



# GANNAWARRA

*Shire Council*

**Wednesday, 17 May 2017**

**7:00pm**

**Kerang Council Chambers**

## **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 AND LEAVE OF ABSENCE

## 4 CONFIRMATION OF MINUTES

Ordinary Meeting - 19 April 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 APRIL 20 2017 TO MAY 17 2017**

**Author:** Eric Braslis, CEO

**Authoriser:** Eric Braslis, CEO

**Attachments:** 1 **Assembly of Councillors Record Form - 24 April 2017**  
2 **Assembly of Councillors Record Form - 09 May 2017**

#### **RECOMMENDATION**

**That Council notes the records of Assembly of Councillors from Thursday 20 April, 2017 to Wednesday 17 May, 2017.**

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#### **EXECUTIVE SUMMARY**

To present to Council the Assembly of Councillors Record Forms – Kerang Council Chambers.

#### **DECLARATIONS OF CONFLICT OF INTEREST**

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

#### **COUNCIL PLAN**

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

#### **BACKGROUND INFORMATION**

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

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

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

If a meeting fits either of these types the procedures applying to an Assembly of Councillors must be complied with, irrespective of any name or description given to the committee or meeting. Not all gatherings or meetings at which Councillors are present will constitute Assembly of Councillors.

**CONSULTATION**

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

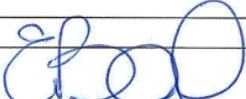
**CONCLUSION**

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





## Assembly of Councillors Record Form


<b>Date:</b>	Monday, 24 April 2017
<b>Time:</b>	5:30pm - 6:35pm
<b>Location:</b>	Council Chambers, Kerang
<b>In Attendance: (Councillors)</b>	Cr Brian Gibson, Cr Charlie Gillingham, Cr Sonia Wright, Cr Mark Arians, Cr Jodie Basile, Cr Lorraine Learmonth and Cr Steve Tasker
<b>Apologies</b>	
<b>In Attendance: (Officers)</b>	Eric Braslis
<b>Matters Discussed:</b>	Representatives from GWMWater – Update Presentation Mayoral Regalia
<b>Conflict of Interest Disclosures (Councillors)</b>	Nil
<b>Conflict of Interest Disclosures (Officers)</b>	Nil
<b>Completed By:</b>	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

<b>Tuesday</b>	Tuesday, 09 May 2017
<b>Time:</b>	9:30am - 3:30pm
<b>Location:</b>	Council Chambers, Kerang
<b>In Attendance: (Councillors)</b>	Cr Brian Gibson, Cr Charlie Gillingham, Cr Sonia Wright, Cr Mark Arians <sup>1</sup> , Cr Jodie Basile, Cr Lorraine Learmonth <sup>2</sup> and Cr Steve Tasker
<b>Apologies</b>	
<b>In Attendance: (Officers)</b>	Eric Braslis, Mandy Hutchinson, Geoff Rollinson, Katrina Thorne, Stevie Pearce, Kellie Burmeister, Lisa Clue, Brent Heitbaum, Russell Barnes
<b>Matters Discussed:</b>	<p>Representatives from Museum Victoria – Presentation</p> <p>2016/2017 Community Grants Program – Round 2</p> <p>Gannawarra Planning Scheme Amendment C42</p> <p>Application for Planning Permit P16.044</p> <p>Application for Planning Permit P16.087</p> <p>2018 General Evaluation</p> <p>Financial Report Quarter end 31 March 2017</p> <p>Municipal Emergency Management Plan (MEMP)</p> <p>Council Policies</p> <p>Council Delegation to CEO</p> <p>Property Maintenance Service</p> <p>Refugee and Migrant Welcome Zone</p> <p>Age Friendly Declaration</p> <p>Queen’s Baton Relay – Council selected batonbearer</p> <p>End of Season Pool Report</p> <p>Recreation Reserves Report</p> <p>Recreation Reserves – Old Mower Replacement Program</p> <p>Australia Day Awards – Options Paper</p> <p>Small Rural Councils – Financial Sustainability</p> <p>Local Law Review</p> <p>Environmental Sustainability Strategy</p> <p>Kerang Court House</p> <p>Kerang Airport</p> <p>Mineral Sands Project</p> <p>Manager Planning and Regulatory Services</p> <p>Murray Regional Tourism</p> <p>Asset Disposal – 152 Sleepy Lane</p> <p>Cohuna Aquatics Update</p> <p>Mayoral Correspondence</p> <p>Cohuna Airport</p>
<b>Conflict of Interest</b>	Nil

<b>Disclosures (Councillors)</b>	
<b>Conflict of Interest Disclosures (Officers)</b>	Nil
<b>Completed By:</b>	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).

- 1 In attendance from 12 noon
- 2 Not in attendance from 1-2pm

## **8 BUSINESS REPORTS FOR DECISION**

### **8.1 2016/2017 COMMUNITY GRANTS PROGRAM - ROUND 2**

**Author:** Katrina Thorne, Community Development Officer  
**Authoriser:** Mandy Hutchinson, Director Community Wellbeing  
**Attachments:** Nil

#### **RECOMMENDATION**

**That Council:**

- 1. Approve the allocation of \$45,897 Community Grants (Round 2) as outlined in the report.**
  - 2. Write to all applicants confirming the outcome of the Community Grants Program.**
  - 3. Display a list of the grant recipients on Councils website.**
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#### **EXECUTIVE SUMMARY**

To advise Council of applications received for Round 2 of the 2016/2017 Community Grants Program and seek endorsement of the recommendations for the following projects.

This matter was deferred from the Ordinary Council Meeting on 19 April 2017.

#### **BACKGROUND**

At its Special Council Meeting held June 2016, Council approved that \$90,000 be allocated for Community Grants in the 2016/2017 budget. During Round 1 of the program, Council awarded \$27,149 in funding, leaving an amount of \$62,851 for Round 2.

Round 2 of the 2016/2017 Community Grants Program saw 34 applications received (double the amount of applications received for Round 1) totalling \$187,894 in requests for funding. Officers wish to note that this amount of applications and requests for funding is the highest seen in the history of the current scheme of the Community Grants program which has been running since 2013. The total amount proposed to be allocated is \$45,897. Councillors have been provided with a full list of applications and recommendations for consideration.

It is considered that the projects recommended for approval have demonstrated compliance with Council's overall objectives of supporting key community initiatives and will also assist many groups that experience difficulty in competing for grant support from other sources. In this round, the recommendations include a suite of projects which focus on improvements to community facilities and buildings, as well as equipment to support local groups to expand their abilities to be productive within the community. In addition, a broad geographic spread across the municipality has been covered with the proposed recommendations.

As the Community Grants Program has developed, the standard of applications for funding has increased markedly. However, in line with established practice and where applicants are unsuccessful or unfamiliar with the grant process, officers will provide assistance to increase their capacity and competitiveness for future submissions.

A number of applications through this round have been identified as aligning well with other funding opportunities and Council officers will work with these groups to support them in developing an application if they wish.

<b>Organisation</b>	<b>Project Name</b>	<b>Recommended Funding</b>
Cohuna Little Athletics Centre Inc.	Line Marking Upgrade	\$6,803
Golden River Artists Inc.	Art Knowledge Enhancement and Group Promotion	\$4,315
Kerang Amateur Swimming and Lifesaving Club	Time Clocks	\$505
Kerang Quilters Inc.	Marketing and promotion of Colours of Kerang Quilt Show Easter 2017	\$396
Koondrook Lawn Tennis Club Inc.	Shade Shelters	\$5,000
Lalbert Golf Club Inc.	Lalbert Golf Club New Toilet Roof	\$7,500
Leitchville and District Progress Association	Let's Mow	\$7,500
Lions Club of Kerang	Catering Van	\$7,500
Murrabit & District Lions Club Inc	War Memorial (irrigation / landscaping)	\$6,378

### **POLICY CONTEXT**

The Community Grants program aligns with the 2013-2017 Council Plan Strategic Objective 'Healthy Liveable Communities' and relates to Outcome 3.4 – *Our community feels that they can contribute to community decision making processes.*

### **CONSULTATION**

The Community Grants Program was advertised in local print media and also on Council's Facebook page and website for the duration of the application period (14 February to 14 March 2017.)

**CONFLICT OF INTEREST**

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

**CONCLUSION**

The 2016/2017 Community Grants Program (Round 2) saw an extraordinary response from community groups across the Gannawarra Shire, with double the amount of applications received than Round 1 this year. The monetary value on the requests for funding far exceeded the budget allocation remaining for Community Grants this year.

Those projects recommended for approval have demonstrated compliance with relevant community profile priorities, of which many have been recently reviewed as part of the Council Plan consultation process, and will address clearly identified community needs. These projects, if supported by Council, will therefore build on the success and momentum generated by the Community Grants Program over the past 4 years.

**8.2 GANNAWARRA PLANNING SCHEME AMENDMENT C42 (MAPPING ANOMOLIES)**

**Author:** Stevie Pearce, Administration Support Officer

**Authoriser:** Geoff Rollinson, Director Infrastructure Services

**Attachments:**

- 1 Explanatory Report (under separate cover)
- 2 Combined Amendment Maps (under separate cover)
- 3 The Amendment Process (under separate cover)

**RECOMMENDATION**

**That Council:**

1. 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.
2. Allow Officers to amend C42 documentation should it be deemed necessary provided the amendments do not change the intent of Council's decision.

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**EXECUTIVE SUMMARY**

To seek approval from Council to request authorisation from the Minister for Planning to prepare and exhibit Amendment C42 to the Gannawarra Planning Scheme.

**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 now that the subject land has been subdivided or developed.

In essence the correction of these anomalies and minor errors will contribute to the more effective operation and administration of the Gannawarra Planning Scheme.

**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 2013-2017* – Sustainable Environments – adopt appropriate planning mechanisms to support sustainable land use and development.

**BACKGROUND INFORMATION**

Over the past several months 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 the Gannawarra Planning Scheme is accurate and up to date it is necessary to undertake an amendment to amend the mapping component of the Gannawarra Planning Scheme.

However, before Council is able to prepare the amendment it must first seek authorisation from the Minister for Planning. The purpose of seeking authorisation from the Minister for Planning is to identify whether the proposed amendment is consistent with State Policy and ensures that the proposed amendment makes appropriate use of the Victorian Planning Provisions.

## CONSULTATION

Consultation with relevant public authorities, landholders and the public will take place as part of the exhibition of Amendment C42.

As required by section 19 of the Planning and Environment Act Amendment C42 will be formally exhibited.

Notification of the amendment will include the following:

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

## 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 why the amendment is required.

Map No.	Address	Lot Description	What The Amendment Does	Why The Amendment Is Required
018	Kerang-Leitchville Road, Leitchville	RES1 PS633437	The amendment 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	The amendment 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.
016	209 Kervins Road, Cohuna	Lot 1 PS715412	The amendment 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	The amendment 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	The amendment 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. Existing overlay controls are retained.
013	193 Dicksons Road, Cohuna	Lot 2 PS333791	The amendment 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. 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	The amendment rezones that part of	To rectify a mapping error.

			the property which is zoned Public Conservation and Resource Zone to Farming Zone.	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	The amendment 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. 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	The amendment rezones 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	The amendment 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	The amendment rezones the subject land from General Residential Zone 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	The amendment 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	The amendment 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.
015	73 Pickering Road Lake Meran	CA 3B Parish of Meering West and Lot 2 TP706469	The amendment 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. Privately owned land should not be shown as a public land zone. Farming Zone is the surrounding zone. No additional overlay controls are needed.
009	Old Echuca Road, Kerang	Lot 3 LP137933, Lot 6 LP139326, Lot 2 TP862489 and Lot 1 TP862489	The amendment rezones those parts 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.
009	261 Old Echuca Road, Kerang East	Lot 2 LP137933	The amendment rezones that part of	To rectify a mapping error.

			the property which is zoned Public Conservation and Resource Zone to Farming Zone.	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	The amendment 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	The amendment 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.  The 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.  The Heritage Overlay 12 should not be applied to Lot 2 TP836449, Lot 3 TP836449, Lot 1 TP92523 and Lot 2 TP92523.
027	54 Penglase Street Koondrook and 6-10 View Street Koondrook [former Koondrook Butter Factory]	CP152022 and Lot 1 TP431501	The amendment 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	The amendment rezones that part of	To rectify a mapping error.

			the property which is zoned Special Use Zone Schedule 2 to Low Density Residential Zone	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	The amendment rezones 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. By rezoning that part of the subject site which is currently zoned Special Use Zone Schedule 2 to Public Park and Recreation Zone, it 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	The amendment rezones 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. By rezoning the subject site to Public Park and Recreation Zone it 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	Lot 66 PS707567 Lot 65 PS707567 Lot 64 PS707567 Lot 63 PS707567 Lot 62 PS707567 Lot 61 PS707567	The amendment rezones those parts of the properties which are zoned Public Park and Recreation Zone to General Residential Zone - Schedule 1. The Amendment also deletes the Development Plan Overlay Schedule 1 and Vegetation Protection Overlay –	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

	45 Railway Avenue, Cohuna 43 Railway Avenue, Cohuna 41 Railway Avenue, Cohuna 39 Railway Avenue, Cohuna	Lot 60 PS707567 Lot 59 PS707567 Lot 58 PS707567 Lot 57 PS707567	Schedule 2 which covers the subject sites.	Overlay – Schedule 1, which covers each subject site, is being 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 as shown on the attached map	Lot 67 PS707567	The Amendment deletes the Development Plan Overlay Schedule 1 which covers a small portion of this parcel of land.	It appears that 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 Gannawarra 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,	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,	The amendment 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

	11 Stanley Court Cohuna, 14 Rosalind Street Cohuna, 13 Stanley Court Cohuna, 14 Stanley Court Cohuna, 15 Stanley Court Cohuna, 16 Stanley Court Cohuna 1 Redman Lane, Cohuna and 1 Redman Lane Cohuna	Lot 10 PS523211, PC371485, Lot 11 PS523211, Lot 15 PS523211, Lot 12 PS523211, Lot 16 PS523211, Lot 9 PS523211 and Lot S3 PS523211.		assessing any future applications to subdivide land under Clause 56.
003	Wilson Street, Mystic Park	Lot 1 TP409266	The amendment 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 from Council 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	The amendment 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	The amendment 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.

<p>020</p>	<p>22 Main Street, Koondrook</p> <p>6 Forest Street, Koondrook ,</p> <p>8 Forest Street, Koondrook,</p> <p>10 Forest Street, Koondrook,</p> <p>12 Forest Street, Koondrook,</p> <p>14 Forest Street, Koondrook,</p> <p>16 Forest Street, Koondrook,</p> <p>20-22 Forest Street, Koondrook,</p> <p>24-30 Forest Street, Koondrook,</p> <p>32-34 Forest Street, Koondrook,</p> <p>8 Maunder Street, Koondrook,</p> <p>6 Maunder Street, Koondrook,</p> <p>10-12 Maunder Street, Koondrook,</p>	<p>CA 9 &amp; 10 Sec 19 Township of Koondrook</p> <p>CA 11 Sec. 19 Township of Koondrook</p> <p>Lot 2 PS520529</p> <p>Lot 1 PS520529</p> <p>Lot 2 LP207168</p> <p>Lot 1 LP207168</p> <p>CA 14 Sec.19 Township of Koondrook</p> <p>CA 15 Sec. 19 Township of Koondrook</p> <p>CA16 &amp; 17 Sec.19 Township of Koondrook</p> <p>Lot 1 TP819410 and Lot 2 TP819410</p> <p>Lot 2 LP202943</p> <p>Lot 1 LP202943</p> <p>CA 20 Sec. 19 Township of Koondrook</p>	<p>The amendment deletes the Development Plan Overlay – Schedule 1 which covers the subject sites.</p>	<p>The land has been developed.</p> <p>All these sites are now in residential use and development so the Development Plan Overlay – Schedule 1 is no longer needed to manage future subdivision and development.</p>
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	16 Maunder Street, Koondrook,	Lot 3 LP215471		
	18 Maunder Street, Koondrook,	Lot 4 LP215471		
	20-24 Maunder Street, Koondrook,	Lot 1 TP753043		
	49 Grigg Road, Koondrook,	Lot 1 TP408258		
	35-41 Grigg Road, Koondrook,	CA2 Sec.19 Township of Koondrook		
	23-33 Grigg Road, Koondrook,	CA3 Sec.19 Township of Koondrook		
	21 Grigg Road, Koondrook,	Lot 1 TP747513		
	30 Main Street, Koondrook,	CA10 Sec.19A Township of Koondrook		
	46 Main Street, Koondrook,	CA 6 Sec. 19A Township of Koondrook		
	34 Main Street, Koondrook	CA 3, 4, 5, 7, 8 & 9 Sec 19A Township of Koondrook,		
	4 Maunder Street, Koondrook	CA 1 & 2 Sec. 19A Township of Koondrook		
019	Lilac Avenue, Kerang	Lot C LP5013	The amendment deletes the Development Plan Overlay – Schedule 1 which covers the subject	A planning permit was issued for a 32 lot subdivision at this site on the 3 February 2017. It appears that no development plan has previously been

			site.	prepared for the subject site. However it is considered that the documentation which forms part of the recently issued planning permit satisfies all the requirements for the development plan as outlined in Clause 3.0 of Schedule 1 to the Development Plan Overlay.
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                      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 1 PS537286                      Lot 2 PS537286                      Lot 3 PS537286                      Lot 4 PS537286                      Lot 5 PS537286                      Lot 6 PS537286                      Lot 7 PS537286                      Lot 8 PS537286                      Lot 9 PS537286                      Lot 10 PS537286                      Lot 11 PS537286                      Lot 12 PS537286                      Lot 13 PS537286                      Lot 14 PS537286                      Lot 15 PS537286                      Plan PC370526</p>	The amendment deletes the Development Plan Overlay – Schedule 1 which covers the subject sites.	<p>The land has been developed.                      All these sites are now in residential use and development so the Development Plan Overlay – Schedule 1 is no longer needed to manage future subdivision and development.</p>
022	<p>9399 Murray Valley Highway, Kerang                      Murray Valley Highway, Kerang</p>	<p>Lot 1 PS705965,                      Part Lot 1 TP583519</p>	The amendment deletes the Environmental Significance Overlay	The Environmental Significance Overlay Schedule 4 was applied to these properties as they are recognised as

9293 Murray Valley Highway, Kerang	Part Lot 1 TP222375	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.	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.
Old Echuca Road, Kerang	Part Lot 2 TP862489		
9485 Murray Valley Highway, Kerang	Part Lot 3 PS705965		
Collins Road, Kerang	Lot RES1 PS705965		
Murray Valley Highway, Kerang	Part CA 26A Sec. C Parish of Kerang		
Loddon Valley Highway, Kerang	Part of the Loddon Valley Highway and		
Murray Valley Highway, Kerang	Part of the Murray Valley Highway.		

**The State Planning Policy Framework**

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 a number 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 Gannawarra 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, it 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 Gannawarra 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**

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, so that they accurately cover the former Post Office/former Kangaroo Lake Inn and Buggar Castle, it will ensure that these sites of local heritage significance will be conserved and protected by the requirements of Clause 43.01 (Heritage Overlay).

**Zone Provisions**

The following section outlines the purpose of each zone relevant to this amendment:

**Public Use Zone (PUZ1 and PUZ6):** The purpose of the PUZ is to recognise public land use for public utility and community services and facilities.

**Farming Zone (FZ):** The purpose of the FZ is to provide for the use of land for agriculture.

**Low Density Residential Zone (LDRZ):** The purpose of the LDRZ is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

**Public Conservation and Resource Zone (PCRZ):** The purpose of the PCRZ is to protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

**Public Park and Recreation Zone (PPRZ):** The purpose of the PPRZ is to recognise areas for public recreation and open space.

**Overlay Provisions**

The following section outlines the purpose/objective of each overlay relevant to this amendment:

**Heritage Overlay (HO):** The objective of the HO is to conserve and enhance heritage places of natural or cultural significance

**Development Plan Overlay (DPO):** The purpose of the DPO is to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

**Environmental Significance Overlay Schedule 4 (ESO4):** The environmental objective to be achieved under the ESO4 is to identify land in urban and non-urban areas which is potentially liable to inundation by overland flow or sheet flooding and is likely to suffer from poor drainage which could inhibit development.

**OPTION ANALYSIS**

Alternatives to the proposed amendment include not correcting the errors and anomalies within the mapping component of the Gannawarra Planning Scheme. However this is not recommended as unnecessary planning restrictions, which do not reflect the conditions of various parcels of land throughout the Shire, will not be removed from the Planning Scheme. Furthermore, the mapping component of the Gannawarra Planning Scheme will not accurately reflect the current use of various parcels of land throughout the Shire.

**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.

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 will be incurred in preparing and exhibiting this amendment. This includes the preparation of the amendment documents, notification of the amendment, consideration of submissions and, in the end, the fee for requesting the Minister for Planning to approve the amendment. It is anticipated that the total amount of these expenses to Council will be less than \$3,000.

If a Planning Panel is required to consider submissions, costs additional to these will be incurred.

**CONCLUSION**

Amendment C42 is not expected to be controversial, however, it should be exhibited so as to test public opinion on the proposal in the context of the Planning and Environment Act exhibition requirements.

The next step in the process is to seek the Minister's authorisation to prepare and exhibit the amendment.

**8.3 APPLICATION FOR PLANNING PERMIT P16.044 - REFUSAL**

<b>Author:</b>	<b>Kellie Burmeister, Statutory Planning Officer</b>
<b>Authoriser:</b>	<b>Geoff Rollinson, Director Infrastructure Services</b>
<b>Applicant:</b>	<b>Andrew Graham</b>
<b>Owner:</b>	<b>Anne Graham</b>
<b>Proposal:</b>	<b>Use of land for the keeping and breeding of racing dogs (up to 5 adult animals) and animal boarding (up to 5 adult animals).</b>
<b>Location:</b>	<b>30 Fairway Crescent, Cohuna</b>
<b>Attachments:</b>	<b>1 Aerial photograph showing the location of the subject site</b>

**RECOMMENDATION**

That Council issue a Notice of Refusal to Grant a Permit (P16.044) on the following grounds:

- 1. The proposed use is inconsistent with the orderly and proper planning of the area.**
  - 2. The proposed use is inconsistent with the provisions of the Gannawarra Planning Scheme, in particular, Clause 21 (Municipal Strategic Statement) and Clause 32.03 (Low Density Residential Zone).**
  - 3. The proposed use is likely to detrimentally affect the amenity of the surrounding residential properties by way of noise generation.**
- 

**EXECUTIVE SUMMARY**

This report is being presented to Council to determine a planning application for the use of land for the keeping and breeding of racing dogs (up to 5 adult animals) and animal boarding (up to 5 adult animals) at 30 Fairway Crescent, Cohuna. The application was advertised to surrounding property owners and occupiers and five written objections were received. The proposal is considered not to comply with the provisions of the Gannawarra Planning Scheme and therefore has been recommended for refusal by Council officers.

**PURPOSE**

To seek Council's decision on planning application P16.044 to use land for the purposes of keeping and breeding racing dogs.

**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 2013-2017* – Sustainable Environments – Adopt appropriate planning mechanisms to support sustainable land use and development.

**BACKGROUND INFORMATION**

The use of this land for the keeping and breeding of racing dogs has been operating for a number of years without planning permission. It came to Council's attention following an inspection by Council Local Laws Officers and Greyhound Racing Victoria to ensure compliance with the relevant Code of Practice. Consequently a retrospective planning permit is being sought.

A planning permit application was lodged with Council on 27 June 2016. The application was for the "Use of land for the keeping and breeding of racing dogs (up to 5 adult animals) and animal boarding (up to 5 adult animals)". The following aspects relate to the application:

- Boarding of animals and keeping and breeding of racing dogs.
- One or two litters per year depending on how the previous litter has sold or how much room is available at the time.
- Housing other people's dogs from whelping, pre-training and rearing of pups, spelling and racing dogs.

The application was advertised by mail to surrounding property owners and occupiers and five written objections were received to the application. The issues identified within the objections include:

- The barking and howling especially at night is incessant and loud.
- We are forced to close our doors and windows to try and block the noise of the dogs. Windows and doors need to be opened to allow for good air flow and a health environment.
- The barking and howling intensifies whenever we venture outside. Living in this environment and in this climate, outdoor living and entertaining are a key component of normal life. It is not pleasant sitting outside with a sharp barking of numerous dogs, which is only interrupted by howling sessions. Inevitably we are forced inside.
- Recently dogs have escaped and caused a nuisance.
- The dogs are permanently penned and there is no opportunity for them to be socialised which creates a threat to people and other animals when they escape as they have done.
- Too many dogs in a residential area.
- This is residential area that we have chosen to live in to enjoy the natural surrounds and the peaceful ambiance.
- In a residential area we have a right to peace and quiet in our own homes at night when trying to sleep.
- Living on the Gunbower Creek is a privilege which brings nature to our doorstep. Kangaroos and other small marsupials used to pass along the creek adding greatly to the joy of living in this natural environment. The location and noise of these dogs has destroyed the access for these animals and taken away the joy experienced seeing them pass through.
- Fishing on the creek with grandchildren is no longer the pleasure it was as the barking of these dogs destroys this simple pleasure.
- Commercial business should not be run from a residential location.



- There are many options for the commercial farming of animals to this applicant which would allow for the breeding of dogs without impacting on residential areas.
- The breeding of racing dogs is better suited to a farm somewhere where they will not disturb neighbours instead of in a small backyard.

## CONSULTATION

Neighbours contacted Council to advise that they objected to the application and a consultation meeting was held between Council officers, adjoining neighbours and a Councillor.

The main issues discussed were in relation to noise and security of the greyhounds as one had recently escaped and confronted one of the adjoining owners.

Council officers explained the process and were advised that the application would be presented to Council for a determination.

## ASSESSMENT

The subject land is situated within a Low Density Residential Zone (LDRZ) and is affected by the Land Subject to Inundation Overlay (LSIO) and Vegetation Protection Overlay Schedule 2 (VPO2) within the Gannawarra Planning Scheme.

The purpose of the LDRZ is *'to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater'*. A planning permit is required for keeping and breeding of racing dogs and for animal boarding pursuant to Clause 32.03-1 of the Gannawarra Planning Scheme. No development is proposed at this time.

One of the purposes of the LSIO is *'to identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority'*.

One of the objectives of the VPO2 is *'to protect remnant native vegetation and habitat, including the understorey, and facilitate natural revegetation'*.

Notice of the application was given to Goulburn Murray Water (GMW), the Department of Environment, Land, Water and Planning (DELWP) and North Central Catchment Management Authority (NCCMA).

DELWP had no objection to the proposal and did not require any conditions. GMW had no objection to the proposal subject to conditions.

NCCMA had originally objected to the granting of a permit based on the following grounds:

1. The proposed development site identified by the applicant is on low lying land proximate to Gunbower Creek. As a result the proposed development is likely to be impacted frequently by small, regular flood events through to large, rare flood events.
2. The proposed development is inconsistent with the State Planning Policy Framework, Clause 13.02 which states avoid intensifying the impacts of flooding through inappropriately located uses and development.
3. The proposed development is inconsistent with the Local Planning Policy Framework, Clause 21.04 which states:
  - Preserve the natural flood carrying capacity of rivers, streams and floodways and the flood storage function of floodplains;
  - Protect property and community infrastructure from flood damage.

Further discussions were held with NCCMA and given that their objection was based on development as opposed to use, they have now withdrawn the objection and advised they have no issues with the proposed use.

Notice of the application was also given internally to Council's Engineering, Local Laws, Building and Health Departments who had no objection to the proposal subject to conditions.

### **The State Planning Policy Framework (SPPF)**

State planning policy provides support for a diversified economy (Clause 11.11-2) where the objective is *'to realise opportunities to strengthen and diversify the economy'*. It could be argued that the dog breeding business contributes to a diversified local economy.

### **Local Planning Policy Framework (LPPF)**

There are no specified references to establishing a dog breeding business within an established low density residential area, however, the proposal does not contravene any local policy or Council's MSS.

### **Particular Provisions**

No particular provisions apply to the assessment of this application.

### **DISCUSSION**

This proposal has been assessed against the zone and policy provisions of the Gannawarra Planning Scheme.

The site is situated within a Low Density Residential Zone. The primary purpose of this zone is to provide for low density residential development and to provide an amenity similar to such development.

It is considered that the use is inconsistent with the purpose of the zone in that it has the potential to detrimentally affect the amenity of surrounding low density residential properties by way of noise generation.

Decision Guidelines of Clause 65 require the consideration of the purpose of the zone, the orderly planning of the area and the effect of a proposal on the amenity of the area. It is considered that this proposal is inconsistent with the purpose of the zone and will result in impacting negatively on the established residential amenity of the area.

The objections received have clearly highlighted that the use of the land for the keeping and breeding of racing dogs (up to 5 adult animals) and animal boarding (up to 5 adult animals) is incompatible with the adjoining low density residential area.

### **OPTION ANALYSIS**

Council has two options in relation to this report:

1. To refuse the planning application and issue a Notice of Refusal. The applicant has the opportunity to appeal this decision at VCAT.
2. To approve the planning application and impose appropriate conditions. The objectors have the opportunity to appeal Council's decision at VCAT.

### **RISK IMPLICATIONS**

There are no risk implications to Council.

**FINANCIAL IMPLICATIONS**

There are no financial implications to Council.

**CONCLUSION**

The proposed use is considered to be inappropriate for this site. The application was advertised to surrounding property owners and occupiers and five written objections were received.

The objections received raised valid planning concerns surrounding the proposal, including the impact on the amenity of the surrounding residential area.

It is also considered that the proposal is inconsistent with the Gannawarra Planning Scheme, in particular, the purpose of the Low Density Residential Zone.

Given the above, it is recommended that the application be refused on the grounds stated earlier in this report (see recommendation).

**Map**



Map Zoom: 0.43 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 frontdesk on Tuesday, 2 May 2017

**8.4 APPLICATION FOR PLANNING PERMIT P16.087 - APPROVAL**

**Author:** Kellie Burmeister, Statutory Planning Officer

**Authoriser:** Geoff Rollinson, Director Infrastructure Services

**Applicant:** T & C Development Services Pty Ltd

**Owner:** Seasons Ranch Pty Ltd and Y Tao

**Proposal:** Use and development of land for an intensive animal husbandry facility (320,000 bird, free range layer hen facility) and associated buildings and works.

**Location:** 121 Lake Lookout Road, Beauchamp

**Attachments:**

- 1 Aerial Photograph of the Site
- 2 Site Plan
- 3 Elevation Plan of the Sheds

**RECOMMENDATION**

That Council approve Planning Application P16.087 for the use and development of land for an intensive animal husbandry facility (320,000 bird, free range layer hen facility) and associated buildings and works and issue a Notice of Decision subject to the following conditions:

**1. Amended Plans**

Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a) A detailed, fully dimensioned plan of the site.
- b) Fully dimensioned elevation plans of the proposed buildings and infrastructure.
- c) Landscaping plans as required by Condition 10.
- d) Environmental Management Plan as required by Condition 13.
- e) A plan showing the proposed bunds required by Condition 16 d and e.

**2. Layout not to be Altered**

Use and layout of the site and the size of the proposed development and works detailed in the specifications and as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority except where specifically varied by conditions of this permit.

**3. Environmental Health Officer**

- a) Irrigation, wastewater reuse and manure compost must be managed in accordance with the Guidelines for Wastewater Reuse (EPA Publication 464) and the Guidelines for Composting and Other Organic Recycling Facilities (EPA Publication 508).
- b) Solid manure must not be spread within 60m of any natural drain lines.
- c) All wastewater and stormwater must be retained onsite.
- d) Odour must be controlled to ensure that it does not cause a nuisance.
- e) Ensure compliance with Australia New Zealand Food Standards Code – Standard 4.2.5 – Primary Production and Processing Standard for Eggs and Egg Product.
- f) The proposed amenities block must be serviced by a septic tank capable of retaining all wastewater within the boundaries of the property in a hygienic manner.
- g) The septic tank must be installed in accordance with the requirements of the Australia Standard AS/NZ 1547:2000 On-site domestic wastewater management and EPA Publication Code of Practice – Onsite Wastewater Management, July 2016.

**4. Amenity**

The use and development of the site must be managed so that the amenity of the area is not detrimentally affected, through the:

- a) Transport of materials, goods or commodities to or from the land;
- b) Appearance of any building, works or materials;
- c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
- d) Presence of vermin.

**5. Stormwater**

All stormwater runoff from the proposed development hereby permitted must be disposed

of onsite to the satisfaction of the Responsible Authority.

**6. Surfacing**

All driveways and vehicle movement areas associated with the layer hen facility must be constructed, drained and surfaced with an all-weather material and treated to prevent dust causing loss of amenity to the neighbourhood to the satisfaction of the Responsible Authority.

**7. Nearby Roadways**

Suitable measures must be taken to ensure vehicles leaving the site do not deposit mud or other materials on the roadways to the satisfaction of the Responsible Authority.

**8. External Appearance**

The external walls of the buildings must be clad in colorbond steel or other non-reflective material to the satisfaction of the Responsible Authority.

**9. Control of Light Spill**

External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

**10. Landscape Plan Required**

Prior to the plans being endorsed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must include plantings around the perimeter of the site that will provide screening for all surrounding neighbours. The landscaping plan must consist of indigenous trees and shrubs and ensure an effective visual screen to the satisfaction of the Responsible Authority.

**11. Completion of Landscaping**

Before the use/occupation of the development starts or by such later date as approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

**12. Landscaping Maintenance**

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced within twelve months.

**13. Environmental Management Plan**

Prior to the use and development commencing, an Environmental Management Plan (EMP) must be submitted to and approved by the Responsible Authority. When approved, the EMP will be endorsed and will then form part of the permit. The use and development must at all times be undertaken in accordance with the endorsed Environmental Management Plan.

**14. Signage**

Details of any proposed signage must be submitted to and approved by the Responsible Authority prior to the use coming into operation.

**15. GWMWater**

The owner/applicant must ensure the property has adequate three days on farm storage available.

Note - GWMWater also notes that we can supply a maximum of 200kl per day to the property before other users are affected. If the applicant requires more water

further upgrades to the system may be required at the applicants cost.

**16. EPA Victoria**

- a) Deposit of animal or organic wastes to land must not adversely affect the land.
- b) Management of waste at the premises should be in accordance with EPA Publication IWRG641 Farm Waste Management June 2009 or as amended.
- c) Wastes including manure or spent litter must not be composted or stockpiled on site.
- d) Temporary storage areas/pads for manure or spent litter must be bunded and appropriately drained to prevent potentially contaminated water entering the adjacent property.
- e) The applicant must install bunds and/or cut-off drains around the boundary of operational area to prevent contaminated run-off entering into a waterway.
- f) Offensive odours must not be discharged beyond the boundaries of the premises.
- g) Nuisance dust must not be discharged beyond the boundaries of the premises.
- h) Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV, EPA Publication 1411, 2011) or as amended.
- i) The applicant must provide a stormwater management plan which details how runoff from the site will be stored and treated and demonstrates that no polluted runoff or other concentrated flow of water is to be discharged directly or indirectly onto the adjoining Crown land.

**17. Department of Environment, Land, Water and Planning**

- a) No polluted run-off or other concentrated flow of water is to be discharge directly or indirectly onto the adjoining Crown land.
- b) Prior to works commencing, the shared boundary with Crown Allotment 2017, Parish of Bael Bael, must be fenced to the satisfaction of the Responsible Authority and the Department of Environment, Land, Water and Planning in accordance with the Fences Act 1968 and at the applicant's expense.

Fencing must be erected:

- On the boundaries for the land
- Be stock and domestic pet proof and 1.5 metres high; and
- Without gates or openings onto the adjoining Crown land.

Note - The adjoining Crown land is not to be used for access, storage of materials or rubbish.

**18. Time for Stating and Completion**

This permit will expire if one of the following circumstances applies:

- The development and use is/are not started within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

**NOTE 1: A BUILDING PERMIT MUST BE OBTAINED PRIOR TO COMMENCING ANY BUILDING WORKS.**

**NOTE 2: ALL BUILDING WORKS MUST COMPLY WITH THE VICTORIAN BUILDING REGULATIONS.**

**NOTE 3: ANY WORKS REQUIRED WITHIN THE ROAD RESERVE MUST BE IN ACCORDANCE WITH COUNCIL'S "ROAD OPENING HANDBOOK". ANY NEW VEHICLE CROSSING OR ALTERATION TO EXISTING CROSSINGS MUST BE IN ACCORDANCE WITH COUNCIL'S "ROAD OPENING HANDBOOK". A "ROAD OPENING PERMIT" MUST BE**



*OBTAINED PRIOR TO ANY WORKS BEING UNDERTAKEN WITHIN THE ROAD RESERVE.*

**NOTE 4: NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY**

*FLOOD LEVELS FOR THE 1% AEP PROBABILITY (100 YEAR ARI) HAVE NOT BEEN DETERMINED FOR THIS AREA UNDER THE WATER ACT 1989. HOWEVER INFORMATION AVAILABLE AT NORTH CENTRAL CMA INDICATES THAT IN THE EVENT OF A 1% AEP FLOOD EVENT IT IS POSSIBLE THAT THE PROPERTY MAY BE SUBJECT TO INUNDATION.*

**NOTE 5: ABORIGINAL CULTURAL HERITAGE**

*WORKS MUST CEASE IMMEDIATELY UPON THE DISCOVERY OF ANY ABORIGINAL CULTURAL MATERIAL, AND ABORIGINAL AFFAIRS VICTORIA MUST BE NOTIFIED IMMEDIATELY OF ANY SUCH DISCOVERY AT GPO BOX 2392V, MELBOURNE 3001 OR ON (TELEPHONE) 1300 551 380.*

*IF ANY SUSPECTED HUMAN REMAINS ARE FOUND, WORK IN THE AREA MUST CEASE AND THE VICTORIA POLICE AND THE STATE CORONER'S OFFICER MUST BE INFORMED OF THE DISCOVERY WITHOUT DELAY. THE STATE CORONER'S OFFICE CAN BE CONTACTED AT ANY TIME ON TELEPHONE (03) 9684 4444.*

*IF THERE ARE REASONABLE GROUNDS TO SUSPECT THAT THE REMAINS ARE ABORIGINAL, THE DISCOVERY SHOULD ALSO BE REPORTED TO ABORIGINAL AFFAIRS VICTORIA ON (TELEPHONE) 1300 88 544 OR (03) 9208 3287 AND THE PROVISIONS OF DIVISION 2 OF PART 2 OF THE ABORIGINAL HERITAGE ACT 2006 WILL APPLY.*

*OFFICERS OF ABORIGINAL AFFAIRS VICTORIA SHALL BE PERMITTED ACCESS TO THE SITE AT ANY REASONABLE TIME, FOR THE PURPOSE OF MONITORING ADHERENCE TO CONDITIONS ABOVE.*

*ALL ABORIGINAL CULTURAL HERITAGE, THAT IS, ABORIGINAL PLACES, ABORIGINAL OBJECTS AND ABORIGINAL HUMAN REMAINS, IS PROTECTED UNDER THE STATE ABORIGINAL HERITAGE ACT 2006. IT IS AN OFFENCE TO DO AN ACT THAT WILL HARM ABORIGINAL CULTURAL HERITAGE OR IS LIKELY TO HARM ABORIGINAL CULTURAL HERITAGE.*

*PLEASE NOTE THAT UNDER THE ABORIGINAL HERITAGE ACT 2006 ANY WORKS INVOLVING HIGH IMPACT ACTIVITIES LOCATED WITHIN 200 METRES OF A CULTURALLY SENSITIVE AREA, WILL REQUIRE THE DEVELOPMENT OF A CULTURAL HERITAGE MANAGEMENT PLAN. FOR MORE INFORMATION REGARDING THE KIND OF ACTIVITIES THAT TRIGGER A CULTURAL HERITAGE MANAGEMENT PLAN PLEASE REFER TO THE ABORIGINAL HERITAGE REGULATIONS 2007 OR FOLLOW THE WEB LINK TO [HTTP://WWW.AAV.NRMS.NET.AU/AAVQUESTION1.ASPX](http://www.aav.nrms.net.au/AAVQUESTION1.ASPX).*

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## EXECUTIVE SUMMARY

This report is being presented to Council to determine a planning application for the use and development of land for an intensive animal husbandry facility (320,000 bird, free range layer hen facility) and associated buildings and works at 121 Lake Lookout Road, Beauchamp. The application was advertised to surrounding property owners and occupiers and three written objections were received. The proposal is considered to be appropriate for the site and consistent with the provisions of the Gannawarra Planning Scheme. The application has therefore been recommended for approval by Council officers.

## PURPOSE

To seek Council's decision on planning application P16.087 for the use and development of land for an intensive animal husbandry facility (320,000 bird, free range layer hen facility) and associated buildings and works.

**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 2013-2017 – Sustainable Environments – Adopt appropriate planning mechanisms to support sustainable land use and development.*

**BACKGROUND INFORMATION**

The subject land is situated appropriately 32kms to the west of Kerang at 121 Lake Lookout Road, Beauchamp. The site has an area of approximately 131 hectares and contains a dwelling and associated outbuildings including a garage, machinery shed and shearing shed. There is a plantation of trees and shrubs on the western side of the dwelling and Lake Lookout is to the immediate east of the development site. The property has direct vehicular access from Lake Lookout Road.

The planning application was lodged with Council in September 2016. The proposal is for a free range layer hen enterprise (intensive animal husbandry facility) with 320,000 birds in 16 poultry sheds. The proposed sheds will be made up of three clusters with an associated coolroom/storage shed in each cluster. It should be noted that the application is purely for egg production.

An office building with amenities will be located at the end of a driveway accessed from Lake Lookout Road. The office will include a meeting point and toilets. Five car spaces are proposed as well as a loading and unloading area. The track will extend beyond the office building to connect to the coolroom/storage sheds located centrally to the shed clusters.

**CONSULTATION**

The application was advertised by mail to surrounding property owners and occupiers within a 3km radius of the site. Three written objections were received.

A mediation meeting was held at the Gannawarra Shire Council offices on Thursday 4 May 2017. The applicant outlined the proposal in more detail and the two objectors present were able to articulate their concerns.

**ASSESSMENT**

The subject land is situated within a Farming Zone (FZ) under the Gannawarra Planning Scheme. The use of land for Intensive Animal Husbandry can be considered within this zone pursuant to Clause 35.07-1. The development of land for this use also triggers a planning permit pursuant to Clause 35.07.4. The purpose of the FZ is *'to provide for the use of land for agriculture'* and *'to ensure than non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture'*.

The land is also affected by and Environmental Significance Overlay Schedule 4 (ESO4). The purpose of the schedule to this overlay is *'to identify land in urban and non-urban areas which is potentially liable to inundation by overland flow or sheet flooding and is likely to suffer from poor drainage which could inhibit development'*.

Notice of the application was given to GWMWater, North Central Catchment Management Authority, the Department of Environment, Land, Water and Planning and the Environment Protection Authority who offered no objection to the proposal subject to conditions should Council resolve to approve the application. The application was also referred internally to

Council's Engineering, Building and Health Departments who offered no objection to the proposal subject to conditions.

The application was advertised by mail to surrounding property owners and occupiers and five written objections were received to the application. The issues identified within the objections include:

- The ability of the GWMWater pipeline to accommodate the additional load created by the proposal and the extra demand on the pipeline would reduce supply to a large number of existing customers. The proposal would exacerbate already slow supply issues during high demand periods.
- Negative impact on the local environment. The development site is located next to Lake Lookout, Trust for Nature and Parks Victoria properties.
- The drainage of the site and the smell it will disperse from the proposal.
- The area has traditionally been used for cropping and grazing and is out the way for local trade and service trade and service business to undertaken work required.
- In wet seasons the site is not feasible for heavy trucks and equipment.
- Gillies Road would not withstand the heavy traffic this proposal will have.
- Has the Country Fire Authority been notified of the proposal?
- The impacts of the proposed development on the adjoining land uses has not been considered in the application.
- The flora and fauna assessment has not been incorporated in the application.
- The area is part of a floodplain and has been flood previously.
- The importance of regulated compliance with voluntary industry codes of practice would also assist in reducing the likelihood of impacts on surrounding land uses.
- The Trust (Trust for Nature) also believes that their ability to use the adjacent property for its current use including the promotion of grassland conservation to their supporters and donors may be impacted by the proposed development.

## DISCUSSION

This proposal has been assessed against the zone and policy provisions of the Gannawarra Planning Scheme.

The site is situated within a Farming Zone. Purposes of this zone are:

- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provisions.*

It is considered that the use is consistent with the purposes of the zone and that conditions can be incorporated into any approval to further demonstrate this.

Decision Guidelines of Clause 65 require the consideration of the purpose of the zone, the orderly planning of the area and the effect of a proposal on the amenity of the area. It is considered that this proposal is consistent with the purpose of the zone and will not result in any amenity issues for the area.

Issues raised in the objections received can be dealt with by the inclusion of conditions to alleviate concerns.

### **The State Planning Policy Framework (SPPF)**

The objective of Clause 11.13-2 (Loddon Mallee North Regional Growth) is *'to realise opportunities to strengthen and diversify the economy'*. The proposal is considered to be consistent with both state and regional planning policy.

### **Local Planning Policy Framework (LPPF)**

The Local Planning Policy Framework and Council's Municipal Strategic Statement (MSS) identifies the importance of farm production within the municipality. Objectives include *'to encourage and support commercial farming and farm production as a vital component of the economic base of the municipality'*. A strategy to achieve this is *'to encourage high quality design and appropriate siting of intensive animal industry development and dairy farms based on the capability of land for the management of nutrients and the disposal of effluent; the adequacy of infrastructure services; and the location of sensitive use and development'*. The proposal is again consistent with local planning policy and Council's MSS.

### **Particular Provisions**

There are no particular provisions applicable to this application.

### **OPTION ANALYSIS**

Council has two options in relation to this report:

1. To approve Planning Application P16.087 and issue a Notice of Decision to issue a planning permit subject to appropriate conditions. The objectors have the opportunity to appeal Council's decision at VCAT.
2. To refuse Planning Application P16.087 and issue a Notice of Refusal stating the grounds of refusal. The application then has the opportunity to appeal Council's decision at VCAT.

### **RISK IMPLICATIONS**

There are no risk implications to Council.

### **FINANCIAL IMPLICATIONS**

N/A

**CONCLUSION**

The proposed use and development is considered to be appropriate for this site. The application was advertised to surrounding property owners and occupiers and three written objections were received.

A mediation meeting was held to further understand the issues raised by the objectors.

It is considered that the proposal is consistent with the Gannawarra Planning Scheme, in particular Council's Municipal Strategic Statement and the purpose of the Farming Zone.

Given the above, it is recommended that the application be approved subject to conditions as outlined earlier in this report (see recommendation).

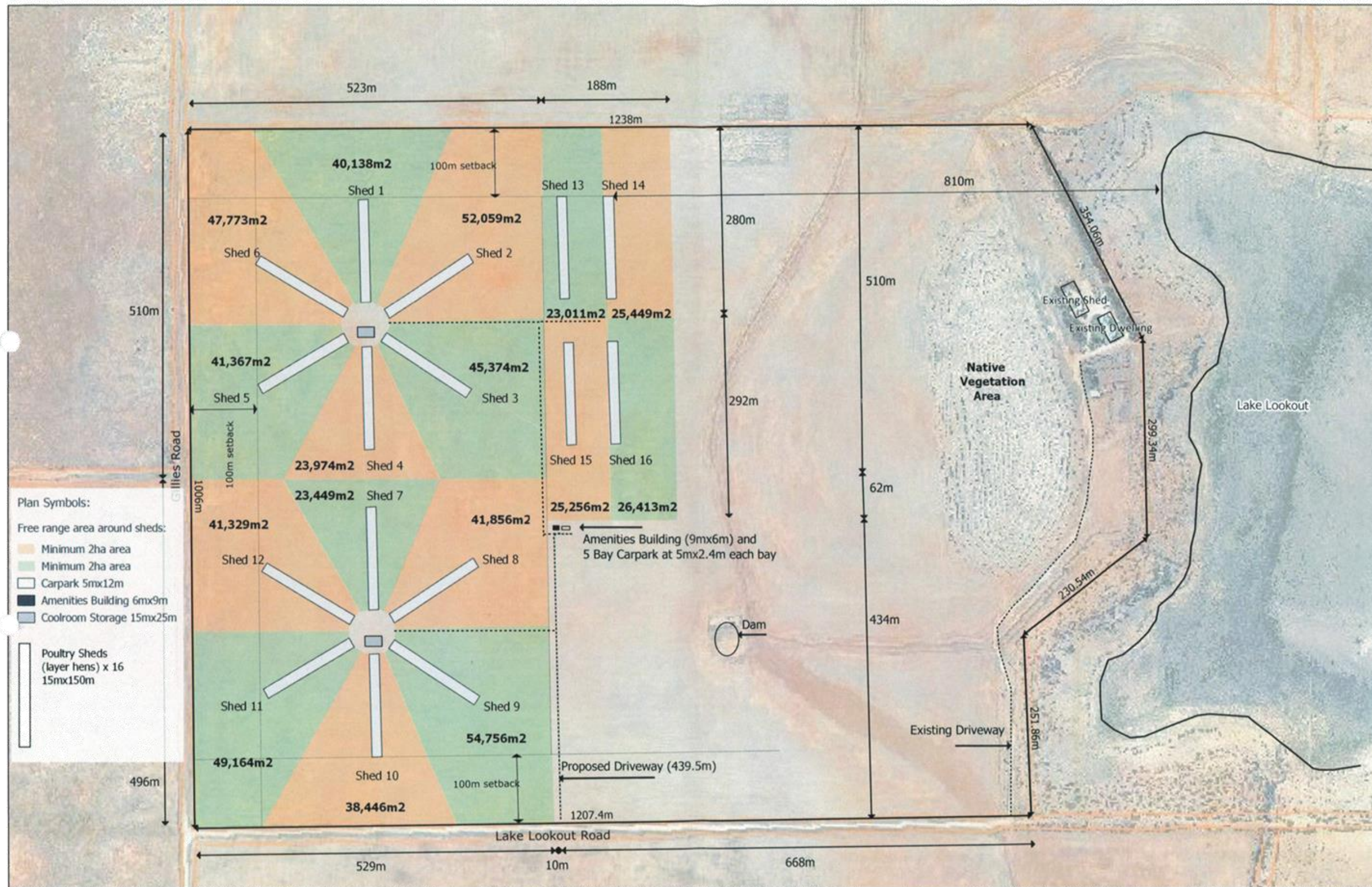
**Map**



Map Zoom: 5.391 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 frontdesk on Friday, 5 May 2017

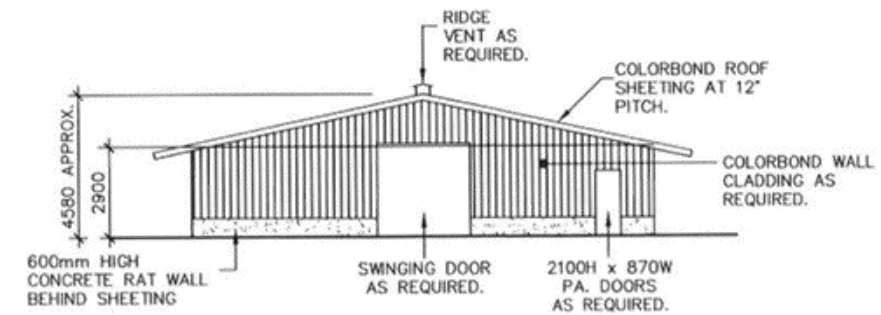
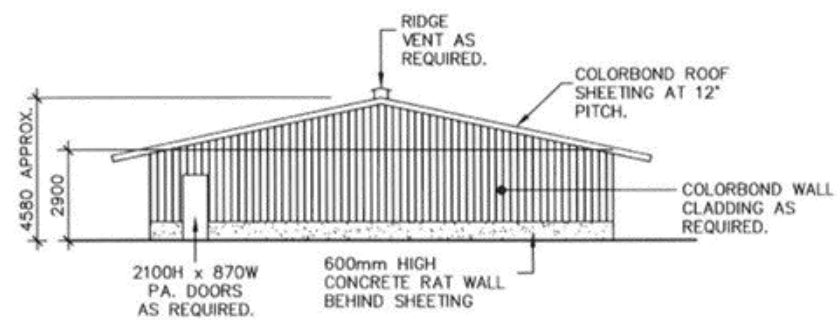
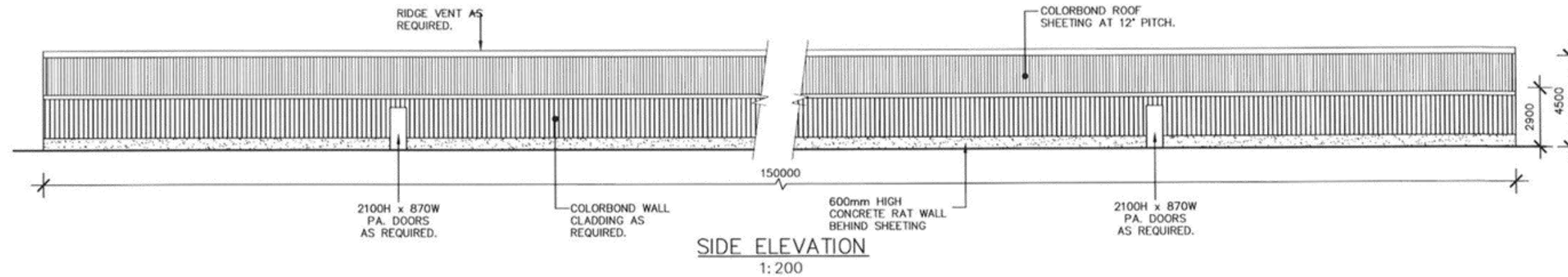
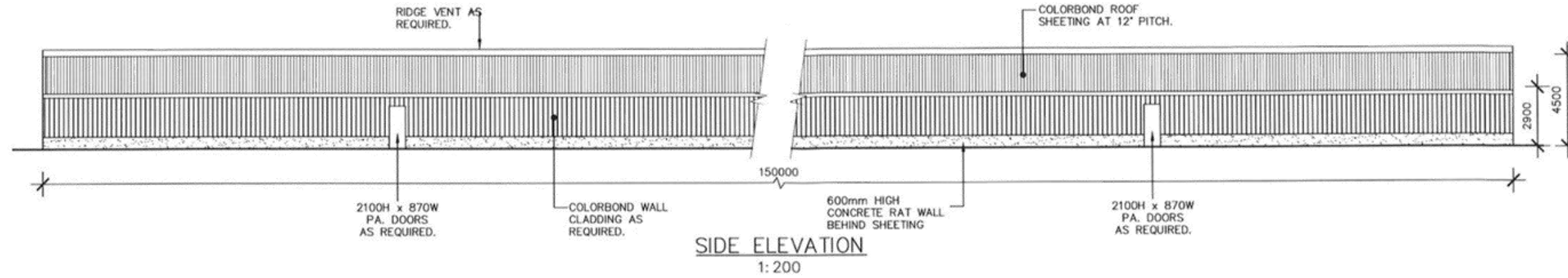


**T & C DEVELOPMENT SERVICES PTY Ltd**  
 5 Clifton Street  
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 Tel No.: 03 5795 2181  
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**121 Lake Lookout Road, Beauchamp  
 320,000 Bird Free Range Layer Hen  
 Intensive Animal Husbandry Facility**



JOB REF. **16025**    VERSION: **1.3**    DATE: **01/09/2016**  
 SCALE: **1:5000**    SIZE: **A3**  
 SHEET NO. **1 of 1**



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**8.5 2018 GENERAL VALUATION - NOTICE OF GENERAL VALUATION 2018**

**Author:** Sid Hutchinson, Manager Finance  
**Authoriser:** Tom O'Reilly, Director Corporate Services  
**Attachments:** Nil

**RECOMMENDATION**

**That Council:**

- 1. In accordance with Section 11 and 13DC of the *Valuation of Land Act 1960*, resolves to cause a General Valuation of rateable land to be made within its municipal district as at 1 January 2018.**
  - 2. Agree that LG Valuation Services Pty Ltd perform the 2018 General Valuation in accordance with CP 273 – Provision of Municipal Valuation Services.**
  - 3. In accordance with Section 6 (1) of the *Valuation of Land Act 1960*, resolves to notify the Valuer-General and other rating authorities interested in the valuation of land within its area of its resolution to cause a General Valuation to be made.**
- 

**EXECUTIVE SUMMARY**

For Council to resolve to undertake the 2018 General Valuation of rateable land as required by the *Valuation of Land Act 1960*.

**BACKGROUND**

Council is required by the *Valuation of Land Act 1960* to carry out a General Valuation of all rateable land within its municipal district as at 1 January in every even calendar year and for it to be returned to the Council before 30 June in that year.

On 17 December, 2014 Council resolved to accept the tender from LG Valuation Services Pty Ltd to provide valuation services for the period 1 January 2015 to 31 December 2018. These services included the return of the 2016 and 2018 General Valuation.

Council is also required by the *Valuation of Land Act 1960* to inform the Valuer-General and neighbouring municipalities within one month of its resolution to carry out the General Valuation.

**POLICY CONTEXT**

Governance and Leadership: Transparent and accountable decision making  
Responsible management of resources - financial

**CONSULTATION**

No consultation is required as it relates to the supply of services under an existing contract.

**CONFLICT OF INTEREST**

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

**CONCLUSION**

The Council is required by The *Valuation of Land Act 1960* to resolve to carry out a General Valuation of all rateable land within its municipal district and to inform the Valuer-General and neighbouring municipalities within one month of its resolution to carry out a General Valuation.

**8.6 QUARTERLY FINANCIAL REPORT - QUARTER ENDING 31 MARCH 2017****Author:** Sid Hutchinson, Manager Finance**Authoriser:** Tom O'Reilly, Director Corporate Services**Attachments:** 1 Financial Report Quarter Ended 31 March 2017**RECOMMENDATION****That Council receive the report outlining the 2016/2017 quarterly budget review as at 31 March 2017.****EXECUTIVE SUMMARY**

At 31 March 2017 Council is showing an operating surplus of \$5.168 million which is lower than the budgeted surplus for the same period by \$0.351 million. Operating income has a favourable variance of \$416k, expenditure an unfavourable variance of \$507k and an unfavourable variance on capital grants received to date of \$259k.

The budgeted underlying surplus of \$1.974 million for the 2016/17 year is estimated to decrease by \$311k giving a forecast underlying surplus of \$1.663 million by year end. There are a number of reasons for this change and these are detailed in the attachment as a 'Summary of Permanent Adjustments'. Officers will be reviewing all income and expenditure over the balance of the financial year to identify any potential savings to minimise this change.

Council's Capital Works program is progressing as scheduled. The capital budget for 2016/17 is \$10.433m - this includes budgeted new works and budgeted carried forward works. At the end of March an amount of \$5.194 million had been spent on budgeted works with an additional amount of \$515k on carried over works and new projects, giving a total spend of \$5.709 million.

**BACKGROUND**

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

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

**POLICY CONTEXT**

*Council Plan 2013-2017 - Leadership and Governance: Responsible financial management*

**DISCUSSION**

The table below highlights the key changes identified as a result of the comprehensive quarterly budget review between the 2016/2017 adopted Budget and the operating result for the period ended 31 March 2017:

	Budget \$'000	Actual \$'000	Variance \$'000	
Operating Income YTD	22,433	22,849	416	Favourable
Operating Expenditure YTD	(18,196)	(18,703)	507	Unfavourable
Underlying Surplus (Deficit) YTD	4,237	4,145	92	Unfavourable
Surplus (Deficit) YTD	5,518	5,168	350	Unfavourable

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

**CONSULTATION**

**COUNCIL OFFICERS WITH RESPONSIBILITY FOR LINE BUDGETS. THE MARCH QUARTERLY FINANCIAL REPORT WILL BE PRESENTED AT THE NEXT MEETING OF COUNCIL'S INTERNAL AUDIT COMMITTEE. CONFLICT OF INTEREST**

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

**CONCLUSION**

At 31 March 2017 Council is showing a surplus of \$5,168 million which is lower than the budgeted surplus for the same period by \$0.350 million. Income has a favourable variance of \$416k and expenditure an unfavourable variance of \$507k.

The underlying surplus of \$1,974 million in the budget is forecast to be decrease by \$311k giving an underlying surplus of \$1.663 million. As shown in the attachment, the decrease in the underlying surplus is a result of numerous adjustments across all functions of Council. The budget is a document prepared at a point in time taking into account known factors at that time. As the year progresses, factors come into play that have a material effect on the budget; some of the factors can be summarised as:

- Budget prepared on the basis of a 1% EBA increase, actual increase was 1.75% leading to an additional \$62,000.
- The revaluation of footpaths, kerb & channel and underground drainage was completed in June 2016, as a result of the revaluation the depreciation for these asset categories increased by \$137,000. An amount of approximately \$80,000 had been allowed in the budget – a shortfall of \$57,000 other infrastructure assets have led to a further increase in depreciation of \$32,000.
- Council provided Community Aged Care Packages on behalf of the Rural City of Swan Hill (RCSH). This function is no longer provided by RSCH leading to a function no longer being carried out by Council and subsequent redundancies. The effect of the removal of this service has led to a change in labour and on costs, grant income, reimbursements and user

fees and charges. A grant of \$74,000 was received on 30 June 2016 for the upgrade of the Wandella netball courts and lighting. This grant was included as income in the 2015/2016 financial year. This project was not included in the 2016/2017 budget as funding had not been approved at that time. The cost of the project is \$114,000 with a local contribution of \$45,500 leaving a budget variation of \$68,500.

Council's Capital Works program is progressing as scheduled. The capital budget for 2016/2017 is \$10.433m, including budgeted new works and budgeted carried over works. At the end of March an amount of \$5.194 million had been spent on budgeted works with an additional amount of \$515k on carried over works and new projects, giving a total spend of \$5.709 million.

**Financial Report for the**  
**Nine Months Ending**  
**31 March 2017**



**GANNAWARRA**  
*Shire Council*

**Comprehensive Income Statement  
For the period 1 July to 31 March 2017**

	Budget to 31 March 2017	Actual to 31 March 2017	Variance to 31 March 2017	Budget to 30 June 2017	Forecast to 30 June 2017	Permanent Adjustments to 30 June 2017	Note
	\$	\$	\$	\$	\$		
<b>Income</b>							
Rates and charges	11,876,434	11,915,576	39,142	11,876,434	11,916,000	39,566	1
Statutory fees, user fees and fines	1,718,270	1,626,299	(91,971)	2,341,150	1,954,649	(386,501)	2
Contributions	140,102	179,390	39,288	159,566	225,693	66,127	3
Grants - Operating	7,195,758	7,671,149	475,390	9,519,384	10,178,062	658,678	4
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	147,330	3,844	(143,486)	147,839	152,287	4,448	5
Reimbursements	1,029,858	1,161,867	132,009	1,372,471	1,187,247	(185,224)	6
Other income	325,121	290,480	(34,641)	440,429	421,761	(18,668)	7
			-				
<b>Total income</b>	<b>22,432,873</b>	<b>22,848,606</b>	<b>415,733</b>	<b>25,857,273</b>	<b>26,035,700</b>	<b>178,426</b>	
<b>Expenses</b>							
Employee costs	(8,600,810)	(8,523,988)	76,822	(11,326,922)	(11,350,594)	(23,672)	8
Materials and services	(4,556,064)	(5,174,619)	(618,555)	(6,043,351)	(6,432,048)	(388,696)	9
Bad & doubtful debts	(2,997)	(6,757)	(3,760)	(4,000)	(9,758)	(5,758)	10
Depreciation and amortisation	(3,912,750)	(3,994,547)	(81,797)	(5,218,670)	(5,308,541)	(89,871)	11
Borrowing Costs	(38,866)	(38,613)	253	(56,221)	(56,221)	-	12
Other expenses	(1,084,540)	(964,773)	119,767	(1,234,205)	(1,215,219)	18,986	13
<b>Total expenses</b>	<b>(18,196,027)</b>	<b>(18,703,297)</b>	<b>(507,270)</b>	<b>(23,883,369)</b>	<b>(24,372,381)</b>	<b>(489,011)</b>	
			-				
<b>Underlying Surplus/(deficit) for the year</b>	<b>4,236,846</b>	<b>4,145,309</b>	<b>(91,537)</b>	<b>1,973,904</b>	<b>1,663,319</b>	<b>(310,585)</b>	
Grants - Capital	1,281,601	1,022,370	(259,231)	2,879,361	2,458,303	(421,058)	14
<b>Surplus/(deficit) for the year</b>	<b>5,518,447</b>	<b>5,167,679</b>	<b>(350,768)</b>	<b>4,853,265</b>	<b>4,121,622</b>	<b>(731,642)</b>	

**Overall Result**

At 31 March 2017 Council is showing a surplus of \$5.168 million this is less than the budgeted surplus for the same period by \$0.351 million. Income has a favourable variance of \$416k, expenditure an unfavourable variance of \$507k and grants capital an unfavourable variance \$259k giving an overall unfavourable variance of \$351k. The underlying surplus of \$1.974 million at year end in the budget is forecast to decrease to a surplus of \$1.663 million. To address this situation the projected spend to 30 June will be reviewed and additional savings will be identified.

A factor contributing to the decrease in the surplus is due to the required spend to meet the additional operating grants being greater than the level of income.

Summary of Permanent Adjustments:		
Note	Income	
<b>1</b>	<b>Rates and charges</b> Favourable 39,566	
	1.1 Additional rate income raised due to changes in the level of valuation at the time of raising the rates and the adoption of the budget. Changes include any adjustments made to meet the requirements of the Valuer General and supplementary valuations undertaken since the adoption of the rates.	<b>39,566</b>
<b>2</b>	<b>Statutory fees, user fees and fines</b> Unfavourable (386,501)	
	2.1 The provision of home care services in the past has been funded by the State Government, funding is now being received from the Federal Government and in a different format. The method of providing brokered home care packages is also undergoing change. The changes in the method of funding has an impact on the way Council reports both user fees and reimbursements. Income budgeted as user fees and charges decreased by \$354,000. (Refer Note 6)	(354,000)
	2.2 Shift of income classification from contributions to user charges for Children Services.	16,000
	2.3 Decrease in preschool fees as a result of grant funding received in 2015/2016	(62,000)
	2.4 Various minor adjustments across a range of projects.	13,499
		<b>(386,501)</b>
<b>3</b>	<b>Contributions</b> Favourable 66,127	
	3.1 Contribution for Cohuna Kangas Female Facilities Upgrade \$20,647	20,647
	3.2 Contribution for the Wandella Netball Courts & Lighting Upgrade project	45,480
	3.3 Contribution by State Revenue Office for valuations \$6,000 higher than anticipated. This amount may increase as the year progresses.	6,000
	3.4 Contribution by One Tree for the planting of 1,000 trees.	2,550
	3.5 Shift of income classification from contributions to user charges for Children Services.	(16,000)
	3.6 Various minor adjustments	7,450
		<b>66,127</b>
<b>4</b>	<b>Grants - Operating</b> Favourable 658,678	
	4.1 Grant funding of \$38,000 not included for the L2P program.	38,000
	4.2 Grant received from Arts Victoria to hold the 'Mystic Melodies' production. The grant is offset by corresponding expenditure.	14,268
	4.3 Grant received for the 'Wired into the Warra' project.	50,000
	4.4 Additional funding received for Maternal Child Health program	25,000
	4.5 Climate change grant received	10,000
	4.6 Additional funding received for Senior Citizens program	24,574
	4.7 Refer Item 2.1 above - decrease in State Funding for Home Care	(596,033)
	4.8 Refer Item 2.1 above - increase in Federal Funding for Home Care	756,000
	4.9 Grant received from VicHealth to undertake a Recreation Facilities Strategy. The grant is offset by corresponding expenditure.	30,000
	4.10 Funding received for 'Respark the Park'	9,000
	4.11 Funding received for 'Cricket Victoria Sports Voucher Program'	4,000
	4.12 Additional funding received for the Arbovirus Program	109,056
	4.13 Flood event 2016	135,760
	4.14 Various minor adjustments	49,053
		<b>658,678</b>
<b>5</b>	<b>Net Gain(Loss) on Disposal of Assets</b> Favourable 4,448	
	5.1 Sale of sheep yards at saleyards	18,500
	5.2 Sale of Mystic Park Rec Reserve. Book value of asset in excess of sale price	(22,581)
	5.3 Sale of miscellaneous plant	8,529
		<b>4,448</b>
<b>6</b>	<b>Reimbursements</b> Unfavourable (185,224)	
	6.1 Refer Item 2.1 above - decrease in reimbursement due to changes in funding method for Home Care	(185,224)
		<b>(185,224)</b>
<b>7</b>	<b>Other Income</b> Unfavourable (18,668)	
	7.1 Decrease in interest revenue as a result of lower cash reserves at the beginning of the year.	(21,037)
	7.2 Various minor adjustments	2,369
		<b>(18,668)</b>
	<b>Total Income Adjustments</b>	<b>178,426</b>



<b>Expenses</b>			
<b>8</b>	<b>Employee costs</b>	Unfavourable (23,672)	
	8.1 Increase in total labour cost as a result of the EBA increase 1.75% compared to budget 1%.		(62,025)
	8.2 Increase in labour due to increase in Emergency Resourcing Program.		(7,248)
	8.3 Reduction in labour costs associated with community sustainability		42,947
	8.4 Resignation of staff member in Strategic Asset Management		37,440
	8.5 Reduction in staff with the change in Community Aged Care Packages service delivery.		57,644
	8.6 Labour component of 2 redundancies not budgeted (Including annual and long service leave).		(69,354)
	8.7 Increased hours for arbovirus program.		(78,936)
	8.8 Additional resource to undertake the Wired in Warra program.		(17,500)
	8.9 Additional hours required to undertake ANZAC Braveheart project and Mystic Melodies		(29,013)
	8.10 Reduction in labour costs in relation to resignation of Director Strategic Development.		142,986
	8.11 Flood event 2016		(19,991)
	8.12 Various minor adjustments across a number of programs.		(20,622)
			<b>(23,672)</b>
<b>9</b>	<b>Materials and services</b>	Unfavourable (388,696)	
	9.1 Wandella Netball courts and lighting upgrade project.		(137,899)
	9.2 Increase in L2P program due to additional funding.		(14,000)
	9.3 Expenditure in relation to the grant received for Mystic Melodies.		(11,950)
	9.4 Expenditure in relation to the grant received for Wired in the Warra.		(34,500)
	9.5 Life long strategy (Community Wellbeing) will not be completed prior to 30 June		8,000
	9.6 Reduction in costs associated with the resignation of Director Strategic Development.		18,829
	9.7 Expenditure in relation to the Respark the Park grant		(8,431)
	9.8 Vouchers for the Cricket Victoria Sports Voucher program.		(4,000)
	9.9 Increased arbovirus program		(19,438)
	9.9 Increase in costs for community amenities including works at Gorton Point Kangaroo Lake		(61,016)
	9.10 Flood event 2016		(115,769)
	9.11 Various minor adjustments across a number of programs.		(8,522)
			<b>(388,696)</b>
<b>10</b>	<b>Bad &amp; doubtful debts</b>	Unfavourable (5,758)	
	10.1 Infringements and legal costs totalling \$5,500 have been treated as bad debts to date. The reasons vary from failure to follow up within the Statute of Limitations timeframe (\$3,220) failure to pay and deemed to be uncollectable (\$1,250) and reduced by Magistrates' Court (\$1,289).		<b>(5,758)</b>
<b>11</b>	<b>Depreciation and amortisation</b>	Unfavourable (89,871)	
	11.1 Increase in depreciation mainly as a result of the revaluation of footpaths, underground drainage and kerb and chanel at 30 June 2016.		<b>(89,871)</b>
<b>12</b>	<b>Borrowing Costs</b>	Constant -	
<b>13</b>	<b>Other Expenses</b>	Favourable 18,986	
	13.1 Various minor adjustments across a number of programs.		18,986
			<b>18,986</b>
		<b>Total Expenditure Adjustments</b>	<b>(489,011)</b>
<b>14</b>	<b>Grants - Capital</b>	Unfavourable (421,058)	
	14.1 Grant of \$72,000 received for the upgrade of the Cohuna Kangas Female Facilities. (Refer the capital works schedule)		72,000
	14.2 Wandella Netball Courts & Lighting Upgrade		8,242
	14.3 Quambatook Township Flood Mitigation project removed as funding not available		(551,300)
	14.4 Kerang Pool Irrigation System		50,000
			<b>(421,058)</b>
		<b>Total Variation - Budget to Forecast</b>	<b>(731,643)</b>

**Balance Sheet  
As at 31 March 2017**

	Year to Date	Forecast To
	\$	30 June 2017
	\$	\$
<b>Assets</b>		
<b>Current assets</b>		
Cash and cash equivalents	4,516,288	4,220,550
Trade and other receivables	3,936,551	684,592
Financial assets	3,059,342	3,352,372
Inventories	132,155	92,155
Non-current assets classified as held for sale	724,764	489,764
Other assets	11,265	216,265
<b>Total current assets</b>	<b>12,380,365</b>	<b>9,055,698</b>
<b>Non-current assets</b>		
Property, infrastructure, plant and equipment	186,125,270	188,506,128
<b>Total non-current assets</b>	<b>186,125,270</b>	<b>188,506,128</b>
<b>Total assets</b>	<b>198,505,635</b>	<b>197,561,826</b>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Trade and other payables	898,841	906,989
Trust funds and deposits	222,262	222,262
Provisions	2,250,341	2,492,364
Interest-bearing loans and borrowings	11,901	169,845
<b>Total current liabilities</b>	<b>3,383,344</b>	<b>3,791,461</b>
<b>Non-current liabilities</b>		
Provisions	1,281,526	1,145,503
Interest-bearing loans and borrowings	760,757	590,912
<b>Total non-current liabilities</b>	<b>2,042,283</b>	<b>1,736,415</b>
<b>Total liabilities</b>	<b>5,425,628</b>	<b>5,527,876</b>
<b>Net Assets</b>	<b>193,080,008</b>	<b>192,033,950</b>
<b>Equity</b>		
Accumulated surplus	75,654,790	74,608,732
Reserves	117,425,218	117,425,218
<b>Total Equity</b>	<b>193,080,008</b>	<b>192,033,950</b>

**Capital Works  
Nine Months Ended 31 March 2017**

Project	Project Budget	31 March 2017	Permanent Adjustments	Forecast to 30 June 2017	Variance
<b>Budgeted 2016/2017 Capital Projects</b>					
Quambatook Township Flood Mitigation	806,950	-	(806,950)	-	(806,950)
IT Capital Purchases	180,000	130,519	-	180,000	-
Cohuna Caravan Park Hydrants	75,000	58,499	(16,500)	58,500	(16,500)
Promotional infrastructure	25,000	10,169	(6,766)	18,234	(6,766)
Library - Kerang	131,000	122,080	-	131,000	-
Library Book Purchases	103,000	74,807	-	103,000	-
Swimming Pool renewal prog	123,000	50,234	(55,000)	68,000	(55,000)
Scoresby Street Youth & Community Hub	70,000	65,817	(4,183)	65,817	(4,183)
Kerang CBD Streetscape	750,000	3,860	(350,000)	400,000	(350,000)
Kerang Depot - Chemical Storage	20,000	16,436	(3,564)	16,436	(3,564)
Sir John Gorton Precinct Upgrade	677,000	669,673	55,000	732,000	55,000
Town Entry Signage	26,000	2,250	(11,000)	15,000	(11,000)
Cobden Street Quambatook	492,000	79,280	-	492,000	-
Kerb Replacement	100,000	25,437	-	100,000	-
Footpath Replacement	103,000	84,055	-	103,000	-
Wells Bridge	1,672,000	1,628,811	-	1,672,000	-
Plant Replacement Vehicles	323,000	253,644	-	323,000	-
Plant Replacement	660,000	6,682	-	660,000	-
Boating Safety Upgrades	95,170	25,004	-	95,170	-
Closed Landfill Rehabilitation	220,000	336,048	158,000	378,000	158,000
Koondrook Wharf Construction	600,000	575,840	(20,000)	580,000	(20,000)
Stormwater Pumps	100,000	111,831	20,000	120,000	20,000
Quambatook River Street Precinct	26,000	30	-	26,000	-
Road Rehabilitation Program R2R	1,351,534	121,514	-	1,351,534	-
Gravel Resheeting Program R2R	952,874	741,428	-	952,874	-
<b>Capital budget new works</b>	<b>9,682,528</b>	<b>5,193,948</b>	<b>(1,040,963)</b>	<b>8,641,565</b>	<b>(1,040,963)</b>
<b>Carry Over Projects</b>					
Finance System Upgrade 2016	320,000	221,841	(50,000)	270,000	(50,000)
Koondrook Caravan Park Toilets and Laundry	275,000	238,754	-	275,000	-
Kerang Town Centre Improvements	45,000	17,408	-	45,000	-
Vine Street Pump	110,000	-	(30,000)	80,000	(30,000)
	<b>750,000</b>	<b>478,002</b>	<b>(80,000)</b>	<b>670,000</b>	<b>(80,000)</b>
<b>Projects undertaken outside of budget</b>					
Sale of 152 Sleepy Lane, Kerang	-	6,754	7,000	7,000	7,000
Office Furniture	-	4,288	4,288	4,288	4,288
Cohuna Kindergarten - Money in Trust	-	11,786	15,000	15,000	15,000
Cohuna Memorial Hall Toilets	-	-	-	-	-
Kerang Swimming Pool Irrigation Upgrade	-	-	60,000	60,000	60,000
Cohuna Rec Reserve -Female Facilities Upgrade	-	14,428	132,647	132,647	132,647
	<b>-</b>	<b>37,256</b>	<b>218,935</b>	<b>218,935</b>	<b>218,935</b>
<b>Total Capital Works</b>	<b>10,432,528</b>	<b>5,709,206</b>	<b>(902,028)</b>	<b>9,530,500</b>	<b>(902,028)</b>

**Overall Result**

Council's Capital Works program is progressing as scheduled. The capital budget for 2016/2017 is \$10.433m - this includes budgeted new works and budgeted carried forward works. At the end of March an amount of \$5.194 million had been spent on budgeted works with an additional amount of \$515k on carried forward works and new projects, giving a total spend of \$5.709 million.

The permanent adjustments below total \$902,028 of this amount \$806,950 is in respect to the Quambatook Township Flood Mitigation project not proceeding this year.

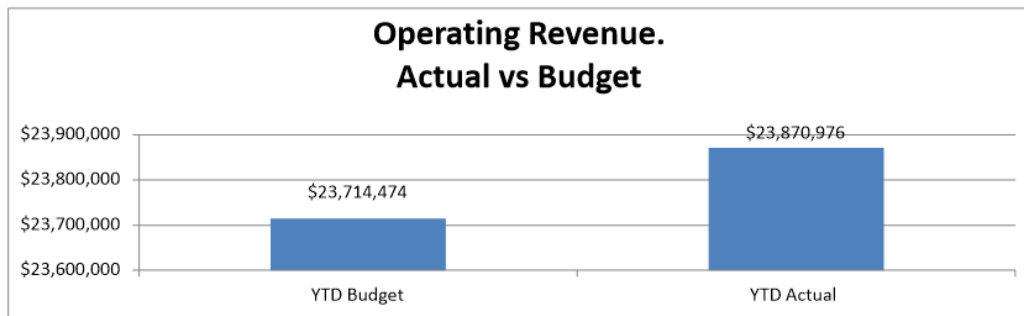
Summary of Permanent Adjustments:	Adjustments Previously Reported	Adjustments Current Quarter	Total Permanent Adjustments
<b>Budgeted 2016/2017 Capital Projects</b>			
<u>Quambatook Township Flood Mitigation</u> : Lack of funding - project not being undertaken during 2016/2017.		(806,950)	
<u>Cohuna Caravan Park Hydrants</u> : Project complete - under budget.		(16,500)	
<u>Promotional infrastructure</u> : Project coming to completion - will be under budget.		(6,766)	
<u>Swimming Pool Renewal Program</u> : Part works were undertaken as part of the splash park. And savings transferred to the Sir John Gorton Precinct project.		(55,000)	
<u>Scoresby Street Youth &amp; Community Hub</u> : Project complete - under budget.		(4,183)	
<u>Kerang CBD Streetscape</u> : Works to be completed during the 2017/2018 financial year.		(350,000)	
<u>Kerang Depot - Chemical Storage</u> : Project complete - under budget.		(3,564)	
<u>Sir John Gorton Precinct Upgrade</u> : Additional amount for construction of the accessible facility transferred from the Swimming Pool Renewal program.		55,000	
<u>Town Entry Signage</u> : Project coming to completion - will be under budget.		(11,000)	
<u>Closed Landfill Rehabilitation</u> : Additional works that were programmed for 2015/2016 have been completed.		158,000	
<u>Koondrook Wharf Construction</u> : Project complete.		(20,000)	
<u>Stormwater Pumps</u> : Additional costs due to quotes being higher than anticipated.	20,000		
			(1,040,963)
<b>Carry Over Projects</b>			
<u>Finance System Upgrade 2016</u> : Go-live deferred to complete user acceptance testing.		(50,000)	
<u>Vine Street Pump</u> : Quotes received lower than anticipated.		(30,000)	
			(80,000)
<b>Projects undertaken outside of budget</b>			
<u>Sleepy Lane Kerang</u> : Property is being prepared for sale. Costs associated with legal fees are expected to be approximately \$5,000.	5,000	2,000	
<u>Office Furniture</u> : Furniture purchased for Council Chambers waiting room.	4,288		
<u>Cohuna Kindergarten - Money in Trust</u> the works undertaken to date have been for the conversion of the storage shed to a cubby house. Additional works have been proposed to construct a bridge over the riverbed in the playground area. These works are to be funded from trust monies held.	15,000		
<u>Kerang Swimming Pool Irrigation Upgrade</u> : Grant funding received under the Sustainable Water Fund.		60,000	
<u>Cohuna Kangas Female Facilities Upgrade</u> : Funding of \$72,000 and local contribution of \$20,647 has been received to undertake the necessary upgrade of the female facilities.	132,647		
			218,935
			<b>(902,028)</b>

**FINANCIAL OVERVIEW**

	Year to Date		
	YTD Budget	YTD Actual	Variance
Operating Revenue	\$23,714,474	\$23,870,976	\$156,502
Operating Expenditure	(\$18,196,027)	(\$18,703,297)	(\$507,270)
<b>Result from ordinary activities</b>	<b>\$5,518,447</b>	<b>\$5,167,679</b>	<b>(\$350,768)</b>

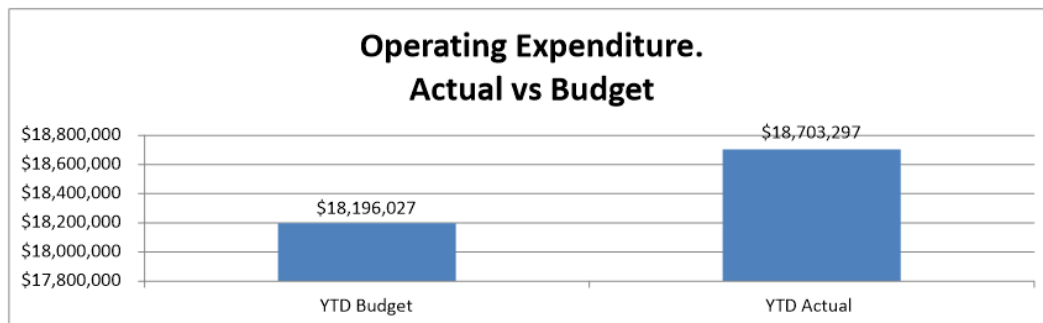
Abbreviations: YTD - Year to date EOY - End of year FY - Full year

**Operating Revenue:**



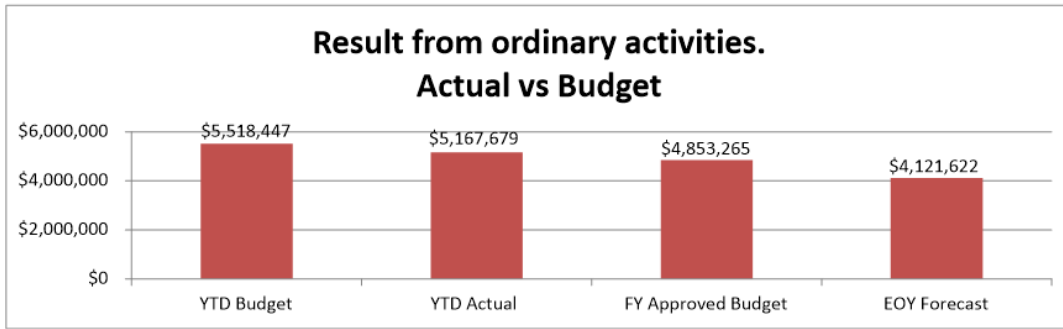
To date, Council's revenue is tracking slightly higher than the budget \$156k.

**Operating Expenditure:**



To date there is an unfavourable variance of \$507k.

**Result from ordinary activities:**

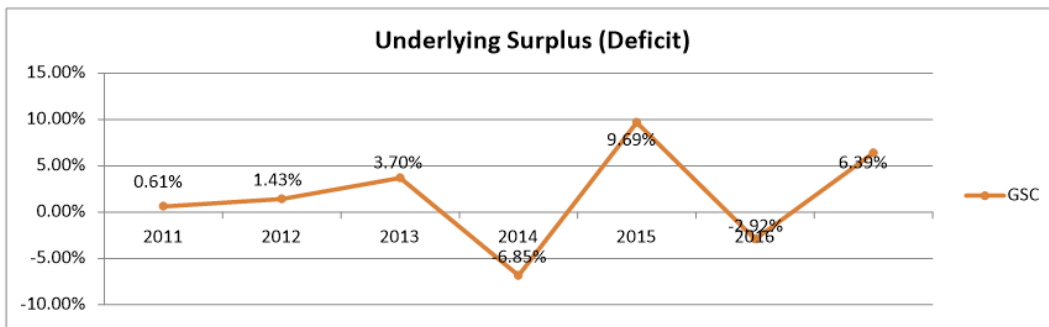


A favourable year to date result has been achieved.

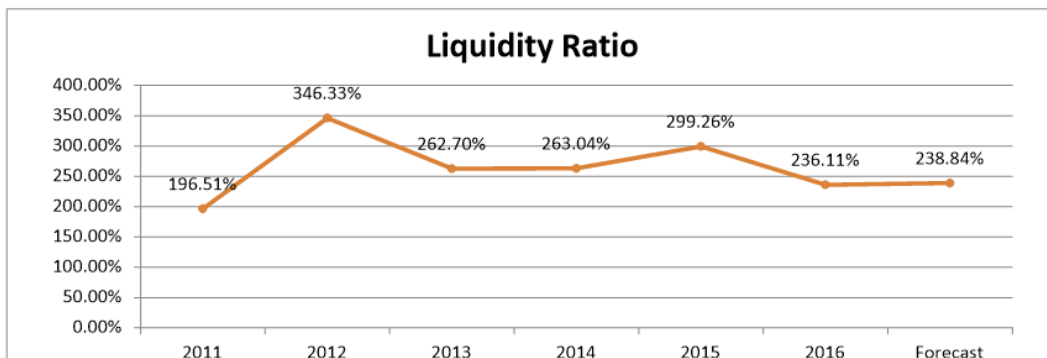
Abbreviations: YTD - Year to date FY - Full year EOY - End of year

**Financial Ratios**

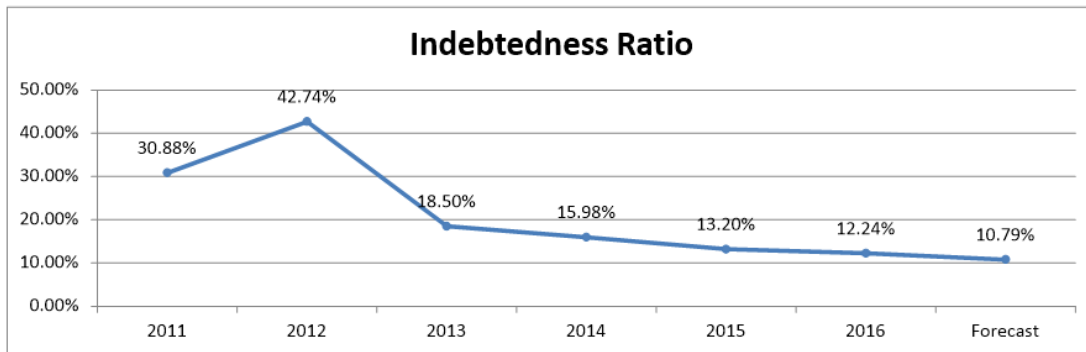
**Financial Sustainability:**



*Underlying surplus(deficit):* An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. The underlying deficit removes Non-Recurrent Capital grants from the surplus and reflects Council's ability to fund its operating expenditure out of all other operating income. A shift in the level of operating grants leads to a material change in the underlying deficit. R2R funding is treated as a recurrent capital grant and as such is not removed when calculating the underlying surplus/deficit.



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



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

**Balance Sheet Comparison**

A comparison of various balance sheet items are detailed below. The figures represent the balances at 31 March for the respective years.

	31/03/2014	31/03/2015	31/03/2016	31/03/2017
<b>Assets</b>				
Cash and cash equivalents (including investments)	8,431,699	7,213,514	7,736,863	7,575,630
Debtors	2,202,583	2,290,479	2,741,929	2,797,987
Rates (Includes Fire Service Levy)				
Other	1,991,202	752,781	311,404	1,138,563
Stock	464,838	526,328	83,360	132,155
<b>Liabilities</b>				
Trade and other payables	568,610	368,257	566,161	898,841
Provisions	3,145,394	3,434,778	3,395,666	3,531,867
Interest bearing loans	1,821,066	1,426,096	1,034,599	772,658

**8.7 MUNICIPAL EMERGENCY MANAGEMENT PLAN (MEMP) - ADOPTION**

**Author:** Lisa Clue, Manager Governance

**Authoriser:** Tom O'Reilly, Director Corporate Services

**Attachments:** 1 Municipal Emergency Management Plan - Issue 30 (under separate cover)

**RECOMMENDATION**

**That Council adopt the Municipal Emergency Management Plan (MEMP) Issue 30, as attached.**

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**EXECUTIVE SUMMARY**

The *Emergency Management Act 1986* (Vic) requires a municipal council to prepare and maintain a municipal emergency management plan (MEMP) and appoint a municipal emergency planning committee (MEMPC) to prepare and draft a MEMP for consideration by the municipal council.

The Gannawarra Shire MEMPC regularly reviews emergency related plans and arrangements to ensure consistency with State and regional plans and arrangements and accurate contact information for relevant agencies, organisations and individuals.

All parts contained within the Gannawarra Shire MEMP have been reviewed within the last three years, a Draft reviewed MEMP has been provided to the MEMPC and stakeholder organisations for comment, and the document is now presented to Council for adoption.

**BACKGROUND**

Section 20(1) of the *Emergency Management Act 1986* (Vic) requires a municipal council to prepare and maintain a MEMP. Section 21 requires a those councils to appoint a MEMPC to prepare and draft a MEMP for consideration by the municipal council. The MEMPC meets at least three times per year to monitor and review Gannawarra Shire emergency related plans and planning arrangements. The Gannawarra MEMP was last presented to, and adopted by Council in May 2014.

**POLICY CONTEXT**

Council Plan 2013 – 2017 - Healthy Liveable Communities: To protect, promote and enhance the health and wellbeing of our community.

*Emergency Management Act 1986*

**DISCUSSION**

Municipal emergency management plans document roles, responsibilities and actions relevant to emergency prevention, preparedness, response and recovery, and assist in maximising the positive impact of response and recovery activities and reducing the likelihood of avoidable negative outcomes.



The Gannawarra MEMP contains a number of different parts and contact lists that are regularly reviewed to ensure consistency with State and regional plans and arrangements and accurate contact information for relevant agencies, organisations and individuals. The review process includes:

- Regular review and update of contact lists by Council staff - this information is immediately passed on to MEMPC members and stakeholder organisations.
- Review of MEMP Parts – undertaken by MEMPC members, draft reviewed documents are then provided to stakeholder organisations for comment.
- At least every three years, all reviewed parts of the MEMP are combined and presented to Council for adoption.

The most recent review of the MEMP addressed changes to emergency catering and first aid arrangements, removed reference to Municipal Emergency Coordination Centres, detailed impact assessment responsibilities and updated risk assessment (CERA) and contact information.

The Draft reviewed Plan was provided to MEMPC members and stakeholder organisations for comment on 13 April 2017.

Feedback on the Draft reviewed Plan was considered by the MEMPC at a meeting on 27 April 2017. At that meeting, the MEMPC resolved that the document be presented to Council for adoption.

### **CONSULTATION**

Council staff with emergency management related responsibilities, the MEMPC and identified stakeholder organisations have contributed to the review of the document.

### **CONFLICT OF INTEREST**

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

### **CONCLUSION**

The Gannawarra Shire MEMP documents roles, responsibilities and actions relevant to an emergency event that could occur in the Shire and assists in maximising the positive impact of response and recovery activities and reducing the likelihood of avoidable negative outcomes. Regular review of the document ensures consistency with regional and State emergency management arrangements and accurate local information including contact details. Following a full review of the document, MEMP Issue 30 is now presented to Council for adoption.

**8.8 COUNCIL POLICY REVIEW - ENDORSEMENT**

**Author:** Alissa Harrower, Governance and Compliance Coordinator

**Authoriser:** Tom O'Reilly, Director Corporate Services

- Attachments:**
- 1 Policy No. 085 - Asset Management
  - 2 Policy No. 098 - Asset Naming
  - 3 Policy No. 098 - Asset Naming Procedure

**RECOMMENDATION**

That Council endorse the following reviewed policies:

- Policy No. 085 – Asset Management
- Policy No. 098 – Asset Naming
- Policy No. 098 – Asset Naming Procedure

**EXECUTIVE SUMMARY**

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

- Policy No. 085 – Asset Management
- Policy No. 098 – Asset Naming
- Policy No. 098 – Asset Naming Procedure

**BACKGROUND**

Council officers undertake regular reviews of Council policies to ensure compliance with relevant legislation and that they are reflective of current practice. Reviewed policies are presented to Council for endorsement, or repeal if it has been determined the policy is no longer required.

**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.

**DISCUSSION**

Policy No	Policy Name	Comments
085	Asset Management	Minor changes have been made to bring this policy into line with the NAMAFA (National Asset Management Assessment Framework) which is managed through the STEP Program. Council is a member of the STEP Program which measures Council’s performance in asset management against other Councils.

		<p>Changes include:</p> <ul style="list-style-type: none"> <li>• Creating linkages to the Council Plan and the Long Term Financial Plan</li> <li>• Recognition of training and development of a skills matrix for staff in the area of asset management that will assist with future decision making.</li> </ul>
098	Asset Naming (including Procedure)	Minor changes to the wording to reflect the recently adopted 'Naming Rules for Places in Victoria 2016' guidelines. The guidelines are published by the Office for Geographic Names.

**CONSULTATION**

Council's Executive Leadership and Management Teams have been involved in the review of these policies.

**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 addresses recently reviewed policies for the consideration of Council to ensure compliance with relevant legislation and that they are reflective of current practice.



# ASSET MANAGEMENT

## COUNCIL POLICY NO. 085

### 1. PURPOSE

The purpose of the policy is to demonstrate Gannawarra Shire Council's whole-of-organisation commitment to the responsible management of Council's assets. The policy sets the guidelines for implementing consistent asset management processes throughout Council.

### 2. POLICY OBJECTIVES

This policy sets out Council's commitment to manage and care for its assets in a way that assists it to achieve its vision and meets the needs of the community. This vision is stated as follows:

***"We will provide and maintain assets in a sustainable manner to improve the quality of life and safety of the Gannawarra Shire Community."***

To achieve this, Council recognises that assets must be planned, provided, maintained, repurposed, refurbished and disposed of so that they continue to meet the present and future service delivery needs of the community.

To achieve the following objectives, Council applies an asset management framework to ensure that adequate provision is made for the long-term management of Council's assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- Implementing appropriate asset management Plans and strategies and appropriate financial resources for the preservation of assets.
- Creating and sustaining asset management awareness across the organisation through training and development
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with best practice.
- Creating linkages to the Council Plan and the Long Term Financial Plan.
- Ensuring that the community consultation is appropriate to Asset Management decisions and commensurate with community expectations.

### 3. SCOPE

This policy applies to all asset classes owned by Council and identified as, but not limited to:

○ Roads	○ Bridges	○ Land	○ Artworks
○ Footpaths	○ Kerb and channel	○ Heavy Plant Fleet	○ Light vehicle fleet
○ Buildings	○ Drainage	○ Swimming Pools	○ Library Books
○ Parks, Reserves & Playgrounds	○ Information Technology	○ Plant & Equipment (Other)	○ Furniture & Fittings
○ Aerodromes	○ Water holdings	○ Caravan Parks	

### 4. ASSET MANAGEMENT ROLES & RESPONSIBILITIES

Council, management and employees all have the joint responsibility of making Asset Management a priority as they undertake tasks when conducting Council’s business and achieving Council’s objectives.

The various roles and responsibilities for Council’s asset management function are summarised as follows:

**Council**

In accordance with the *Local Government Act 1989* and the *Road Management Act 2004*, the roles of the Council as custodians of all Gannawarra Shire Council assets are to:-

- Provide stewardship
- Adopt a corporate asset management policy and asset management strategy
- Consider the impact of financial and service level decisions on Council’s assets.

**Director Corporate Services**

- To support the Manager Strategic Assets to continually promote asset management across the organisation and with Council and the community;
- To monitor and review the implementation of the Asset Management Policy and Asset Management Strategy within the allocated resources;
- To foster and support the multi-discipline cross-functional Strategic Asset Management Committee;
- To ensure the results of Council’s Business Excellence/Best Value program and service reviews are reflected in Asset Management Plans;
- To ensure staff are appropriately trained and skilled to perform the required asset management functions;
- To ensure that community and key stakeholder input is integrated into Asset Management Plans;
- To ensure that accurate and reliable financial information is presented to Council for decision-making; and



- To provide effective communication, education and awareness between staff, Council and the community.
- To oversee the connectivity between robust Asset Management and the Council Plan and the Long Term Financial Plan.

#### **Manager Strategic Assets**

- Establish a cross functional team to oversee the implementation of the corporate Strategic Asset Management Framework
- Chair the Strategic Asset Management Committee
- Continue to review and monitor the ongoing currency of the Strategic Asset Management Framework
- Oversee the development and integrity of Asset Registers for all Council Asset classes; and
- Oversee the development of Asset Management Plans for all asset classes across Council
- Identify training needs of Councillors and staff in appropriate asset management.

#### **Strategic Asset Management Committee**

As part of the implementation and future reviews of the Asset Management Policy and Strategy, a Strategic Asset Management Committee has been formed, comprising representatives from each area of Council. This allows each department to take ownership of the implementation and outcomes of asset management.

The core objectives of the Strategic Asset Management Committee are to:

- Ensure the provision of assets which meet the needs of the community.
- Establish asset management goals, strategies, policies and processes in line with the Strategic Resource Plan.
- Be aware of, manage and minimise all risks associated with Council's assets.
- Ensure compliance with all legislative and regulatory requirements.
- Safeguard Council's assets through the implementation of appropriate stewardship mechanisms.
- Prioritise and provide recommendations to Executive on the appropriate mix of projects to be delivered within the capital works program.
- Monitor and report to Executive the actual performance of the capital works program against the long term capital and financial plans.
- Make comment on the development and implementation of the various processes relating to Asset Management across Council.
- Operate within the agreed Terms of Reference.

#### **Community**

Community engagement and input will be managed through a range of communication approaches, such as:

- Community planning groups,
- Council Advisory Committees/Groups,
- Progress Association meetings,
- Council's Customer Service Survey results,

- Online forms obtainable from Council's website,
- Advertisements in the print and social media and on Council's website, and
- Feedback provided to and from Councillors.

## 5. KEY ASSET MANAGEMENT PRINCIPLES

Council recognises that to achieve its vision for asset management, the following key principles will be an integral part of its "day to day" decision-making process:

- An Asset Management Strategy exists for implementing consistent and systematic asset management and appropriate best practice throughout Council
- All relevant legislative requirements together with social, political and economic environments are to be taken into account in asset management
- The asset management plans are developed and updated for each asset class. The plans are informed by community consultation and financial planning and reporting.
- An inspection process will be developed for each asset class to ensure agreed service levels are maintained and to identify asset renewal priorities
- Service levels will be developed and defined in each asset management plan. The service levels will form the basis of annual budget estimates
- Future service levels will be determined in consultation with the community
- Renewal plans will be developed based on service levels, condition and risk
- Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading existing services and assets.
- The asset management plans are developed in accordance with Council's budget constraints with high levels of fiscal consideration and responsibility.
- Staff training needs are identified and resourced.
- Staff skills are recognised and documented in a skills matrix.



## 6. POLICY IMPLEMENTATION

Council's assets will be managed in the most cost effective manner, driven by defined service levels and best practice performance standards. This will require ongoing assessment of the following key issues:

- Customer and community expectations;
- Strategic and corporate goals;
- Long term financial modelling; and
- Legislative requirements

This should be achieved through strategic planning, service level review, output review, and development/ implementation of the asset management framework managed by the Manager Strategic Assets in conjunction with the Strategic Assets Management Committee.

## 7. ADOPTION OF POLICY

Council adopted the revised Asset Management Policy No. 085 in May 2017. It follows the frameworks set by the MAV 'STEP' Program and the requirements of the Road Management Act 2004.

## 8. POLICY REVIEW

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

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

## 9. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at [www.gannawarra.vic.gov.au](http://www.gannawarra.vic.gov.au).

Any enquiries, in relation to this policy should be directed in writing to the Chief Executive Officer, PO Box 287, Kerang VIC 3579.

*Originally adopted: 2004*

Reviewed: 19/11/2014 Minute Book Reference:

Reviewed: 12/04/2017 Minute Book Reference:

**To be reviewed: 2020**







# ASSET NAMING

## COUNCIL POLICY NO. 098

### 1. POLICY

This policy should be read in conjunction with Gannawarra Shire Council's Asset Naming Procedure when selecting, approving or assigning names for roads and streets:-

- In new subdivisions;
- For unnamed roads and streets; and
- To change the name of existing roads and streets.

This policy and associated procedure will also apply to the name of other Council assets including reserves, open spaces and facilities.

The importance of having appropriate names for streets, roads and other assets is recognised to enable the efficient and orderly operation of services in our community including emergency, postal and transport services as well as facilitating good community communication, in accordance with the *Naming Rules for Places in Victoria – Statutory requirements for naming roads, features and localities 2016*.

Council has responsibility under the Local Government Act 1989 for the naming of roads and streets. Approaches are made to Council from time to time to name or rename roads and streets or other assets. This policy will provide a framework in which to consider these proposals and to recognise community heritage, identity and aspirations.

### 2. POLICY REVIEW

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

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

### 3. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at [www.gannawarra.vic.gov.au](http://www.gannawarra.vic.gov.au).

Any enquiries, in relation to this policy should be directed in writing to the Chief Executive Officer, at PO Box 287, Kerang 3579.

*Records – Document Profile No. 14/00465*

*Originally adopted:* 25/10/2006

Reviewed: 20/05/2009 Minute Book Reference: 7456

Reviewed: 18/11/2015 Minute Book Reference: 12255

Reviewed: 13/04/2017 Minute Book Reference:

**To be reviewed: 2020**



# ASSET NAMING PROCEDURE

## TO ACCOMPANY - COUNCIL POLICY NO. 098

This Procedure should be read in conjunction with Gannawarra Shire Council Policy No. 098 – Asset Naming and *Naming Rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016* which sets the guidelines for asset naming in accordance with Sec.5 of the *Geographic Place Names Act 1998*. The procedure applies when selecting, approving or assigning names for roads and streets, reserves, open spaces and facilities within the Gannawarra Shire.

### WHAT IS ENCOURAGED

- Names should have some relevance to the area in which the asset is located. Aspects to be taken into account include historical, cultural, heritage, environmental or botanical linkages.
- The road name should reflect the type of road or street it is eg. road, street, boulevard, court. Additionally, dead-ends or not through roads should be called court, close or similar, as appropriate.
- Names should comply with the *Naming Rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016*.

### WHAT IS DISCOURAGED

- Roads or streets should not be named after commercial enterprises or trade names;
- Estate names (which are solely commercial in nature) should not be used;
- Names should not be derogatory or offensive on the grounds of race, ethnicity, religion or gender;
- Apostrophes must not be used;
- The names of 'not for profit' organisations should not be used, and
- Renaming of roads is generally discouraged to avoid inconvenience and cost to affected landholders.

### WHAT IS CHOSEN

Council should ensure as far as possible that place names are:-

- Relatively short.
- Relevant.
- Easy to pronounce, spell and write.
- Not easily confused with or duplicating names within the municipality or nearby localities.

## PROCESS FOR CHOOSING A NAME

### CONSULT THE LIST OF RECOMMENDED NAMES

- A list of recommended road, street and other names is compiled by Council with resident suggestions and input from community and historical groups.
- The list is agreed by Council's Asset Naming Committee. This list is known as the Asset Naming Master List.
- Persons requesting the addition of a name to the Asset Naming Master List will be required to submit supporting documentation.

The Asset Naming Committee will provide recommendations to Council on all requests for the addition of names to the Asset Naming Master List. Council will need to endorse the recommendation before the name can be added to the Asset Naming Master List.

### RENAMING ROADS AND NAMING UNNAMED ROADS

- Proposals to name or rename a road will be considered by Council's Asset Naming Committee (see attached flow chart).
- Proposals will be publicly advertised and community comment invited.
- Council will write to all abutting property owners and relevant authorities inviting them to make a submission.
- Submissions will be considered by Council's Asset Naming Committee.
- Council will consider the Asset Naming Committee's recommendations and ratify road names.

### NAMES FOR ROADS AND STREETS IN NEW SUBDIVISIONS

- Developers applying for subdivision may submit names (in accordance with this policy) for consideration.
- Developers are encouraged to draw from the master list of recommended names when putting their proposals forward.
- Relevant supporting documentation including an explanation for the name must be provided, where the proposed name is not included in the master list.
- Council reserves the right to reject names.
- Decision made by delegate if proposed names from Asset Naming Master List. If not, Council's Asset Naming Committee will make the decision.
- Names are not publicly advertised.

### NAMES FOR RESERVES

- Proposals for naming reserves, open space and other Council facilities will be considered by Council or its nominated Asset Naming Committee.
- Proposals will be publicly advertised and community comment invited.

- As part of the consultation process, Council will write to all abutting property owners inviting them to make a submission.
- Submissions will be considered by Council or its Asset Naming Committee.
- Council will make the final decision.

### **TIMING**

- Renaming roads or naming unnamed roads will generally be undertaken on an “as required” basis to ensure resources are utilised efficiently in the advertising and consultation process.
- Naming roads and streets in a new subdivision will be undertaken within the statutory period for approving a subdivision.
- Naming of other assets will be considered, as required.

### **AFTER RENAMING ROADS OR NAMING UNNAMED ROADS**

- All property owners abutting the road, those who made a submission and the various authorities will be advised in writing of Council’s decision.
- Council records will be updated.
- Council will advertise its decisions in local newspapers.
- Council will notify Land Victoria, VicRoads and Geographic Place Names Victoria of new or altered road and street names.
- Council will notify all statutory bodies, emergency, postal and transport services.

### **AFTER NAMES ARE ASSIGNED TO ROADS IN NEW SUBDIVISIONS**

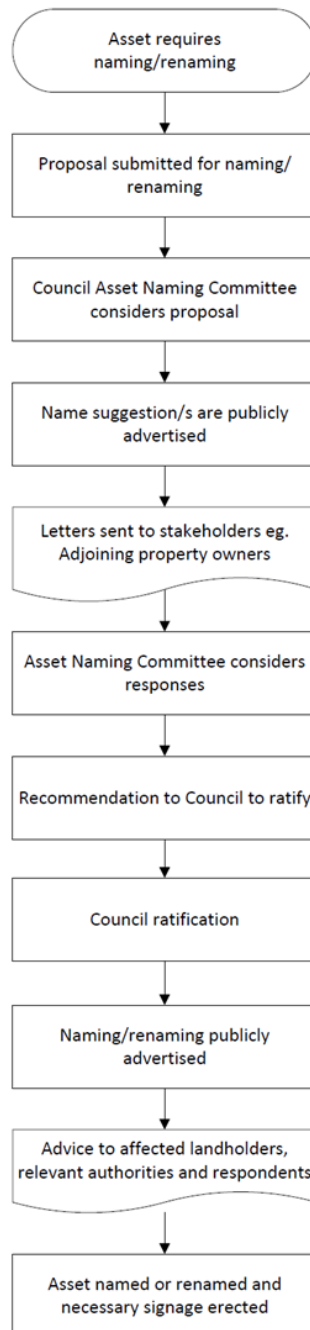
- Council will register road names when it certifies the plans of subdivision.

### **AFTER NAMING A RESERVE, OPEN SPACE OR BUILDING**

- Council will notify relevant authorities of the new name of the particular asset.
- Council records will be updated.
- Council will advertise its decision(s) in the local newspapers and in the Government Gazette.
- Council will notify all statutory bodies, emergency, postal and transport services.



**GENERAL PROCESS FOR CONSIDERING NAMING/RENAMING ASSETS**



## 8.9 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER

**Author:** Alissa Harrower, Governance and Compliance Coordinator

**Authoriser:** Tom O'Reilly, Director Corporate Services

**Attachments:** 1 Instrument of Delegation to the Chief Executive Officer

### RECOMMENDATION

#### That Council

1. In the exercising of powers conferred by Section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation to the Chief Executive Officer, resolve that;
  - There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that instrument.
  - The instrument comes into force immediately the common seal of Council is affixed to the instrument.
  - On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
  - The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
  - It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

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### EXECUTIVE SUMMARY

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

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

The document addressed in this report delegates powers, duties and functions to the Chief Executive Officer.

**BACKGROUND**

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

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

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

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

Where this is to occur, appointments are formalised through written 'instruments of delegation'. Under the Act, delegations must be reviewed within twelve months after a general election, Gannawarra Shire Council.

**POLICY CONTEXT**

Section 98 *Local Government Act 1989*.

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

**DISCUSSION**

A recent review of the Instrument of Delegation to the Chief Executive Officer identified no required changes.

**CONSULTATION**

Lawyers from Maddocks provide Council with regular updates of relevant changes to legislation and regulations.

**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 review of the Instrument of Delegation to The Chief Executive Officer has been completed, as required under Section 98 of the *Local Government Act 1989* and is now presented to Council for formal resolution.

**Gannawarra Shire Council**

**Instrument of Delegation**

**to**

**The Chief Executive Officer**



**Instrument of Delegation**

In exercise of the power conferred by section 98(1) of the Local Government Act 1989 (the Act) and all other powers enabling it, the Gannawarra Shire Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on 17 May 2017
- 2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.
- 3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL of the GANNAWARRA SHIRE COUNCIL )  
 was hereunto affixed in accordance with Local Law No. 7 )  
 on the \_\_\_\_\_ day of \_\_\_\_\_ 2017. )

\_\_\_\_\_ Chief Executive Officer  
 (signature)

\_\_\_\_\_ Full name

**Schedule**

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

**Conditions and Limitations**

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 4.1 awarding a contract exceeding the value of \$250,000
  - 4.2 making a local law under Part 5 of the Act;
  - 4.3 approval of the Council Plan under s.125 of the Act;
  - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
  - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
  - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
  - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
  - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
  - 4.9 appointment of councillor or community delegates or representatives to external organisations;  
or
  - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 7.1 policy; or
  - 7.2 strategyadopted by Council; or
8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
9. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

**8.10 PROPERTY MAINTENANCE SERVICE**

**Author:** Carole Wandin, Manager Community Care  
**Authoriser:** Mandy Hutchinson, Director Community Wellbeing  
**Attachments:** Nil

**RECOMMENDATION**

**That Council deliver the Property Maintenance Service from 1 July 2017 to 30 June 2019.**

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**EXECUTIVE SUMMARY**

In November 2016 Council resolved to provide the function of the Property Maintenance service from 1 February until 30 June 2017, after two tender processes were unsuccessful. Council further resolved that a further report to consider options for the delivery of the Property Maintenance Service from 1 July 2017 onwards. It is recommended that Council continues to deliver the Property Maintenance Service until June 2019.

**BACKGROUND**

Council has delivered a Property Maintenance service to residents in Gannawarra Shire for over 30 years through a contractor and through an Council led team. The service is funded by State and Federal governments. Clients make a contribution to the service. The service delivers a lawn mowing and basic garden maintenance visit every 4 weeks to 135 residents.

In August 2016 tenders were invited for the Property Maintenance Service. Two tenders were received and were rejected due to a 100% increase in the price submitted. Council readvertised the tender in October 2016 and included details of the funding received and the contribution made by clients. Unfortunately, the tender submissions offered prices that were outside the funding and client contribution constraints.

**POLICY CONTEXT**

*Council Plan 2013-2017*

**Healthy Liveable Communities:** Lead the way on local planning efforts to improve health and wellbeing outcomes for the community: Our community has access to a range of facilities and opportunities that promote active lifestyles.

**Effective Leadership and Management:** Council maximises its financial capability whilst paying close attention to risk factors and statutory requirements.

**DISCUSSION**

Council is funded through the Department of Health, Department of Health and Human Services and user fees, to manage and coordinate the provision and delivery of Commonwealth Home Support Program and HACC Program for Younger People Property Maintenance Service within the municipality.

The aim of Property Maintenance Services is to assist elderly members of the community and younger people with disabilities to maintain a safe, secure and healthy home environment to allow them to live independently at home and within the community.

Council has held a positive reputation in the community for the delivery of this service to clients and so the maintenance of a high quality of service is an important factor.

Council Officers have considered the following options before making the recommendation:

1. Explored the voucher model implemented by Swan Hill Rural City Council and Macedon Ranges Council. We estimate that the change management associated with this option would take 6 months. There are also anecdotal concerns about clients not using vouchers.
2. Deliver Property Maintenance through the Community Care Department.

The preferred permanent option is Council run from 1 July 2017 until the end of the Aged Care transition in 30 June 2019. Council believes that costs can be maintained within the existing operational budget, whilst still delivering a quality service. It will increase the current staffing profile by 1.0 EFT.

### **CONSULTATION**

A Property Maintenance Satisfaction Survey was conducted in 2016 with feedback requested regarding the option of receiving a monthly voucher for clients to choose the Property Maintenance Provider of their choice. The response from the survey showed no clients wished to change to the voucher system.

Discussions with Swan Hill Rural City Council proved the voucher system showed areas of concern regarding the quality review process and the ability to provide accurate documentation to funding bodies regarding target hours being achieved.

All clients were contacted individually to discuss the changes to the Property Maintenance Service prior to Council commencing delivery in February 2017.

### **CONFLICT OF INTEREST**

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

### **CONCLUSION**

Council Officers recommend that Council continue to provide the Property Maintenance Service, managed by the Community Care Department, from 1 July 2017 to 30 June 2019.

**8.11 REFUGEE AND MIGRANT WELCOME ZONE**

**Author:** Mandy Hutchinson, Director Community Wellbeing

**Authoriser:** Mandy Hutchinson, Director Community Wellbeing

**Attachments:** 1 Refugee and Migrant Welcome Zone

**RECOMMENDATION**

**That Council sign a formal declaration to become a Refugee and Migrant Welcome Council.**

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**EXECUTIVE SUMMARY**

A Refugee Welcome Zone is a Local Government Area which has made a commitment in spirit to welcoming refugees and migrants into the community, upholding human rights and demonstrating compassion whilst enhancing cultural and religious diversity in the community.

Approval is sought to make a formal declaration for Gannawarra Shire Council to become a Refugee and Migrant Welcome Zone.

**BACKGROUND**

An initiative of the Refugee Council of Australia (RCOA), a Refugee Welcome Zone is a Local Government Area which makes a commitment to welcoming refugees into the community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in the community. A fact sheet about RWZ can be found here: <http://www.refugeecouncil.org.au/wp-content/uploads/2014/09/RWZ-Councils-1509.pdf>

After discussion with Councillors, and in following the lead of Manningham Council, Council Officers recommended the inclusion of Migrants to the heading.

Local Government has historically played an important role in assisting refugee and migrant settlement and promoting community harmony. Since Federation in 1901, Australia has become home to over 800,000 refugees and we have a proud history of settling refugees from all over the world who have gone on to make an enormous contribution to our economic, social and cultural life.

Since 1945, when Australia's first immigration department was established, approximately seven million permanent migrants have settled in Australia. According to the Department of Immigration and Citizenship (DIAC), the contribution of immigrants from all parts of the world to Australian society, culture and prosperity 'has been an important factor in shaping our nation'.

Today over 100 Councils across Australia have signed the declaration including, Mildura Rural City Council which declared themselves a Refugee Welcome Zone back in 2002. Since then our surrounding Councils including Swan Hill Rural City Council, Campaspe Shire Council and Greater City of Bendigo have made the declaration.

The contribution of Australia's local councils to welcoming humanitarian arrivals has been documented by Refugee Council Australia in [a research paper](#) which sets out the benefits of becoming a Refugee Welcome Zone and highlights examples of best-practice from some of the local councils.

Council Officers also found the *Migration to Australia since federation: a guide to the statistics* report useful in providing evidence for this report.

<https://www.aph.gov.au/binaries/library/pubs/bn/sp/migrationpopulation.pdf>

In Gannawarra 5.3% of our population were born overseas, and 35.7% of our community believe that multiculturalism makes life better. (DHHS Profile)

This public commitment is also an acknowledgment of the tremendous contributions refugees and migrants have made to Australian society in the fields of medicine, science, engineering, sport, education and the arts.

## **POLICY CONTEXT**

Council Plan 2013-2017:

Effective Management and Leadership: Develop and remain actively involved in key partnerships at a local, regional and state level.

Healthy Liveable Communities: Encourage supportive and inclusive communities and involvement in local planning and decision making

## **DISCUSSION**

There are no obligations upon making the declaration, becoming a Refugee and Migrant Welcome Zone is simply a symbolic gesture of support. The declaration means we as a community take a strong stand against racism and discrimination and promote harmony, social cohesion and respect for human rights in our local community.

Gannawarra Shire Council already demonstrates compassion for refugees and multiculturalism through cultural events including Harmony Day and Citizenship Ceremonies, which bring together the community to celebrate cultural diversity and acceptance.

It is acknowledged that there may be some community resistance in becoming a Refugee and Migrant Welcome Zone however it is felt that this can be alleviated through clearly communicated benefits and a positive approach in leadership for multicultural acceptance.

## **CONSULTATION**

The Gannawarra Refugee Support Group presented to Council in 2014. Council Officers attended 2 meetings of this group, and Cr Learmonth and Director of Community Wellbeing attended a forum at City of Great Dandenong to gain a better appreciation of the request.

The Gannawarra Refugee Support Group, whose membership number is over 100, presented to Council on 11 April 2017 with representatives from Cohuna Neighbourhood House pledging their support also.

## **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**

By making this Declaration our Council demonstrates leadership in supporting the men, women and children who make the sometimes difficult journey to Australia to seek protection and make a new home. Gannawarra Shire is a friendly, inclusive community, and is proud to provide a welcoming home to families from other nations. Australia has a long history of settling refugees and immigrants from all over the world who have gone on to make enormous contributions to our economic, social and cultural well-being.





The Gannawarra Shire Council declares our Shire to be a Refugee and Migrant Welcome Zone.

**This declaration is committed in spirit to:**

- Welcoming Refugees and Migrants
- Upholding their human rights
- Demonstrating Compassion
- Enhancing the cultural and religious diversity of our community

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Gannawarra Shire Mayor, Cr Brian Gibson

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This Declaration is proudly endorsed by the Refugee Council of Australia



**8.12 AGE FRIENDLY DECLARATION****Author:** Mandy Hutchinson, Director Community Wellbeing**Authoriser:** Mandy Hutchinson, Director Community Wellbeing**Attachments:** 1 Age Friendly Declaration**RECOMMENDATION****That Council authorises the Mayor to sign the Age Friendly Victoria Declaration.**

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**EXECUTIVE SUMMARY**

The Age Friendly Victoria Declaration sets out an agreed vision and commitment to work towards creating age-friendly communities.

**BACKGROUND**

On 15 April 2016, the Victorian Government and Municipal Association of Victoria (MAV) ratified the Age Friendly Victoria Declaration. The Declaration sets out an agreed vision and commitment between parties to improve state and local level planning in order to make communities more age-friendly. Local governments and other organisations across Victoria have been invited to demonstrate their support of this development by becoming a signatory to the Declaration (Attachment 1). The vision and commitments set out within the Declaration align closely to the principles, objectives and directions articulated within the Gannawarra Positive Ageing Strategy. Council's signing of the statement of support provides an opportunity to reaffirm its commitment to positive ageing and creating an age-friendly community, as well as an opportunity to provide public recognition of Council's strong leadership role in this area.

**POLICY CONTEXT**

Council Plan 2013-2017:

Effective Management and Leadership: Develop and remain actively involved in key partnerships at a local, regional and state level.

Healthy Liveable Communities: Encourage supportive and inclusive communities and involvement in local planning and decision making

Gannawarra Positive Ageing Strategy 2016-2020

**DISCUSSION**

Council's statutory responsibilities directly and indirectly influence the health, participation and independence of older community members. This includes the delivery of aged and community care services, roads, leisure and recreation opportunities, health protection and promotion, community development, building and land use planning.

As part of its commitment, the state government will deliver \$2.2 million of funding over four years for age-friendly projects led by local governments. The Declaration is required to be signed by the Mayor on behalf of Council and the Gannawarra Shire Council. In signing the statement of support, Council endorses and supports the intention and commitments articulated within the Declaration which include:

- Promoting an age-friendly Victoria.
- Supporting state and local planning processes.
- Providing local government with access to advice, expertise and support.
- Empowering and encouraging the involvement of seniors.
- Addressing issues listed in the WHO Age-Friendly Cities: A Guide.
- Valuing stakeholder engagement and collaboration.

Signing the statement of support provides council with an opportunity to reaffirm its commitment to positive ageing and age-friendliness and to communicate this to community members through local media channels. There is also opportunity for council to demonstrate its strong leadership in creating an age-friendly community. Additionally, signing of the statement of support would place council in a sound position to access the age-friendly grant opportunities established by the state government, should suitable actions be identified in future.

## **CONSULTATION**

The Aged Friendly Declaration is on the Agenda for the Gannawarra Seniors Advisory Group meeting on 11 May, and was previously discussed in conjunction with the Positive Ageing Strategy consultation in May 2016.

## **CONFLICT OF INTEREST**

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

## **CONCLUSION**

The Age-Friendly Victoria Declaration aligns strongly to the principles, objectives and directions articulated within the Gannawarra Positive Ageing Strategy. Becoming a signatory to the Declaration presents an opportunity for Council to reaffirm its commitment to the positive ageing of older community members and creating age-friendly environments.



Victorian Government and  
Municipal Association of Victoria

# AGE-FRIENDLY VICTORIA

## DECLARATION

### Statement of Support and Partner Endorsement

#### Vision

The vision of the Victorian Government and the Municipal Association of Victoria in signing this Declaration is for better state and local planning for the creation of age-friendly communities. This is the focus of our shared activities on common goals and directions.

#### Commitment

The Victorian Government and the Municipal Association of Victoria will build the age-friendly capacity of local communities by:

1. **promoting an age-friendly Victoria** through the role and achievements of local government in creating age-friendly communities and providing leadership to encourage local councils and stakeholders to develop the principles of the age-friendly cities and community directions
2. **supporting** state and local planning processes to create age-friendly communities and using the knowledge, information and tools available through the World Health Organization's Global Network of Age-friendly Cities
3. **providing** local councils with leading advice, expertise, access to networks, policy information and other support to encourage local age-friendly initiatives
4. **empowering** seniors' involvement in local age-friendly initiatives by assisting councils to develop active engagement structures and models of localised seniors community input
5. **encouraging** seniors to get involved in areas they see as important such as local community transport, volunteering, community participation, diversity of housing options, seniors safety, technology access and lifelong learning
6. **addressing** the built environment, transport, housing, social participation, respect and social inclusion, civic participation and employment, communication, and community support and health services for age-friendly communities as listed in the 2008 World Health Organization's *Age-friendly Cities: A Guide*
7. **valuing** stakeholder engagement and working together to promote and strengthen partnerships with peak bodies, community organisations, businesses, retailers and council-run facilities.

The undersigned organisation:

- fully endorses and supports the vision of the Age-Friendly Victoria Declaration for better state and local government planning
- recognises the integral role of older people in achieving an age-friendly Victoria and commits to the ongoing involvement of older people
- endorses the importance of partnerships between government, the community and the business sectors in working together
- agrees to work in partnership with the Victorian Government and/or the Municipal Association of Victoria to achieve an age-friendly Victoria.

Signature

Name

Position

Organisation

Date



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**9 INFORMATION REPORTS**

Nil

**10 URGENT ITEMS**

**11 NOTICES OF MOTION**

Nil

**12 DELEGATES REPORTS****12.1 DELEGATES REPORT - THURSDAY 20 APRIL TO WEDNESDAY 17 MAY****Author: Allison Peace, Administration Assistant - Chief Executive Office****Authoriser: Eric Braslis, CEO****Attachments: Nil****EXECUTIVE SUMMARY**

Delegate Reports from Thursday 20 April to Wednesday 17 May

Cr Brian Gibson

20 Apr	Forum – Inaugural Mallee Area Community Sector - Mildura
24 Apr	Attend - Opening of Wells Bridge - Benjeroop
25 Apr	Guest speaker – ANZAC Day service - Kerang
26 Apr	Meeting with CEO
	Meeting – RFMS Steering Committee – Huntly
	Meeting – Kerang Progress Association
27 Apr	Meeting – MAV Rural and Regional Forum – Melbourne
	Meeting – Community Lead Place Making – Fitzroy
28 Apr	Dinner – LMCLP – 2017 Vision of Region – Big Hill
01 May	Meeting –Right Solutions – Mineral Sands – Kerang
02 May	Meeting with CEO
	Meeting – Open Community Session Plan-Budget - Cohuna
04 May	Meeting – Open Community Session Plan-Budget – Kerang
09 May	Meeting with CEO
11 May	Meeting - RCV Mayor, CEO, Councillor Forum – Melbourne
12 May	Meeting – MAV State Council – Melbourne
13 May	Dinner–Mental Health Foundation–Multicultural Gala Dinner – Wantirna
15 May	Meeting – Mallee Regional Partnership – Buloke Shire
	Meeting – Cohuna & District Progress Association - Cohuna
16 May	Meeting with CEO

Cr Mark Arians

25 Apr	Attend – ANZAC Day service - Murrabit
26 Apr	Meeting – Kerang Progress Association
08 May	Meeting – MMLLEN – Kerang

Cr Jodie Basile

25Apr	Attend – ANZAC Day service - Kerang
27Apr	Meeting – MAV Rural and Regional Forum - Melbourne
	Meeting – Community Lead Place Making - Fitzroy
11 May	Meeting - RCV Mayor, CEO, Councillor Forum – Melbourne
12 May	Meeting – MAV State Council – Melbourne

Cr Charlie Gillingham

- 24 Apr Attend opening of Wells Bridge - Benjeroop
- 25 Apr Attend ANZAC Day service - Quambatook  
Attend ANZAC Day service – Lake Charm
- 01 May Meeting –Right Solutions – Mineral Sands - Kerang
- 08 May Meeting – Community Council Plan and Budget – Lalbert

Cr Lorraine Learmonth

- 24 Apr Attend - Opening of Wells Bridge - Benjeroop
- 25 Apr Attend ANZAC Day service - Cohuna  
Attend ANZAC Day service – Leitchville
- 02 May Meeting – Open Community Session Plan-Budget - Cohuna
- 03 May Meeting – Leitchville Progress Association
- 04 May Meeting – Open Community Session Plan-Budget - Kerang  
Dinner - CVAF Symposium Dinner - Bendigo
- 15 May Meeting – MDA Region 3 - Kerang  
Meeting – Leitchville Men’s Shed – AGM - Leitchville  
Meeting – Cohuna & District Progress Association - Cohuna

Cr Steve Tasker

- 25 Apr Attend ANZAC Day service - Barham  
Attend ANZAC Day service – Koondrook
- 08 May Meeting – Community Council Plan and Budget - Koondrook

Cr Sonia Wright

- 25 Apr Attend ANZAC Day service - Cohuna
- 02 May Meeting – Open Community Session Plan-Budget – Cohuna
- 03 May Meeting – CVGA Board Meeting
- 15 May Meeting – Leitchville Men’s Shed – AGM - Leitchville  
Meeting – Cohuna & District Progress Association - Cohuna

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 Strategic Briefing Meeting (24 Apr)	✓	✓	✓	✓	✓	✓	✓
Council Briefing Meeting (09 May)	✓	✓	✓	✓	✓	✓	✓
Ordinary Council Meeting (17 May)	✓	✓	✓	✓	✓	✓	✓

**13 CONFIDENTIAL ITEMS**

Nil