



GANNAWARRA

Shire Council

Wednesday, 15 March 2017

7:00pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

Order Of Business

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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

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That Council adopts the minutes from the Ordinary Meeting - 15 February 2017 and the Special Meeting - 15 February 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 FEBRUARY 16 TO MARCH 15

Author: Eric Braslis, CEO

Authoriser: Eric Braslis, CEO

Attachments:

- 1 Assembly of Councillors Record Form - 20 February 2017**
- 2 Assembly of Councillors Record Form - 27 February 2017**
- 3 Assembly of Councillors Record Form - 07 March 2017**

RECOMMENDATION

That Council notes the records of Assembly of Councillors from Thursday 16 February, 2017 to Wednesday 15 March, 2017.

EXECUTIVE SUMMARY

To present to Council the Assembly of Councillors Record Forms – Monday 20 February 2017, Monday 27 February 2017 and Tuesday 7 March 2017.

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.



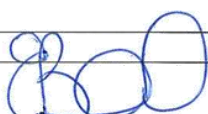
Assembly of Councillors Record Form

| | |
|---|--|
| Date: | Monday, 20 February 2017 |
| Time: | 8:30am - 5:00pm |
| Location: | Club Barham, Barham NSW |
| In Attendance: (Councillors) | Cr Brian Gibson, Cr Sonia Wright, Cr Charlie Gillingham, Cr Mark Arians, Cr Jodie Basile, Cr Lorraine Learmonth and Cr Steve Tasker |
| Apologies | |
| In Attendance: (Officers) | Eric Braslis, Tom O'Reilly, Mandy Hutchinson, Geoff Rollinson, Katrina Thorne, Narelle O'Donoghue, Alissa Harrower, Kate Callow and Chris Kotur (external facilitator) |
| Matters Discussed: | Council Plan 2017/2021 |
| 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).



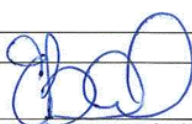
Assembly of Councillors Record Form

| | |
|---|---|
| Date: | Monday, 27 February 2017 |
| Time: | 5:30pm - 7:00pm |
| Location: | Council Chambers, Kerang |
| In Attendance: (Councillors) | Cr Brian Gibson, Cr Sonia Wright, Cr Charlie Gillingham, Cr Mark Arians, Cr Jodie Basile, Cr Lorraine Learmonth and Cr Steve Tasker |
| Apologies | |
| In Attendance: (Officers) | Eric Braslis, Tom O'Reilly, Mandy Hutchinson, Geoff Rollinson, Sid Hutchinson |
| Matters Discussed: | Draft 2017/18 Rating Strategy Draft 2017/18 Fees and Charges Draft 2017/18 Cap X Draft 2017/18 Budget |
| 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).



Assembly of Councillors Record Form

| | |
|---|--|
| Date: | Tuesday, 07 March 2017 |
| Time: | 1:00pm - 5:30pm |
| Location: | Council Chambers, Kerang |
| In Attendance: (Councillors) | Cr Brian Gibson, Cr Sonia Wright, Cr Charlie Gillingham, Cr Mark Ariens, Cr Jodie Basile, Cr Lorraine Learmonth and Cr Steve Tasker |
| Apologies | |
| In Attendance: (Officers) | Eric Braslis, Tom O'Reilly, Mandy Hutchinson, Geoff Rollinson, Jo Haw, Alissa Harrower, Katrina Thorne, Sid Hutchinson |
| Matters Discussed: | Policy No. 100 – Fraud and Corruption Policy No. 107 - Protected Disclosure Policy No. 102 - Community Grants Policy No. 37 – Recreation Reserves – Assistance and Grants Heavy Plant Replacement – Tender VP66385 Asset disposal – 152 Sleepy Lane, Kerang Road Management Plan review Council Plan 2017-2021 – Progress Update Council Plan 2013-2017 Progress Report GSC Style Guide Update Aerodrome Hangar Rental Review Asset Disposal – Various Council Properties Transfer Station Update Council Grants Update – March Cohuna Nature Cruises Audit Committee Member Update 2017/18 Cap X – Final Draft 2017/18 Fees and Charges – Final Draft 2017/18 Rating Strategy Options Update – Final Draft Issuing of Permits to Burn Mark Francis – Murray Regional Tourism Presentation |
| Conflict of Interest Disclosures (Councillors) | Nil |
| Conflict of Interest Disclosures (Officers) | Nil |
| Completed By: | Eric Braslis – Chief Executive Officer  |

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

8 BUSINESS REPORTS FOR DECISION

8.1 ASSET DISPOSAL - 152 SLEEPY LANE, KERANG

Author: Jo Haw, Manager Strategic Assets

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments: 1 Aerial view - 152 Sleepy Lane, Kerang
2 Plan of Subdivision - 152 Sleepy Lane, Kerang

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer ("the CEO") to obtain a valuation for the site described as Lot 1 on PS747952A Parish of Kerang from a qualified Valuer in accordance with Sec. 130A(2) of the Valuation of Land Act 1960 to report on the value of the property.
2. Commence the statutory procedures to sell the land by public auction in accordance with Sec.189 of the *Local Government Act 1989*.
3. Give public notice under Sec.223 of the *Local Government Act 1989* ("the statutory advertising") of the proposed sale of the property in the appropriate newspapers and on Council's website.
4. Authorise the CEO to enter into a Contract of Sale, on terms satisfactory to the CEO ("the Contract of Sale"). The Contract of Sale will include, but not be limited to all existing services, covenants, easements and encumbrances (if any) located on the property being adequately protected and remaining in place should no submissions be received.

EXECUTIVE SUMMARY

There is an opportunity for the Council owned property, described as Lot 1 on PS747952A Parish of Kerang which, in accordance with Sec. 189 of the *Local Government Act 1989*, is no longer required by Council for the purpose for which it was acquired, to be offered for sale.

BACKGROUND

In 2015 Council opportunistically purchased the property, of which this parcel formed part, to ensure that, should the Kerang aerodrome runway require extension in the future, Council could do so without having to acquire land at that time.

The portion of land required for the runway extension has been subdivided and incorporated into the broader Kerang aerodrome precinct. This property, which includes a three bedroom dwelling and 20 hectares of land not required for the runway extension, has been excised off and is now on a separate title to enable the sale, independent of the Kerang aerodrome.

POLICY CONTEXT

Council Plan 2013-2017 - Sustainable Environments: Adopt appropriate planning mechanisms to support sustainable land use and development; Effective Leadership and Management: Council maximises its financial capability whilst paying close attention to risk factors and statutory requirements.

DISCUSSION

The property being offered for sale is twenty hectares in area and includes a three bedroom dwelling and outbuildings. The property has a water entitlement of five megalitres which will be sold with the property.

The property being offered for sale is surplus to the aerodrome extension requirements and provides Council with an opportunity to realise a financial benefit by selling the property to offset the initial purchase of the larger property.

Council must advertise its intention to sell the property and be open to receive submissions under Sec. 223 of the *Local Government Act 1989* for a period of 28 days. For Council to maximise the potential financial return, it could consider engaging a real estate agent to conduct the selling process.

The land is zoned "Farming Zone" (FZ) and it would be the responsibility of the purchaser to arrange re-zoning of the property if required to reflect the intended use after purchase.

CONSULTATION

There has been consultation within and between Council officers and further consultation will take place as a consequence of the Sec. 223 Public Notice if required.

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 property was purchased by Council as part of a larger parcel of land for the purpose of provision for Kerang aerodrome runway extensions in the future. The subject property has subsequently been subdivided with the intention of selling as it is unlikely that this property will be required by Council for any other purpose and the sale of the property would provide a financial benefit from the proposed disposal that would offset the initial purchase.

152 Sleepy Lane, Kerang




Map



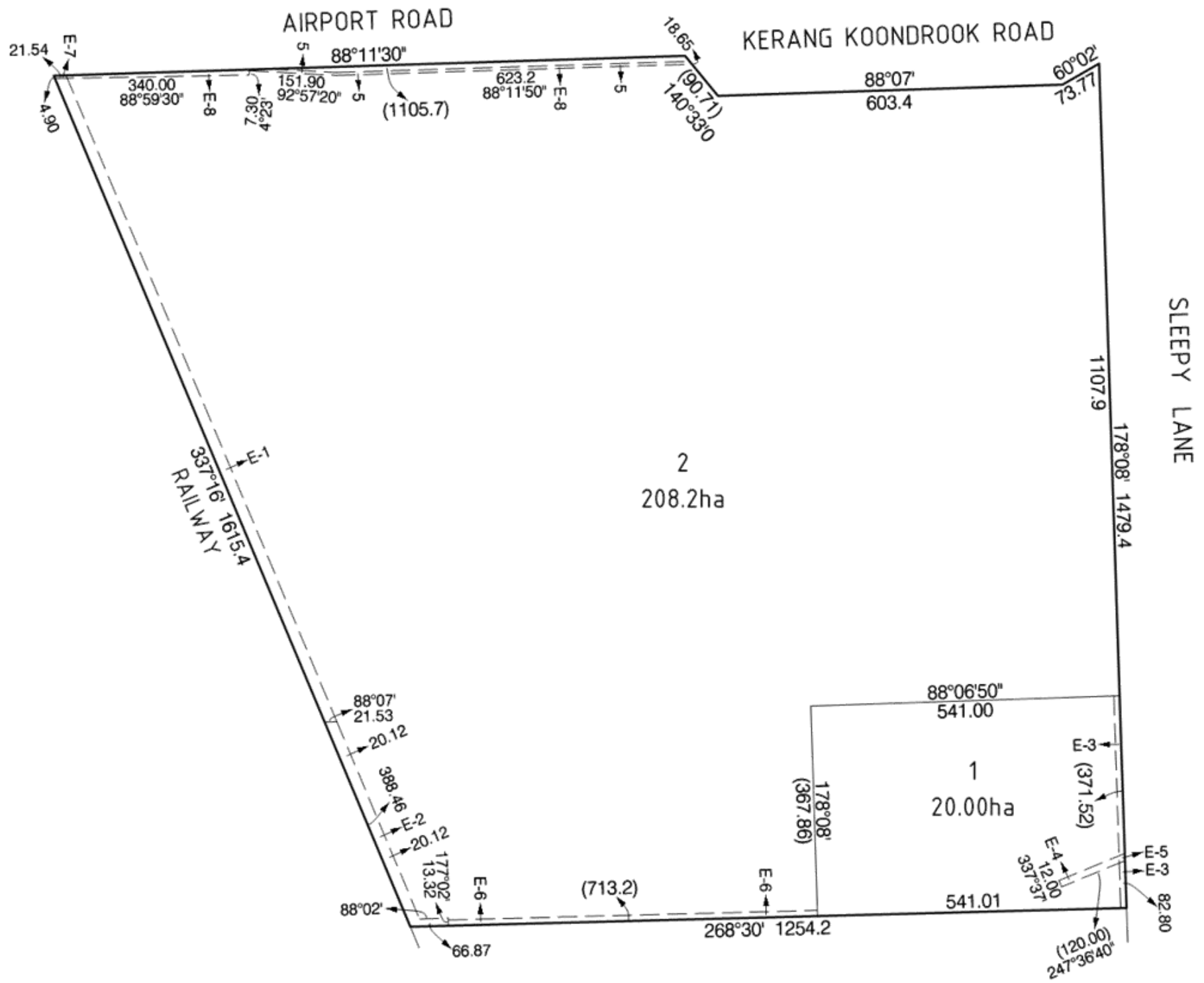
Map Zoom: 2.312 km

| 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 Monday, 27 June 2016

| | | | | |
|---|--------------------------------|--|--|--|
| PLAN OF SUBDIVISION | | EDITION 1 | PS 747952A | |
| LOCATION OF LAND PARISH: KERANG TOWNSHIP: SECTION: C CROWN ALLOTMENT: 23, 24 (PART), 25 (PART) CROWN PORTION: TITLE REFERENCE: VOL 8676 FOL 808 VOL 7435 FOL 949 LAST PLAN REFERENCE: TP 636245J, TP535919S POSTAL ADDRESS: 152 SLEEPY LANE (At time of subdivision) KERANG VIC 3579 MGA94 Co-ordinates (of approx. centre of land in plan) E 224083 Zone: 55 N 6038526 GDA94 | | Council Name: Gannawarra Shire Council Council Reference Number: P16.049 Planning Permit Reference: P16.049 SPEAR Reference Number: S088795B Certification This plan is certified under section 6 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 Has not been made at Certification Digitally signed by: David Pietsch for Gannawarra Shire Council on 13/10/2016 | | |
| VESTING OF ROADS AND/OR RESERVES | | NOTATIONS | | |
| IDENTIFIER | COUNCIL/BODY/PERSON | LOT 1 IS THE RESULT OF THIS SURVEY AREA OF LOT 2 HAS BEEN OBTAINED BY DEDUCTION FROM TITLE | | |
| NIL | NIL | | | |
| NOTATIONS | | | | |
| DEPTH LIMITATION | DOES NOT APPLY | | | |
| SURVEY: This plan is based on survey To be completed where applicable. This survey has been connected to permanent marks no(s) 8, 42, 106 In Proclaimed Survey Area No. | | | | |
| STAGING: This is not a staged subdivision. Planning Permit No. P16.049 | | | | |
| EASEMENT INFORMATION | | | | |
| LEGEND: A-Appurtenant Easement E-Encumbering Easement R-Encumbering Easement (Road) | | | | |
| Easement Reference | Purpose | Width (Metres) | Origin | Land Benefited/In Favour Of |
| E-1, E-7 | WATER SUPPLY AND DRAINAGE | 20.12 | INSTRUMENT No. 687488 | STATE RIVERS AND WATER SUPPLY COMMISSION |
| E-2 | WATER SUPPLY | SEE DIAG | LP77293 | LOTS IN LP77293 |
| E-3, E-5 | WATER SUPPLY | 10.06 | LP77293 | LOTS IN LP77293 |
| E-4, E-5 | POWER LINE (OVERHEAD) | 12 | THIS PLAN SECTION 88 ELECTRICITY INDUSTRY ACT 2000 | POWERCOR AUSTRALIA LTD |
| E-6 | WATER SUPPLY | 10 | THIS PLAN | LOT 1 ON THIS PLAN |
| E-7, E-8 | PIPELINE OR ANCILLARY PURPOSES | SEE DIAG. | THIS PLAN SECTION 136 WATER ACT 1989 | LOWER MURRAY URBAN AND RURAL WATER CORPORATION |
|  M: PO BOX 1172 SWAN HILL 3585 P: (03) 5032 3685 E: pmash@pricemerrett.com.au F: (03) 5032 2472 | | SURVEYORS FILE REF: F9072 | | ORIGINAL SHEET SIZE: A3 |
| | | Digitally signed by: Andrew Robert Merrett (Price Merrett Consulting Pty Ltd), Surveyor's Plan Version (3), 20/09/2016 | | SHEET 1 OF 2 |

PS 747952A



price merrett
CONSULTING

M: PO BOX 1172 SWAN HILL 3585 P: (03) 5032 3685
E: pmash@pricemerrett.com.au F: (03) 5032 2472

SCALE 1:8000

80 0 80 160 240 320
LENGTHS ARE IN METRES

Digitally signed by: Andrew Robert Merrett (Price Merrett Consulting Pty Ltd),
Surveyor's Plan Version (3),
20/09/2016

ORIGINAL SHEET SIZE: A3

SHEET 2

Digitally signed by:
Gannawarra Shire Council,
13/10/2016,
SPEAR Ref: S088795B

8.2 ASSET DISPOSAL - 34-40 SCORESBY STREET, KERANG

| | |
|---------------------|---|
| Author: | Jo Haw, Manager Strategic Assets |
| Authoriser: | Tom O'Reilly, Director Corporate Services |
| Attachments: | 1 Title Plan 2 - 34-40 Scoresby Street, Kerang |
| | 2 Title Plan 1 - 34-40 Scoresby Street, Kerang |
| | 3 Aerial View - 34-40 Scoresby Street, Kerang |
| | 4 Street View - 34-40 Scoresby Street, Kerang |

RECOMMENDATION**That Council:**

- 1. Authorise the Chief Executive Officer (“the CEO”) to obtain a valuation for the site described as Lot 1 on TP402591U (Volume 06986 Folio 150) and Lot 1 on TP395670G (Volume 05058 Folio 419) from a qualified Valuer as specified under Section 13DA(2) of the Valuation of Land Act 1960 to report on the value of the land.**
- 2. Commence the statutory procedures to sell the land in accordance with Sec. 189 of the Local Government Act 1989.**
- 3. Give public notice under Sec. 82A and Sec. 223 of the *Local Government Act 1989* (“the statutory advertising”) of the proposed sale of the property in the appropriate newspapers and on Council’s website.**
- 4. Authorise the CEO to enter into a Contract of Sale, on terms satisfactory to the CEO (“the Contract of Sale”). The Contract of Sale will include, but not be limited to all existing services, covenants, easements and encumbrances (if any) located on the property being adequately protected and remaining in place.**

EXECUTIVE SUMMARY

The Council owned vacant land at 34-40 Scoresby Street, Kerang known as the old Maternal and Child Health centre site and described as Lot 1 on TP402591U (Volume 06986 Folio 150) and Lot 1 on TP395670G (Volume 05058 Folio 419) has remained unused since the removal of the buildings in October 2010. The property is surplus to Council’s requirements and is no longer required for the purpose for which it was acquired.

The land is zoned as “Commercial 1” under the Gannawarra Shire Planning Scheme and would not require rezoning for the purpose of the sale of the land.

The process to offer the property for sale, in accordance with Sec. 189 and Sec. 223 of the *Local Government Act 1989*, is that Council is required to publicly advertise its intention to sell the land, thereby inviting submissions or objections in relation to the sale. Should no submissions be received, Council can then advertise the property for sale by private treaty, expression of interest or via a tender process.

BACKGROUND

The property has been in Council ownership for a very long time and forms part of a portfolio of assets that have been identified as being surplus to requirements. An opportunity exists for Council to sell the property and realise a financial benefit for the community in the short term, and provide an opportunity for a business operator to establish a business on the site that would create an increase in rate revenue for Council, provide employment to service the business and assist in the activation of the CBD precinct.

POLICY CONTEXT

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

Council Plan 2013-2017: Assets and Infrastructure - Rationalise and dispose of inefficient and/or unnecessary assets.

DISCUSSION

The property has remained unoccupied since 2010 and is surplus to Council requirements. The sale of, and the subsequent development of the property would add value to the Scoresby Street precinct and potentially provide an opportunity for increased rate revenue for Council and potentially increase employment opportunities when a business is established on the site.

CONSULTATION

There has been consultation within and between Council officers and Councillors.

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

In order to commence a process to sell the land at 34-40 Scoresby Street Kerang and described as Lot 1 on TP402591U (Volume 06986 Folio 150) and Lot 1 on TP395670G (Volume 05058 Folio 419) Council must give public notice of its intention to sell the land, consider any submissions or objections relating to the proposed sale and obtain a valuation for the land prior to selling the property.



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| TITLE PLAN | EDITION 1 | TP 402591U | | | | | | |
|--|---|--|-----------------------------|--|---|--|-----------------------|--|
| Location of Land Parish: KERANG Township: KERANG Section: 2 Crown Allotment: 10 (PT) Crown Portion: Last Plan Reference: Derived From: VOL 6986 FOL 150 Depth Limitation: NIL | | Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN | | | | | | |
| Description of Land / Easement Information ENCUMBRANCES REFERRED TO. As to the land coloured blue --- <u>ANY EASEMENTS</u> affecting the same --- As to the land coloured green --- <u>THE DRAINAGE EASEMENT</u> created by Instrument of Transfer No.1104693 in the Register Book ----- | | THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 14/04/2000 VERIFIED: AC | | | | | | |
| | | | | | | | | |
| <table border="1" style="width: 100%;"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2">PARCEL 1 = CA 10 (PT)</td> </tr> </table> | | | TABLE OF PARCEL IDENTIFIERS | | WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | | PARCEL 1 = CA 10 (PT) | |
| TABLE OF PARCEL IDENTIFIERS | | | | | | | | |
| WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | | | | | | | | |
| PARCEL 1 = CA 10 (PT) | | | | | | | | |
| LENGTHS ARE IN FEET & INCHES | Metres = 0.3048 x Feet Metres = 0.201168 x Links | Sheet 1 of 1 sheets | | | | | | |



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| | | |
|--|---|--|
| TITLE PLAN | EDITION 1 | TP 395670G |
| Location of Land Parish: KERANG Township: KERANG Section: 2 Crown Allotment: 10(PT) Crown Portion: Last Plan Reference: Derived From: VOL 5058 FOL 419 Depth Limitation: NIL | | Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN |
| Description of Land / Easement Information <p style="text-align: center;"><i>All that piece of Land, delineated and coloured red on the map in the margin being part of Crown Allotment Ten Section Two Township and Parish of Kerang County of Gunbower Together with a right of carriage way over the road colored brown on the said map - - - - -</i></p> | | THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 11/04/2000 VERIFIED: CP |
| | | COLOUR CODE R=RED BR=BROWN |
| TABLE OF PARCEL IDENTIFIERS WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 PARCEL 1 = CA 10(PT) | | |
| LENGTHS ARE IN FEET & INCHES | Metres = 0.3048 x Feet Metres = 0.201168 x Links | Sheet 1 of 1 sheets |





8.3 COUNCIL POLICIES - REVIEW

Author: Alissa Harrower, Governance and Compliance Coordinator

Authoriser: Tom O'Reilly, Director Corporate Services

Attachments:

- 1 Policy No. 100 - Fraud and Corruption (under separate cover)
- 2 Policy No. 107 - Protected Disclosure (under separate cover)
- 3 Policy No. 107 - Protected Disclosure Procedure (under separate cover)
- 4 Policy No. 102 - Community Grants (under separate cover)
- 5 Policy No. 37 - Sport and Recreation Assistance and Grants (under separate cover)

RECOMMENDATION

That Council endorse the following reviewed policies:

- (a) Policy No. 100 – Fraud and Corruption
- (b) Policy No. 107 – Protected Disclosure and Protected Disclosure Procedure
- (c) Policy No. 102 – Community Grants
- (d) Policy No. 37 – Recreational Reserves – Assistance and Grants

EXECUTIVE SUMMARY

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

- Policy No. 100 – Fraud and Corruption
- Policy No. 107 – Protected Disclosure
- Policy No. 102 – Community Grants
- Policy No. 37 – Recreational Reserves – Assistance and Grants

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.

POLICY CONTEXT

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

Independent Broad-based Anti-corruption Commission Act 2011.

DISCUSSION

| Policy No | Policy Name | Comments |
|-----------|----------------------|---|
| 100 | Fraud and Corruption | <p>Early in 2016, the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015 was passed. This Bill made a number of important changes to the Independent Broad-based Anti-corruption Commission Act 2011. The changes strengthen Victoria’s accountability and integrity systems and strengthen the ability of the IBAC to detect and investigate allegations of corruption and misconduct in the public sector. One of the changes which came into effect on 1 December 2016 was a new requirement for relevant principal officers of public bodies (Chief Executive Officer) to mandatorily notify IBAC of suspected corrupt conduct under Section 57 of the Independent Broad-based Anti-corruption Commission Act 2011.</p> |
| 107 | Protected Disclosure | <p>Council’s Protected Disclosure Policy, Procedure and the Fraud and Corruption Policy have each had the addition of the following information to reflect the new requirement of the CEO:</p> <p><i>In addition to this, the Chief Executive Officer, will automatically notify the Independent Broad-based Anti-corruption Commission Victoria, of any matter that he or she suspects, on reasonable grounds, involves corrupt conduct (Protected Disclosure and Fraud and Corruption Policies)</i></p> <p><i>Under the Independent Broad-based Anti-corruption Commission Act 2011’s mandatory notification is required by the Chief Executive Officer of any matter that he or she suspects, on reasonable grounds, involves corrupt conduct. Protected Disclosure Procedure – Paragraph 5.1</i></p> <p><i>A mandatory notification of suspected corrupt conduct by the Chief Executive Officer, as required by the Independent Broad-based Anti-corruption Commission Act 2011, may also be deemed a Protected Disclosure”. Protected Disclosure Procedure - Paragraph 6.1</i></p> |
| 102 | Community Grants | <p>The provision of community grants through Council went through a review process a number of years ago and was streamlined to become one program, which was open for applications twice a year. This change is now reflected in the reviewed policy.</p> |

| | | |
|----|---|--|
| 37 | Recreational Reserves – Assistance and Grants | <p>This policy has been reviewed and updated with Department name changes and funding program name changes as relevant to reflect the current environment.</p> <p>Additional information as also been included into this policy to reflect the requirements of the application process for Sporting Clubs in order to apply to Council for support in lodging submissions.</p> |
|----|---|--|

CONSULTATION

Council’s Executive Leadership Team and Management Team have been involved in the review process.

CONFLICT OF INTEREST

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

CONCLUSION

This report has addressed recently reviewed policies for the consideration of Council to ensure compliance with relevant legislation and that they are reflective of current practice.

8.4 ROAD MANAGEMENT PLAN – ENDORSE TO EXHIBIT

Author: Geoff Rollinson, Director Infrastructure Services

Authoriser: Geoff Rollinson, Director Infrastructure Services

Attachments: 1 Draft Road Management Plan (under separate cover)

RECOMMENDATION

That Council:

- 1. Commence the review of the Road Management Plan.**
- 2. Place a notice in the Government Gazette and local newspapers advising of the review of the Road Management Plan.**

EXECUTIVE SUMMARY

Council has a statutory requirement to review its Road Management Plan within six months after each general election or by the next 30 June, whichever is the later.

The purpose of the Road Management Plan is to establish a management system to assist the Council to meet its Road Management Act duties based on its policy and operational objectives and having regard to available resources. The Road Management Plan sets out Council's statutory requirements in relation to inspection repair and maintenance of Council roads and does not set out levels of service required by the road user.

Council offices have undertaken a review of Council's current Road Management Plan and seek Council approval to publicly advise the reviewed and amended document to the public for comment as set out in the *Road Management Act 2004*.

The draft Road Management Plan must be made available for 28 days for submissions to be made and a notice placed in the Government Gazette. Any person who is aggrieved by the proposed amended plan may make a submission to Council within the 28 day period. Council officers will review any submissions and present the draft Road Management Plan to Council for endorsement.

BACKGROUND

As a road authority, Council has a duty of care to road users and the community to maintain all public roads for which it is responsible in a safe condition and to specified maintenance standards having regard to relevant government transport and other policies, and available funds. The original Road Management Plan was adopted by Council on 22 December 2004, reviewed in 2009 and 2013.

The purpose of a Road Management Plan as defined by the *Road Management Act 2004* is:

- 1. To establish a management system for the road management functions of a road authority which is based on policy and operational objectives and available resources; and*
- 2. To set the relevant standards and relation to the discharge of duties in the performance of these road management functions.*

It is important to note that the Road Management Plan sets out Council's statutory requirements in relation to inspection, repair and maintenance of Council roads. These functions and requirements are separate to the desired levels of service and standards of construction specified in the underlying Asset Management Plans.

POLICY CONTEXT

The Road Management Plan specifies that among other requirements, inspections, schedules, maintenance and repair for Council's road infrastructure must maintain the infrastructure at an appropriate standard.

Data collection and analysis continues to improve since the adoption of the original plan in 2004, along with the generation and adoption of a number of other asset management plans.

It is considered appropriate that during the review of the Road Management Plan, other "Asset Management Plans" be considered.

DISCUSSION

The Road Management (General) Regulations 2005 require that a municipal Council must conduct a review of its Road Management Plan within the period referred to in section 125(1)(b) of the Local Government Act 1989, being within 6 months after each general election or by the next 30 June, whichever is the later.

In conducting a review of the road management plan a road authority (Council) must ensure that the standards in relation to, and the priorities to be given to the inspection, maintenance and repair of the roads and classes of roads to which the plan applies, are appropriate.

CONSULTATION

The review of the Road Management Plan will be undertaken in consultation with relevant Council Officers and subject matter experts.

As part of the review process public notices must be published in the Government Gazette and newspapers advising of the review process and provide the opportunity for public comment in accordance with section 223 of the *Local Government Act 1989*.

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

Council has a statutory requirement to review its Road Management Plan within six months after each general election or by the next 30 June, whichever is the later. To meet this requirement, Council is required to publish in the Government Gazette and local newspapers that Council is reviewing its Road Management Plan and where copies of the reviewed and amended Road Management Plan are available.

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS

Nil

11 NOTICES OF MOTION

Nil

12 DELEGATES REPORTS

12.1 MAYOR'S REPORT

Acknowledgment of Kelsey Corrie, Coordinator Community Health, recently awarded the Environmental Health Professional's Australia Young Environmental Health Officer of the Year.

12.2 DELEGATES REPORT - THURSDAY 16 FEBRUARY TO WEDNESDAY 15 MARCH

Author: Kate Callow, Administration Assistant - Chief Executive Office

Authoriser: Eric Braslis, CEO

Attachments: Nil

EXECUTIVE SUMMARY

Delegate Reports from Thursday 16 February to Wednesday 15 March

Cr Brian Gibson

| | |
|--------|---|
| 16 Feb | MixxFM Radio Interview |
| 17 Feb | Official Opening of Australia Will Be There Exhibition – Kerang LMCLP Official Launch for 2017 |
| 21 Feb | MAV Emergency Management Session Meeting with CEO Murray Basin Rail Project meeting |
| 22 Feb | Kerang Progress meeting Filming of Announcement for Queens Baton |
| 23 Feb | KCC Principal meeting Summer Reading Club- Presentation of Certificates |
| 28 Feb | Meeting with CEO |
| 01 Mar | Koondrook Memorial Hall Committee meeting Development of Goods Shed in Koondrook – meeting with Geoff Molin MRGC Members Dinner – Swan Hill |
| 02 Mar | MRGC Meeting – Swan Hill |
| 03 Mar | Council plan meeting with staff Launch of 'Be Cool in Gannawarra' media campaign and video - Kerang |
| 06 Mar | Macorna Community Profile meeting and Recreation Reserve meeting Murrabit Community Plan meeting |
| 07 Mar | Meeting with CEO Audit Committee Meeting |
| 09 Mar | NBN Developers meeting New CEO Murray Goulburn meeting – Cohuna |
| 14 Mar | Meeting with CEO Presentation with St Marys and St Joseph's students Launch of 9 News Program – Bendigo |
| 15 Mar | Kerang Lakes Development Committee meeting |

Cr Mark Arians

- 22 Feb Kerang Progress Association meeting
Kerang Historical Society AGM
- 06 Mar Kerang Expo Meeting
- 04 Mar Koondrook concert
- 14 Mar Kerang Agricultural Society meeting
Kerang Progress Association meeting

Cr Jodie Basile

- 16 Feb Flying Doctor Telepath Launch – Kerang
- 07 Mar Audit Committee Meeting - Kerang
- 14 Mar Kerang Progress Community Profile Discussion

Cr Charlie Gillingham

- 22 Feb Regional Floodplain Management Strategy – Huntly
- 28 Feb Kerang Lakes Community Development Group
- 08 Mar Quambatook Community Development Group
- 15 Mar Kerang Lakes Community Development Group

Cr Lorraine Learmonth

- 16 Feb Flying Doctor Telepath Launch – Kerang
- 17 Feb Official Opening of Australia Will Be There Exhibition – Kerang
Community Leadership Loddon Murray Launch – Newbridge
- 19 Feb Gateway Volunteer - Cohuna
- 23 Feb NCCMA Community Reference meeting – Cohuna
- 27 Feb Loddon Mallee Waste regional group meeting – Swan Hill
- 01 Mar Leitchville Progress Association meeting
- 02 Mar CVAF Acc Ag Breakfast – Bendigo
- 03 Mar Launch of ‘Be Cool in Gannawarra’ media campaign and video - Kerang
- 04 Mar Bridge to Bridge and Gateway volunteer – Cohuna
- 05 Mar Regional Lions Youth of the Year – Kerang
- 06 Mar Community Plan Meeting with Cohuna Progress
CCLLEN Annual Meeting – Echuca
- 08 Mar International Women’s Day – Cohuna
Elder’s meeting – Kerang
- 14 Mar Leitchville community Profile meeting

Cr Steve Tasker

- 06 Mar Murrabit Community Profile meeting – Murrabit
- 08 Mar Koondrook Development Committee re community profile
- 14 Mar Koondrook Development Committee

Cr Sonia Wright

- 13 Feb Welcome Lunch with Richmond FC – Kerang
- 15 Feb Youth Council Future Direction Meeting
- 16 Feb Flying Doctor telepath Launch - Kerang
- 17 Feb Official Opening of Australia Will Be There Exhibition – Kerang
- 22 Feb CVGA Meeting - Kerang
- 23 Feb Next Gen Community Events Planning Meeting – Cohuna
- 6 Mar Community Plan Meeting with Cohuna Progress
- 9 Mar Planning Public Spaces MAV Development Day - Melbourne

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

| Function Attended | Councillor (✓) | | | | | | |
|---|----------------|--------|--------|------------|-----------|--------|--------|
| | Gibson | Arians | Basile | Gillingham | Learmonth | Tasker | Wright |
| Council Plan Development Day (20 Feb) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Council Strategic Briefing Meeting (27 Feb) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Council Briefing Meeting (7 Mar) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Councillor Only Meeting (15 Mar) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ordinary Council Meeting (15 Mar) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Council Planning Session (15 Mar) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | | | | | | | |

13 CONFIDENTIAL ITEMS

Nil