



GANNAWARRA
Shire Council

Wednesday, 16 May 2018

6:30pm

Council Chambers

Kerang

MINUTES

Ordinary Council Meeting

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**MINUTES OF GANNAWARRA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, KERANG
ON WEDNESDAY, 16 MAY 2018 AT 6:30PM**

PRESENT: Cr Brian Gibson, Cr Lorraine Learmonth, Cr Steven Tasker, Cr Sonia Wright, Cr Charlie Gillingham, Cr Jodie Basile, Cr Mark Arians

IN ATTENDANCE: Tom O'Reilly – Chief Executive Officer, Geoff Rollinson – Director Infrastructure and Development, Stacy Williams – Director Community Wellbeing, Lisa Clue – Manager Governance, Peter Bergman – Manager Planning and Regulatory Services, Brent Heitbaum – Manager Assets and Design, Alissa Harrower – Governance and Compliance Coordinator.

Gallery: 10

Media: 2

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Custodians of the land and paid his respects to elders both past and present.

2 OPENING DECLARATION

The Deputy Mayor read the Opening Declaration.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Lorraine Learmonth

Seconded: Cr Charlie Gillingham

That the Minutes of the Ordinary Council meeting held on 18 April 2018 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Cr Brian Gibson declared an Indirect Interest in relation to Items 8.2 and 8.3.

6 QUESTION TIME

One member of the gallery addressed Council in relation to Notices of Planning Permit Applications.

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS 19 APRIL, 2018 TO 16 MAY, 2018

EXECUTIVE SUMMARY

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

RESOLUTION

Moved: Cr Sonia Wright

Seconded: Cr Jodie Basile

That Council notes the records of Assembly of Councillors from 19 April, 2018 to 16 May, 2018.

CARRIED

8 BUSINESS REPORTS FOR DECISION

8.1 LYONS ROAD SPECIAL CHARGE SCHEME

EXECUTIVE SUMMARY

The proposed Special Rates and Charge Scheme for Lyons Road, Cohuna has received objections from the majority of rateable properties for which the proposed scheme covered. In accordance with Section 163B of the *Local Government Act 1989*, Council cannot make a declaration of the scheme.

RESOLUTION

Moved: Cr Mark Arians

Seconded: Cr Sonia Wright

That Council:

- 1. Discontinue the Special Rates and Charges Scheme for Lyons Road, Cohuna in accordance with Section 164 of the *Local Government Act 1989* (the Act).**
- 2. Notify each person who was liable to pay a special rate or charge in relation to the Special Rates and Charges Scheme for Lyons Road, Cohuna.**

CARRIED

APPOINTMENT OF ACTING MAYOR

Mayor Gibson declared a Conflict of Interest in relation to Agenda items 8.2 and 8.3 and invited nominations for an Acting Mayor to take the Chair while Council considers these Items.

Cr Basile nominated Cr Learmonth

Cr Gillingham Seconded the nomination

The Mayor declared Cr Learmonth Acting Mayor while Council considers Agenda Items 8.2 and 8.3.

At 6:36 pm, Cr Brian Gibson left the meeting.

8.2 APPLICATION FOR PLANNING PERMIT P18.004 - NOTICE OF DECISION TO APPROVE

EXECUTIVE SUMMARY

The report being presented to Council is to determine a planning application to use the land for a licensed premises and a waiver of the car parking requirement at the premises known as Old Farmery Coffee Shop (Café) at Lot 1 TP338360V and part Lot 1 TP 338359E, 85B King George Street Cohuna.

Notice of the application was given to surrounding land owners and occupiers and by a sign on the land. Four objections were received.

The proposal is considered appropriate for the site, subject to some changes and is consistent with the provisions of the Gannawarra Planning Scheme.

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Jodie Basile

That Council approve Planning Application P18.004 for use of land as a licensed premises (On Premises Licence) and a waiver of car parking requirements and issue a Notice of Decision to Grant a Planning Permit at 85B and rear 83 King George Street, Cohuna subject to the following conditions:

1. **Amended Plans Required**

Before the use and works commence 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 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 and information submitted with the application but modified to include:

- On-Premise Licence replacing General Licence;
- Site plan showing the location of all licensed areas and buildings and works;
- Live Music and Entertainment Management Plan required by Condition 6; and
- Security Management Plan as required by Condition 7.

2. **General Requirement**

Use of the site for the Licensed Premises as detailed in the application and shown on the endorsed plan must not be altered or modified unless to comply with conditions of this permit without the written consent of the Responsible Authority.

3. **Permit Expiry**

This permit will expire if the use has not commenced within two years of the date of the permit. An application to the Responsible Authority to extend this permit must be received by the date of expiry or within three months afterwards.

4. Amenity

The use must be conducted so that it has minimum impact on the amenity of the area by reason of

- The transportation of materials , goods and commodities to and from the premises;
- The appearance of any buildings, works or materials; and
- The emission of noise, vibration, dust, wastewater, waste products or reflected light.

The permit-holder shall ensure that the level of noise emitted from the licensed premises shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.

5. Hours of Operation

The Licensed Premises must only operate between the following times:

Sunday	10.00am and 11.00pm
Sunday (Christmas Eve or Day and New Year's Eve or Day)	10.00am and 12.30am the following morning
Good Friday & ANZAC Day	12.00 pm and 11.00 pm
Other days	7.00 am and 11.00 pm
On-street seating	10.00 pm closing time

6. Live Music and Entertainment Management Plan

Prior to the Live Music and Entertainment commencing, a Live Music and Entertainment Management Plan for the management of the licensed premises must be submitted to and approved by the Responsible Authority. Three copies must be provided. When approved, the plan will be endorsed and then form part of the permit. The Live Music and Entertainment Management Plan must address the following:

- Undercover location and direction of live music and entertainment noise away from nearby accommodation;
- The maximum number of live music and entertainment events to be held each year; and
- Any other means to ensure compliance with the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.

7. Security Management Plan

Prior to the licensed premises commencing a Security Management Plan for the management and operation of the licensed premises must be submitted to and approved by the Responsible Authority. Three copies must be provided. When approved, the plan will be endorsed and then form part of the permit. The Security Management Plan must address the following:

- An accredited security person being responsible for the gated entrance at the rear of the site to the Council car park;
- Lighting of the gated entrance at the rear of the site to the Council car park to maximise patron safety; and
- Signage at the rear of the site advising patrons that the area beyond the site is not licensed.

8. Management Plans to be complied with

Once the use has commenced, the approved Licensed Premises must comply endorsed Management Plans at all times.

CARRIED

8.3 APPLICATION FOR PLANNING PERMIT P17.037 - REFUSAL

EXECUTIVE SUMMARY

The report is being presented to Council to determine a planning application for variation to existing liquor licence (extension to trading hours, including the verandah in the licensed 'red line' area and removal of Management licence conditions) at the Cohuna Hotel at Lots 1 & 2 TP 6688558V 37-41 King George Street, Cohuna (Corner Market Street).

Victoria Police has objected to the application.

Notice of the application was also given to surrounding property owners and occupiers and by a sign on the land. One objection was received.

The proposal is considered inappropriate for the site and inconsistent with the provisions of the Gannawarra Planning Scheme.

RESOLUTION

Moved: Cr Jodie Basile

Seconded: Cr Mark Arians

That Council refuse Planning Application P17.037 for the variation of the existing liquor licence and removal of conditions and issue a Notice of Refusal to Grant a Planning Permit at Lots 1 & 2 TP 6688558V 37-41 King George Street, Cohuna for the following reasons:

- 1. The permit applicant has not demonstrated satisfactorily that the late evening hours of operation can be managed appropriately without adverse effect on the amenity of the surrounding area.**
- 2. The permit applicant has failed to satisfactorily address management of the adverse impacts relating to patron behaviour resulting in increased potential for vandalism, littering and unsocial behaviour in the adjacent and surrounding areas.**
- 3. The proposal is contrary to the orderly planning of the area.**
- 4. The proposal will have a detrimental impact on the amenity of the surrounding area.**

CARRIED

At 6:50 pm, Cr Brian Gibson returned to the meeting.

8.4 QUARTERLY FINANCIAL REPORT - QUARTER ENDING 31 MARCH 2018

EXECUTIVE SUMMARY

At 31 March 2018 Council is showing a year to date underlying surplus of \$4.406 million which is higher than budget by \$1.879 million. Operating income has a favourable year to date variance of \$481k and expenditure a favourable variance of \$1.398 million for the same period.

The forecasted year end result shows an increase in income of \$830k and an offsetting increase in expenditure of \$761k giving a net change of \$69k. It is anticipated that the budgeted underlying deficit of \$902k will be reduced by \$69k to give an anticipated underlying deficit of \$832k.

There are a number of reasons for this change and these are detailed in the 'Summary of Adjustments' in the attachment. The 'Summary of Adjustments' details the changes between the forecast to 30 June 2018 and the approved budget. A significant change in User Fees is due to additional chargeable works being undertaken for the supply and delivery of gravel (\$500k; costs associated with these works are shown as an increase in the cost of Operational Materials and Services (\$400k).

Council's Capital Works program is progressing with an anticipated variation in scheduled works of \$1.994 million. The adopted capital budget for 2017/2018 is \$9.834 million which includes budgeted new works and budgeted carried forward works. At the end of March an amount of \$5.637 million had been spent. The anticipated amount to be spent on capital works by 30 June 2018 is \$7.872 million. A detailed listing of variations is included in the attachment.

RESOLUTION

Moved: Cr Lorraine Learmonth

Seconded: Cr Charlie Gillingham

That Council receive the report outlining the 2017/18 quarterly budget review as at 31 March 2018

CARRIED

8.5 DOMESTIC ANIMAL MANAGEMENT PLAN - ANNUAL REVIEW**EXECUTIVE SUMMARY**

Council is required to review the DAM Plan on an annual basis and report on the performance measures against the evaluations/targets identified in the current DAM Plan.

RESOLUTION

Moved: Cr Lorraine Learmonth

Seconded: Cr Sonia Wright

That Council note the annual review of the Domestic Animal Management Plan.

CARRIED

8.6 COUNCIL POLICY REVIEW**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. 060 – Waste Management Services, Bins - Provision and Replacement
- Policy No. 065 - Trees

RESOLUTION

Moved: Cr Jodie Basile

Seconded: Cr Sonia Wright

That Council endorse the following policies:

- **Policy No. 060 - Waste Management Services, Bins - Provision and Replacement**
- **Policy No. 065 - Trees**

CARRIED

8.7 COUNCIL PLAN 2017 - 2021 ANNUAL STATUTORY REVIEW**EXECUTIVE SUMMARY**

In accordance with Section 125 of the *Local Government Act 1989* (the Act), a Council Plan for the 2017 – 2021 period was prepared and adopted in June 2017. Furthermore, it is a requirement of the Act that at least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

The 'Council Plan 2017 – 2021 – Proposed Councillor Adjustments' incorporates a number of adjustments for reasons including:

- Lack of available or reliable data to evidence strategic indicator achievement;
- Identified requirement for several new priority actions.

RESOLUTION

Moved: Cr Mark Arians

Seconded: Cr Lorraine Learmonth

THAT COUNCIL:

1. Endorse the draft 'Council Plan 2017 – 2021 – Proposed Councillor Adjustments' for exhibition.
2. Invite submissions on the draft 'Council Plan 2017-2021 – Proposed Councillor Adjustments' by public notice in accordance with Sections 125 and 223 of the *Local Government Act 1989*.

CARRIED

8.8 G07-2018 - SUPPLY AND INSTALLATION OF "GLAMPING TENTS" FOR THE KOONDROOK NATURE BASED TOURISM HUB

EXECUTIVE SUMMARY

The Koondrook Nature Based Tourism (NBT) Hub is a facility that connects the many tourism products, assets and activities in and around Koondrook, Cohuna and Kerang. The \$1,200,000 project is being undertaken with \$800,000 funding from Regional Development Victoria.

A key element of the NBT Hub is the "Glamping Tents". Tenders were called for the Supply and Installation of "Glamping Tents" and closed on 9 May 2018.

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

RESOLUTION

Moved: Cr Mark Arians

Seconded: Cr Lorraine Learmonth

That Council award Contract G07-2018 for the Supply and Installation of "Glamping Tents" for the Koondrook Nature Based Tourism Hub to GlamXperience Pty Ltd for the lump sum payment, not subject to rise and fall, of \$333,971 inclusive of GST.

CARRIED

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS

Nil

11 NOTICES OF MOTION

Nil

12 DELEGATES REPORTS

12.1 DELEGATES REPORT - 19 APRIL, 2018 TO 16 MAY, 2018

Cr Brian Gibson

20 Apr	Loddon Campaspe Councils Meeting – Charlton
25 Apr	ANZAC Day Service – Kerang
26 Apr	MAV Rural and Regional Forum – Melbourne
14 May	Schools Transition Book Launch - Kerang

Cr Mark Arians

22 Apr	Show and Shine - Kerang
25 Apr	ANZAC Day Service - Murrabit
26 Apr	Opening Golden Rivers Art Show

30 Apr Local Law Review

Cr Jodie Basile

25 Apr ANZAC Day Service - Kerang
 26 Apr MAV Rural and Regional Forum - Melbourne
 30 Apr Local Law Review

Cr Charlie Gillingham

24 Apr Kerang Lakes Community Development Meeting
 25 Apr ANZAC Day Service – Lalbert
 ANZAC Day Service – Lake Charm
 30 Apr Local Law Review

Cr Lorraine Learmonth

25 Apr ANZAC Day Service – Cohuna
 28 Apr Kerang Lions 50th Anniversary Dinner
 30 Apr Local Law Review
 02 May Leitchville Progress Association Meeting
 09 May Elders Meeting – Kerang
 10 May Seniors Advisory Group Meeting
 14 May CCLLEN Annual Meeting - Echuca

Cr Steve Tasker

25 Apr ANZAC Day Dawn service – Barham

Cr Sonia Wright

24 Apr CVGA Finance and Audit Committee
 25 Apr ANZAC Day Service – Cohuna
 ANZAC Day Service – Leitchville
 30 Apr Local Law Review
 02 May Leitchville Progress Association Meeting

This table represents attendances at Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
Council Strategic Briefing (23 April)	✓	✓	✓	✓	✓	✓	✓
Council Briefing (7 May)	✓	✓	✓	✓	✓	A	✓
Ordinary Council Meeting (16 May)	✓	✓	✓	✓	✓	✓	✓

LoA = Leave of Absence

A = Apology

13 CONFIDENTIAL ITEMS

Nil

The Meeting closed at 7.17 pm.

The Minutes of this meeting were confirmed at the Ordinary Meeting of the Gannawarra Shire Council held on 27 June 2018.

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Cr Brian Gibson - MAYOR

CHAIRPERSON