koondrook, CA 1 & 2 Sec. 19A Township of Koondrook</p>		
021	<p>33 Railway Avenue, Cohuna 31 Railway Avenue, Cohuna 29 Railway Avenue, Cohuna 27 Railway Avenue, Cohuna 25 Railway Avenue, Cohuna 23 Railway Avenue, Cohuna 21 Railway Avenue, Cohuna Part of 3 Railway Avenue Cohuna, as shown on the attached map</p>	<p>Lot 1 PS537286 Lot 2 PS537286 Lot 3 PS537286 Lot 4 PS537286 Lot 5 PS537286 Lot 6 PS537286 Lot 7 PS537286 Lot 8 PS537286</p>	<p>Deletes the Development Plan Overlay – Schedule 1 which covers the subject sites.</p>	<p>The land has been subdivided. Most of the lots are now in residential use so the Development Plan Overlay – Schedule 1 is no longer needed to manage future subdivision and development.</p>

	<p>17 Railway Avenue, Cohuna 15 Railway Avenue, Cohuna 13 Railway Avenue, Cohuna 11 Railway Avenue, Cohuna 9 Railway Avenue, Cohuna 7 Railway Avenue, Cohuna 5 Railway Avenue, Cohuna Part of 3 Railway Avenue Cohuna, as shown on the attached map</p>	<p>Lot 9 PS537286 Lot 10 PS537286 Lot 11 PS537286 Lot 12 PS537286 Lot 13 PS537286 Lot 14 PS537286 Lot 15 PS537286 Plan PC370526</p>		
022	<p>9399 Murray Valley Highway, Kerang Murray Valley Highway, Kerang 9293 Murray Valley Highway, Kerang Old Echuca Road, Kerang 9485 Murray Valley Highway, Kerang Collins Road, Kerang Murray Valley Highway, Kerang Loddon Valley Highway, Kerang Murray Valley Highway, Kerang</p>	<p>Lot 1 PS705965, Part Lot 1 TP583519 Part Lot 1 TP222375 Part Lot 2 TP862489 Part Lot 3 PS705965 Lot RES1 PS705965 Part CA 26A Sec. C Parish of Kerang Part of the Loddon Valley Highway and Part of the Murray Valley Highway.</p>	<p>Deletes the Environmental Significance Overlay Schedule 4 from part of the following properties Lot 1 TP583519, Lot 1 TP222375, Lot 2 TP862489, Lot 3 PS705965 and CA 26A Sec. C Parish of Kerang. The amendment also deletes the Environmental Significance Overlay Schedule 4 from the whole of 9399 Murray Valley Highway, Kerang and Lot RES1 PS705965.</p>	<p>The Environmental Significance Overlay Schedule 4 was applied to these properties to recognise areas that are potentially liable to inundation by overland flow or sheet flooding and are likely to suffer from poor drainage. In 2014 a levee bank was constructed to the south of Kerang to ensure that the township of Kerang would be protected from floodwater in a flooding event. As the sites are now situated within the new levee, it is considered appropriate to remove the Environmental Significance Overlay Schedule 4 from these areas as shown on the amendment map.</p>

The State Planning Policy Framework (SPPF)

The amendment is consistent with the State Planning Policy Framework (SPPF).

In particular the amendment supports the following aspects of the SPPF:

Clause 10.2 - Goal:

The SPPF seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The correction of various anomalies and minor errors within the mapping component of the Gannawarra Planning Scheme, alongside the deletion of redundant overlays which are presently applied to several properties throughout the Shire, will foster more appropriate land use and development practices.

Clause 19.03-5 Waste and resource recovery

The objective of Clause 19.03-5 is 'To reduce waste and maximise resource recovery so as to minimise environmental, community amenity and public health impacts and reduce reliance on landfills.'

One of the strategies that outline how this policy is to be achieved is to, 'Integrate waste and resource recovery infrastructure planning with land use and transport planning.'

The rezoning of 150 Chuggs Road from Farming Zone to Public Use Zone 6 (Local Government) and the rezoning of 43 Meering Road from Township Zone to Public Use Zone 6 (Local Government) will ensure that the mapping component of the Planning Scheme accurately reflects the current ownership of these sites by Council and ensures that there is a consistent zoning applied to land used for the purposes of a transfer station/depot throughout the Shire.

Clause 15.03-1: Heritage Conservation

The objective of Clause 15.03-1 is 'To ensure the conservation of places of heritage significance.'

One of the strategies that outline how this policy is to be achieved is to, 'Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.'

By amending the location of HO9 and HO17, will ensure that both the former Post Office/former Kangaroo Lake Inn and Buggar Castle, which are both identified as sites of local heritage significance in the Planning Scheme, will be appropriately conserved and protected by the requirements of Clause 43.01 (Heritage Overlay).

Clause 19.03-2: Water supply, sewerage and drainage

The objective of Clause 19.03-2 is 'To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.'

At present Lot 1 of TP83962 which forms part of the Leitchville Water Treatment Plant is appropriately zoned as Public Use Zone 1 (Service and Utility), however, RES NO1 PS633437 which also forms part of the Leitchville Water Treatment Plant is zoned as Township Zone (TZ). The rezoning of this land from TZ to PUZ1 will recognise the use of land as a water treatment plant and would facilitate the use of the site for this purpose.

Local Planning Policy Framework (LPPF)

The amendment is consistent with the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement and Local Planning Policies.

In particular, the amendment supports the following aspects of the LPPF:

Clause 21.06-2: Post contact heritage

The objective of the above clause is 'To protect, maintain and enhance the municipality's local post-contact heritage including historic buildings, precincts and places.'

By amending the location of HO9 and HO17, to accurately cover the former Post Office/former Kangaroo Lake Inn and Buggar Castle, will ensure that these sites of local heritage significance will be conserved and protected by the requirements of Clause 43.01 (Heritage Overlay).

OPTION ANALYSIS

As the four submissions received, which opposed part of Amendment C42 (i.e. the proposed rezoning of parts of land at 13A and 14 Farrant Court Cohuna from SU22 to LDRZ) have now been withdrawn, Council is no longer required to make a decision about the submissions in accordance with Section 23(1) of the *Planning and Environment Act 1987*.

Section 23(1) of the *Planning and Environment Act 1987* outlines the process for making decisions about submissions. The Act states that:

After considering a submission which requests a change to the amendment, the planning authority must-

- (a) Change the amendment in the manner requested; or*
- (b) Refer the submission to a panel appointed under Part 8; or*
- (c) Abandon the amendment or part of the amendment.*

As there are now no submissions objecting to the Amendment, Council has two options in relation to this matter:

1. Council resolve to adopt Amendment C42 to the Gannawarra Planning Scheme and refer to the Minister for Planning for approval.
2. Council resolve not to adopt Amendment C42 to the Gannawarra Planning Scheme.

RISK IMPLICATIONS

Ultimately if the amendment is approved the amount of time Council staff spend on the administration and assessment of unnecessary planning permits for the particular sites identified, as a result of the incorrectly applied zones and overlays, is likely to be reduced significantly.

The amendment is likely to have positive social and economic outcomes as it will reduce the requirement for landowners to apply for planning permits for development on land that is either incorrectly zoned or that has an overlay incorrectly covering the land.

FINANCIAL IMPLICATIONS

An expense was incurred in preparing and exhibiting the amendment. This included the preparation of the amendment documents, notification of the amendment and consideration of all submissions.

Officer time will also be required to prepare the Amendment documentation for adoption. In addition Council will be required to pay the statutory fees for the Minister for Planning to approve the amendment, this will total less than \$1000.00.

CONCLUSION

Amendment C42 is the appropriate planning mechanism to correct a number of anomalies and minor errors within the mapping component of the Planning Scheme, update the mapping component to more accurately reflect current land use and development; and to delete a number of redundant overlay controls which are currently incorrectly applied to several properties within the Shire or which are no longer needed now that the subject land has been subdivided or developed.

Council has considered the submissions above and is in a position to adopt Amendment C42 and submit it to the Minister for Planning, with the required information, for approval.

8.2 HEAVY PLANT REPLACEMENT CONTRACT VP87260 - PURCHASE

Author: Steve Fullerton, Manager Operational Services

Authoriser: Geoff Rollinson, Director Infrastructure Services

Attachments: Nil

RECOMMENDATION

That Council award contract VP87260 to Portergroup – Hyundai for the Supply and Delivery of 1 x Wheeled Loader with a Gross Vehicle Mass of a minimum of 12,000kg for the lump sum payment not subject to rise and fall at the amount of \$212,452.57 (GST Inclusive).

EXECUTIVE SUMMARY

Tenders were called for the supply and delivery of a Wheeled Loader for the purpose of loading of materials, rubbish and completing works at various Council locations, including the Works Depot, Transfer stations and Denyers pit. A total of seven tenders were received.

A copy of the tender evaluation has previously been provided to the Councillors.

BACKGROUND

Heavy Plant Replacement is an item listed on the Capital works program every year with funds allocated depending on the need for replacement vehicles and plant. Currently there is \$235,000 remaining in the budget for 17/18 financial year.

Council currently uses the existing CAT loader purchased in 1990, having completed 11,500 hours of operation. The recommended Loader is part of the heavy plant replacement program developed to ensure that Council can fulfil their responsibilities to provide the efficient management of Councils motor vehicle fleet. It is expected Council will receive approximately \$30,000 for the current Loader. However this price is demand dependant at auction time.

POLICY CONTEXT

Council Plan 2017-2021: Implement Council’s Capital Works Program.

DISCUSSION

The evaluation criteria and weighting contained in the contract conditions for VP84654 were as follows.

Criteria	Weight
1. Specification Compliance	30%
2. Price of the tender	20%
3. Standing/Reputation of equipment and tenderer within the industry	20%
4. Range of warranty services and location of tenderer’s service, parts, technical and backup facilities	20%
5. Local Benefit	10%

The following table summarises the weighted score assigned to each tenderer using the evaluation criteria listed above:

Tenderer	Cost (GST Inc.)	Score	Weighted Score
Tenderer A	\$268,400.00	88/100	19.7
Tenderer B*	\$207,234.50	59/100	12.5
Tenderer C	\$243,010.00	89/100	19.9
Tenderer D	\$229,097.00	89/100	20.0
Tenderer E	\$252,890.00	86/100	20.0
PorterGroup	\$212,452.57	93/100	21.2
Tenderer G	\$304,590.00	92/100	20.5

(*Tenderer did not meet the tender requirements).

A copy of the tender evaluation has previously been provided to the Councillors.

CONSULTATION

All relevant Council staff and external contactors were consulted for this matter.

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

PorterGroup received the highest weighted score, and was the lowest priced tenderer to meet all the tender requirements. Council staff have evaluated all tender submissions and received a demonstration of the recommend loader. It is considered the best value option for Council and is the preferred tenderer.

8.3 KERANG CEMETERY - ROAD DISCONTINUANCE - DECISION

Author: Wesley Dillon, Administration Officer
Authoriser: Geoff Rollinson, Director Infrastructure Services
Attachments: 1 DELWP Request
2 Kerang Cemetery Lot Map

RECOMMENDATION**That Council:**

- 1. In accordance with the provisions of Section 223 of the *Local Government Act 1989* publish a public notice stating that written submissions in respect of the proposed discontinuance of the unused road bordering the Kerang Cemetery shall be received and considered by Council.**
 - 2. Consider any submissions received by Council or a Committee of Council prior to a final decision being made to discontinue the road.**
-

EXECUTIVE SUMMARY

Council has been approached by the Department of Land, Water and Planning (DELWP) and the Kerang Cemetery Trust to ensure all the land on which the Kerang Cemetery is located is reserved for cemetery purposes. Currently the Kerang Cemetery is located on two crown land allotments and road reserve, of which not all land has been formally reserved for cemetery purposes, and is unable to be reserved for this purpose until Council discontinues the road within the boundaries of the Kerang Cemetery.

BACKGROUND

The Kerang Cemetery is located on land known as Crown Land Allotment 13H of Section B, Parish of Kerang (P123029) which is reserved for cemetery purposes and Crown Land Allotment 13J of Section B, Parish of Kerang (P123030) which has not been formally reserved for cemetery purposes. The Kerang Cemetery parcel of land also incorporates road reserve. Both allotment 13J and the southern section of road reserve contain burial plots.

In order for DELWP to proceed and reserve the land for cemetery purposes Council, under Schedule 10 of the *Local Government Act 1989* is required to discontinue the road that is contained within the boundary of the cemetery.

POLICY CONTEXT

Council Plan 2017 – 2021 – Our Community is consulted on issues that will affect them.

DISCUSSION

Council has been contacted by both the Kerang Cemetery Trust and DELWP in regards to formally reserving land on which the Kerang Cemetery is located. DELWP is responsible for reserving the land but Council is responsible for discontinuing the road bordering the cemetery in order for the land to be formally reserved. To enable this process, Council, under Section 206, schedule 10 and

section 223 of the *Local Government Act 1989* is required to publicly exhibit the intention to discontinue the road through a public notice in the Gannawarra Times and the Government Gazette for a period of not less than 28 days to allow members of the community to comment.

CONSULTATION

All relevant Council staff and representatives from the Kerang Cemetery Trust and DELWP were consulted on this matter. Advice from the Public Land Consultancy was also sought.

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

To enable DELWP to proceed and formally reserve Crown Land Allotment 13J of Section B, Parish of Kerang (P123030), which forms part of the Kerang Cemetery Council is required to publicly exhibit the intention to discontinue the public road bordering the cemetery, part of which already contains plots.



Department of Environment, Land, Water & Planning

Our Ref: 0607569

Date: 05/09/2017

7 Taylor Street, Epsom
Box 3100
BENDIGO DELIVERY CENTRE,
Victoria 3554
Telephone: (03) 5430 4444
Facsimile: (03) 5448 4982
www.delwp.vic.gov.au

Mr Geoff Rollinson
Director Infrastructure and Development
Gannawarra Shire Council
PO BOX 287
KERANG VIC 3579

Dear Mr Rollinson

RE- Kerang Cemetery extension – request for road closure

The Kerang Cemetery Trust has contacted the Department of Environment, Land, Water and Planning with the objective of expanding the Kerang Cemetery Reserve. At present, the Kerang Cemetery occupies Crown land allotment 13H of section B, Parish of Kerang (P123029) which is reserved for cemetery purposes. The cemetery has expanded onto adjoining Crown land allotment 13J of section B, Parish of Kerang (P123030), which is set apart for cemetery purposes but is not formally reserved. The cemetery has also expanded on to part of a government road (refer to attached aerial imagery).

The Kerang Cemetery Trust has requested that the two roads highlighted on the attached plan and allotment 13J of section B be formally reserved for cemetery purposes to be managed by the Trust.

Scott Strachan from the Kerang Cemetery Trust has been in correspondence with Leigh Hollingworth, a member of your team, and we understand that you are already aware of this case through these communications.

DELWP has sought confirmation from the Department of Health and Human Services to confirm that, should council be prepared to formally close the roads, they do not object to the Trust being the land manager.

If the Gannawarra Shire Council is supportive of the proposal by the Kerang Cemetery Trust to have the government roads closed in order for them to be reserved for cemetery purposes, please commence the road closure process and advise me when this has occurred so that the reservation process can proceed.

Should you have any queries regarding this matter please contact me on (03) 5430 4705 or email sarah.o'bree@delwp.vic.gov.au.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002

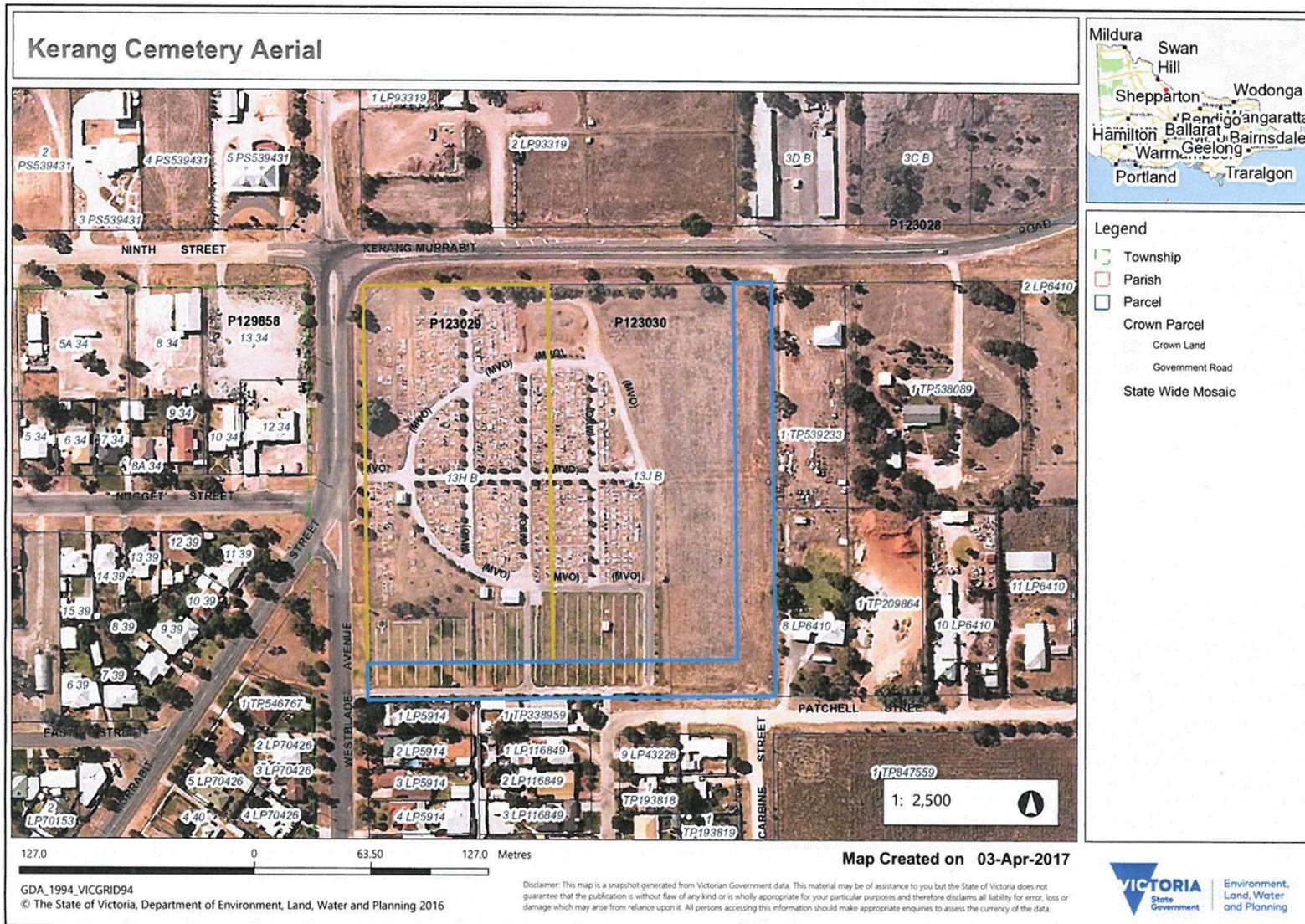


Yours sincerely


Sarah O'Bree
Senior Property Officer
Department of Environment, Land, Water and Planning
Loddon Mallee Region

CC: Stephen Minicz, Department of Health and Human Services





8.4 AUDIT COMMITTEE - MEMBERSHIP RE-APPOINTMENT

Author: Lisa Clue, Acting Director Corporate Services
Authoriser: Lisa Clue, Acting Director Corporate Services
Attachments: Nil

RECOMMENDATION

That Council reappoint Deanne Van der Drift to the position of Independent Member of Gannawarra Shire Council's Audit Committee with her term expiring on 20 December 2020.

EXECUTIVE SUMMARY

Independent Audit Committee member Deanne Van der Drift's term on the Audit Committee expires on 20 December 2017. Deanne has sought reappointment for a further three year term in accordance with the current Audit Committee Charter.

BACKGROUND

Council's Audit Committee is a formally appointed independent advisory committee of Council, established in April 2000 to assist Council in the effective conduct of responsibilities for financial reporting, management of risk and maintaining a reliable system of internal controls. Membership of the Audit Committee comprises five members; three external Independent Members and two Councillors.

Current Independent Members are Deanne Van der Drift, John Campbell and Alan Darbyshire and Councillor representatives are Cr Brian Gibson and Cr Charlie Gillingham.

Independent member Deanne Van der Drift's term on the Audit Committee expires on 20 December 2017. Deanne has sought reappointment for a further three year term in accordance with the current Audit Committee Charter.

POLICY CONTEXT

Section 139 of the *Local Government Act 1989* requires that Council must establish an Audit Committee. The Audit Committee operates in accordance with the Audit Committee Charter which has been adopted by Council.

DISCUSSION

At its meeting on 21 November 2017, the Audit Committee supported Deanne Van der Drift's application for reappointment, noting her skills, experience and interest in the Committee.

In accordance with the Audit Committee Charter, the evaluation of candidates for Independent Member positions is undertaken by the CEO and the Mayor, with their recommendation for appointment being referred to Council.

CONSULTATION

Deanne Van der Drift's application for reappointment as Independent Member has been considered by the Audit Committee and an evaluation undertaken by the CEO and the Mayor.

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

Following consideration by the Audit Committee and evaluation of her application for reappointment as Independent Member, the CEO and Mayor recommend Council reappoint Deanne Van der Drift to the position of Independent Member of its Audit Committee with her term expiring on 20 December 2020.

8.5 AUDIT COMMITTEE - 21 NOVEMBER 2017 MEEETING

Author: Lisa Clue, Acting Director Corporate Services

Authoriser: Lisa Clue, Acting Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council note the recommendations and outcomes of the Audit Committee meeting held on Tuesday 21 November 2017.

EXECUTIVE SUMMARY

The Gannawarra Shire Council Audit Committee Charter requires the Director Corporate Services to provide a report of each meeting to the next ordinary meeting of Council, including an explanation of any specific recommendations and key outcomes.

This report relates to the Audit Committee meeting held on Tuesday, 21 November 2017.

BACKGROUND

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

This report relates to the Audit Committee meeting held on Tuesday, 21 November 2017:

Attendees:

- Deanne Van der Drift - Independent Member - Chair
- John Campbell - Independent Member
- Alan Darbyshire - Independent Member
- Cr Brian Gibson - Councillor Representative
- Cr Charlie Gillingham - Councillor Representative
- Brad Ead, Internal Auditor, AFS and Associates
- Tom O'Reilly - Acting Chief Executive Officer
- Lisa Clue - Acting Director Corporate Services
- Sid Hutchinson - Manager Finance
- Trish Carse - Administration Officer

Apologies: Eric Braslis – Chief Executive Officer, Ryan Schischka - VAGO Audit Service provider, Johnsons, MME.

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 Audit Committee at the 21 November 2017 meeting:

Report	Discussion	Recommendation/Outcome
Appointment of new VAGO Audit Service Provider	The Victorian Auditor-General’s Office (VAGO) recently advised of the appointment of a new VAGO Audit Service Provider to undertake the external financial report audit of the Gannawarra Shire. VAGO is authorised by the <i>Audit Act 1994</i> to appoint an audit service provider to assist with the conduct of their audits.	The Audit Committee noted the information.
Audit Committee Member Changes	Deanne Van der Drift sought reappointment for a further 3 year term. It was proposed that a motion recommending the reappointment of Deanne Van der Drift be put to the December Ordinary Council Meeting for Council’s consideration. The Audit Committee was also advised that, at the November Ordinary Council Meeting, Council resolved that the two Council Audit Committee Representatives for 2017/18 are Mayor, Cr Brian Gibson and Cr Charlie Gillingham.	The Audit Committee noted the information provided.
Risk Management Reports	Council’s current Risk Management Framework requires quarterly reporting to the Audit Committee.	The Audit Committee received and noted the risk management reports.
Financial Report quarter ending 30 September 2017	The quarterly Financial Report for the period ending 30 September 2017 as presented to the November Ordinary Council Meeting was presented for review.	The Audit Committee received the report outlining the 2017/2018 quarterly budget review as at 30 September 2017.

<p>Human Resource Management Review</p>	<p>The Council’s appointed internal auditors, AFS & Associates recently completed a review of Human Resources Management.</p> <p>The objective of the audit was to assess the adequacy of Council’s Human Resource Risk Management framework in managing HR risk. Overall the report reflected that no risks of a major nature were identified.</p>	<p>1. The Audit Committee received and noted the HRM report.</p>
<p>Review Three (3) Year Internal Audit Program</p>	<p>The appointed internal auditors, AFS & Associates, provided an updated three year Internal Audit Program for Gannawarra Shire Council, which included the current status of topics and scopes for approaching topics.</p>	<p>The Audit Committee reviewed the three year Internal Audit Program and confirmed the priority, scope and timing of future reviews to be undertaken.</p>
<p>Past Issues – Follow Up Review</p>	<p>Council’s appointed internal auditors, AFS & Associates recently reviewed and confirmed the actions taken by Council to address recommendations stemming from past internal audit reports.</p>	<p>The Audit Committee acknowledged:</p> <ol style="list-style-type: none"> 1. the receipt of the Internal Auditor’s report 2017-04 Past Issues Review dated 8 November 2017. 2. the presentation by Brad Ead of AFS & Associates outlining the key findings and recommendations of the review.
<p>Outstanding Audit Items Database – November 2017</p>	<p>Recommendations provided to the Audit committee which arise from both internal audit reviews and similarly external audit management letters are recorded on the Audit Committee Recommendations – Outstanding Items spreadsheet for monitoring. The spreadsheet provides an update on the status of implementing the recommendations which are only to be removed upon resolution of the Audit Committee.</p>	<p>The Audit Committee:</p> <ol style="list-style-type: none"> 1. acknowledged that the Audit Committee Recommendations – Outstanding Items spreadsheet has been reviewed. 2. determined two items have been satisfactorily addressed and may be removed from the spreadsheet. 3. determined an agreed action plan to address and resource the emerging backlog of overdue items.

<p>Reappointment of Internal Auditors</p>	<p>Given AFS & Associates timely, efficient, professional and affordable delivery of services to date, it was recommended that a formal appointment be made for the provision of internal audit services for the next 3 years, in line with the Audit Committee’s adopted 2017-2020 Internal Audit Plan.</p>	<p>The Audit Committee endorsed entering into a procurement contract with AFS & Associates for the provision of internal audit services.</p>
<p>Audit Committee Charter</p>	<p>The Audit Committee discussed a review of the Charter.</p>	<p>A draft reviewed Audit Committee Charter is being formatted and distributed to members prior to, and for discussion at the March 2018 Audit Committee meeting.</p>

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 21 November 2017 Audit Committee meeting are presented for the information and noting of Council.

8.6 COUNCILLOR ALLOWANCES - ENDORSEMENT OF NEW RATES

Author: Lisa Clue, Acting Director Corporate Services

Authoriser: Lisa Clue, Acting Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council acknowledge the 2.0% Mayoral and Councillor allowance adjustment factor from 1 December 2017.

EXECUTIVE SUMMARY

The Minister for Local Government, the Hon Marlene Kairouz MP has reviewed Mayoral and Councillor allowances in accordance with section 73B(2) of the *Local Government Act 1989* (the Act) and determined that these allowances be increased by an adjustment factor of 2.0% from 1 December 2017. Councils must therefore increase their current Mayoral and Councillor allowances by 2.0% from 1 December 2017, under section 73B(5) of the Act.

BACKGROUND

In recognition of their roles and functions, Mayors and Councillors are entitled to receive an allowance. The Victorian Government sets upper and lower limits for all allowances paid to Mayors and Councillors. For the purpose of these allowance limits, councils are divided into three categories based on the income and population of each council. Gannawarra Shire Council is classified as a Category 1 Council.

Section 74(1) of the Act requires councils to review and determine the level of Mayoral and Councillor allowances within six months after a general election or by the next 30 June, whichever is later. The allowance level determined remains in effect until the time of the next election.

At its November 2016 Ordinary Meeting, Council resolved to fix the councillor allowance at \$19,350 per annum and an amount equivalent to the superannuation guarantee of 9.5 per cent of the relevant allowance; and the mayoral allowance at \$57,812 per annum and an amount equivalent to the superannuation guarantee of 9.5 per cent of the relevant allowance.

Under section 73B of the Act, mayoral and councillor allowance rates must be reviewed annually by the Minister for Local Government, having regard to movements in the levels of remuneration of executives within the meaning of the *Public Administration Act 2004*.

POLICY CONTEXT

Local Government Act 1989

DISCUSSION

The Minister for Local Government, the Hon Marlene Kairouz MP has reviewed Mayoral and Councillor allowances in accordance with section 73B(2) of the Act and determined that these allowances be increased by an adjustment factor of 2.0% from 1 December 2017. Councils must

therefore increase their current Mayoral and Councillor allowances by 2.0% from 1 December 2017, under section 73B(5) of the Act.

This adjustment, including the adjustment ranges and limits for each of the three council categories, was published by notice in the Victorian Government Gazette on 23 November 2017.

CONSULTATION

As this is an annual adjustment, public consultation is not required.

CONFLICT OF INTEREST

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

CONCLUSION

In accordance with section 73B(5) of the Act, the 2.0% increase will be applied to the Mayor and Councillor allowances from 1 December 2017.

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS**11 NOTICES OF MOTION**

Nil

12 DELEGATES REPORTS**12.1 DELEGATES REPORT - 16 NOVEMBER TO 20 DECEMBER, 2017****Author: Allison Peace, Administration Assistant - Chief Executive Office****Authoriser: Tom O'Reilly, Acting CEO****Attachments: Nil****EXECUTIVE SUMMARY**

Delegate Reports from 16 November to 20 December, 2017

Cr Brian Gibson

17 Nov	Golden Shoe Trophy Presentation – Kerang South Primary School Golden Shoe Trophy Presentation – St Joseph’s Primary Kerang LMCLP Graduation - Epsom
21 Nov	Audit Committee Meeting Official Opening of St Vincent de Paul – Kerang Combined Progress Association meeting – Kerang
22 Nov	GMW Stakeholder Breakfast meeting – Shepparton
23 Nov	MAV Transport and Infrastructure Committee – Melbourne
24 Nov	Official Starter Day 5 – Massive Murray Paddle
29 Nov	Gannawarra Goes Orange – Cohuna
02 Dec	Rockfest – Swan Hill
05 Dec	International Day of People with Disability – Kerang
06 Dec	MRGC Dinner – Echuca
07 Dec	MRGC Meeting - Echuca Captain Roby Lewis Manuel – Plaque Unveiling – Kerang
14 Dec	NCCMA Steering Committee – Bendigo
15 Dec	Warra Youth Arts Festival – Exhibition Opening
18 Dec	Cohuna & District Progress Association meeting

Cr Mark Arians

21 Nov	Combined Progress Association meeting – Kerang
22 Nov	Kerang Progress Association meeting
25 Nov	Toy Run
07 Dec	Captain Roby Lewis Manuel – Plaque Unveiling – Kerang

Cr Charlie Gillingham

21 Nov	Audit Committee Meeting
22 Nov	NDCH – AGM
14 Dec	NCCMA Floodplain Management Committee meeting - Huntly

Cr Lorraine Learmonth

16 Nov	MAV Arts and Culture Committee meeting - Melbourne
17 Nov	LMCLP Graduation – Epsom
21 Nov	Combined Progress Association meeting – Kerang
22 Nov	NDCH AGM
23 Nov	Art Salon - Quambatook
27 Nov	LWMRRG Forum - Ouyen
28 Nov	Golden Shoe Trophy Presentation – St Mary’s School – Cohuna
29 Nov	Gannawarra Goes Orange – Cohuna
04 Dec	Kow Swamp LOWMP meeting – Campaspe Shire CCLLEN AGM and Board meeting - Echuca
05 Dec	International Day of People with Disability – Kerang
06 Dec	Leitchville Progress Association meeting
08 Dec	LMWRRG meeting – Bendigo
12 Dec	Elders Meeting – Kerang
14 Dec	Gannawarra Shire Volunteer dinner - Barham
15 Dec	Warra Youth Arts Festival- Exhibition Opening
18 Dec	Cohuna & District Progress Association meeting

Cr Steve Tasker

22 Nov	Murrabit Recreation Meeting
05 Dec	International Day of People with Disability - Kerang

Cr Sonia Wright

16 Nov	CVGA AGM and Board meeting – Bendigo
18 Nov	Entrepreneurship meeting webinar
20 Nov	Golden Shoe Trophy Presentation – Cohuna Consolidated School
21 Nov	Combined Progress Association meeting – Kerang
22 Nov	NDCH AGM – Kerang
29 Nov	Gannawarra Goes Orange – Cohuna
05 Dec	International Day of People with Disability – Kerang
06 Dec	Leitchville Progress Association meeting
18 Dec	Cohuna & District Progress Association meeting

This table represents attendances by two or more Councillors at the following Council functions:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
CEO Recruitment meeting (20 November)	✓	✓	✓	✓	✓	✓	✓
Council Strategic Briefing (27 November)	✓	✓	✓	✓	✓	✓	✓
CEO Recruitment Interviews (1 December)	✓	✓	✓	✓	✓	✓	✓
Council Briefing (11 December)	✓	✓	✓	✓	✓	✓	✓
Ordinary Council Meeting (20 December)	✓	✓	✓	✓	✓	✓	A

LoA = Leave of Absence

A = Apology

13 INTRODUCTION OF MAYORAL REGALIA

13 CONFIDENTIAL ITEMS

RECOMMENDATION

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

14.1 Appointment of Chief Executive Officer

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 Awarding of 2018 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.