



GANNAWARRA

Shire Council

Wednesday, 15 May 2019

6:30pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

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Nil

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 - 17 April, 2019

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 three 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 three 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 three questions of up to two 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 17 APRIL, 2019 TO 14 MAY, 2019

Author: Tom O'Reilly, CEO

Authoriser: Tom O'Reilly, CEO

Attachments: 1 [Assembly of Councillors](#) 

RECOMMENDATION

That Council note the records of Assembly of Councillors from 17 April, 2019 to 14 May, 2019.

EXECUTIVE SUMMARY

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

DECLARATIONS OF CONFLICT OF INTEREST

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

COUNCIL PLAN

Council Plan 2017-2021: Good Governance and a Healthy Organisation.

BACKGROUND INFORMATION

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

The record must include:

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

CONSULTATION

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

CONCLUSION

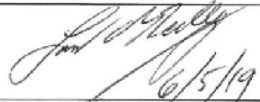
To ensure compliance with Section 80A of the *Local Government Act 1989* it is recommended that Council note the Assembly of Councillors records as outlined in this report

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Assembly of Councillors Record Form

Date:	Monday, 6 May, 2019
Time:	9.00am -3:10pm
Location:	Kerang Council Chambers
In Attendance: (Councillors)	Cr Lorraine Learmonth Cr Charlie Gillingham Cr Steve Tasker Cr Brian Gibson Cr Jodie Basile
Apologies	Cr Sonia Wright
In Attendance: (Officers)	Tom O'Reilly, Geoff Rollinson, Phil Higgins, Stacy Williams, Roger Griffiths, Amanda Barber, Katrina Thorne, Tahni Clark, Kellie Burmeister, Stevie Pearce, Brenton Hall, Brent Heitbaum, Stuart McDougall, Jo Haw
In Attendance: (Other)	Nick Byrne – REMPLAN Graham Crist – Antarctica Architects Nicola Garrod – Antarctica Architects
Matters Discussed:	<p>Presentations:</p> <ul style="list-style-type: none"> Sir John Gorton Precinct Regional Multi-Purpose Facility – Nick Byrne, REMPLAN and Graham Crist and Nicola Garrod, Antarctica Architects <p>Council Reports:</p> <ul style="list-style-type: none"> Quarterly Financial Report – Quarter ending 31 March, 2019 Council Policy Review Gannawarra Shire Sport and Recreation Strategy 2019-2029 – Final Draft Application for Planning Permit P19.007 – Notice of Decision to Approve <p>Councillor Updates:</p> <ul style="list-style-type: none"> Corporate Performance Framework Reporting – Quarterly Report Related Parties Disclosures Asset Management and Long Term Financial Planning <p>Councillor Strategic Briefing Update:</p> <ul style="list-style-type: none"> 2018/2019 Capital Works Program Update Towards 2025 – Strategic Projects 2019-2020 Update <p>Councillor Issues Raised</p>
Conflict of Interest Disclosures (Councillors)	Cr Tasker disclosed a Conflict of Interest in relation to discussion on an All Abilities Park in Koondrook and left the room during the discussion.
Conflict of Interest Disclosures (Officers)	Nil

Completed By:	Tom O'Reilly – Chief Executive Officer  6/5/19
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8 BUSINESS REPORTS FOR DECISION

8.1 QUARTERLY FINANCIAL REPORT - QUARTER ENDING 31 MARCH, 2019

Author: Sid Hutchinson, Manager Finance

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 [Financial Report Quarter Ending 31 March, 2019](#) 

RECOMMENDATION

That Council receive the report outlining the 2018/2019 quarterly financial report as at 31 March, 2019.

EXECUTIVE SUMMARY

At 31 March, 2019 Council is showing a year to date underlying surplus of \$2.250 million which is higher than budget by \$0.413 million. Operating income has a favourable year to date variance of \$40 thousand and expenditure a favourable variance of \$373 thousand for the same period.

The forecast year end result shows a decrease in income of \$899 thousand and an offsetting decrease in expenditure of \$1.003 million giving a net favourable change of \$104 thousand. It is anticipated that the budgeted underlying deficit of \$1.710 million will decrease by \$104 thousand to give an anticipated underlying deficit of \$1.606 million.

There are a number of reasons for these changes and these are detailed in the 'Summary of Adjustments' attached to this report. The 'Summary of Adjustments' details the changes between the forecast to 30 June 2019, and the approved budget. The major change in the operating budget is a shift from user charges and government grants in the Family Day Care and Long Day Care areas to reimbursements. This change has led to a total of \$931 thousand being recorded as reimbursements not user fees or grants.

Other changes include a reduction in the anticipated amount of chargeable works being undertaken. The budget was structured around stage 2 and 3 of the solar farm being commenced along with other works. As these works have not commenced there is a substantial reduction in the expected income (\$1.010 million) and a reduction in the expenditure (\$0.565 million).

Council's Capital Works program is progressing with an anticipated variation in scheduled works of \$1.194 million. The adopted capital budget for 2018/2019 is \$11.066 million which includes budgeted new works and budgeted carried forward works. An amount of \$2.225 million is being carried forward to 2019/2020 and with other adjustments the level of budgeted works is anticipated to be \$8.485 million. Expenditure on other projects is anticipated to be \$1.387 million. The 'Main Street Links to Punt Road Project', \$750 thousand, (\$635 thousand of this project is being funded by the State Government) and the additional works required by the EPA on the completion of Cell 3 at Denyers, \$234 thousand, are the main projects outside of the adopted budget. The anticipated amount to be spent on capital works by 30 June 2019, is \$9.872 million. A detailed listing of variations is included in the attachment.

BACKGROUND

Council undertakes a review of the current year budget as at 30 September, 31 December and 31 March each year to keep Council informed and ensure that the forecast results as at 30 June are achievable.

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. 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 2017-2021: Good Governance and a Healthy Organisation

DISCUSSION

The table below highlights the key changes identified as a result of the comprehensive quarterly financial report between the 2018/2019 adopted Budget and the operating result for the period ended 31 March, 2019:

	Budget \$'000	Actual \$'000	Variance \$'000	
Operating Income YTD	21,915	21,955	40	Favourable
Operating Expenditure YTD	20,078	19,705	373	Favourable
Underlying Surplus (Deficit) YTD	1,837	2,250	413	Favourable
Surplus (Deficit) YTD	3,112	3,386	274	Favourable

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 to Council's Internal Audit Committee meeting on 12 June, 2019.

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

Council is showing an overall positive result for the period ending 31 March, 2019 and forecasts a full year underlying deficit slightly lower than budgeted. The full year forecast Operating Result is a reduced surplus due to a reduction in expected Capital Grants to be received in 2018/2019. During the remainder of the year officers will endeavour to identify further savings in order to improve Council's financial position.

Financial Report for the
Quarter Ending
31 March 2019



GANNAWARRA
Shire Council

**Comprehensive Income Statement
For the period 1 July to 31 March 2019**

	Note	Budget to 31 March 2019	Actual to 31 March 2019	Variance to 31 March 2019	Budget to 30 June 2019	Forecast to 30 June 2019	Variance to 30 June 2019	
		\$	\$	\$	\$	\$		
Income								
Rates and charges	1	12,695,907	12,692,754	(3,153)	12,590,907	12,695,907	105,000	—
Statutory fees and fines	2	257,838	262,759	4,921	336,799	382,094	45,295	✔
User fees	3	1,544,559	1,425,882	(118,677)	3,252,114	2,020,819	(1,231,295)	✘
Grants operating	4	5,456,945	5,171,503	(285,442)	7,848,569	6,957,659	(890,910)	✘
Contributions And Donations	5	137,483	234,262	96,779	34,664	146,164	111,500	✔
Reimbursements	6	1,207,035	1,598,903	391,868	666,060	1,607,720	941,660	✔
Sale of assets		243,314	157,068	(86,246)	308,314	308,314	-	—
Interest Earned	7	161,569	176,202	14,633	188,074	208,074	20,000	—
Other income		209,855	236,110	26,255	272,639	272,639	-	—
Total income		21,914,505	21,955,444	40,939	25,498,140	24,599,390	(898,750)	—
Expenses								
Employee Costs	8	(8,670,508)	(8,724,758)	(54,250)	(11,562,888)	(11,525,545)	37,343	—
Operational Materials and Services	9	(6,971,591)	(6,357,841)	613,750	(9,636,320)	(8,700,964)	935,356	—
Bad and doubtful debts		-	(1,111)	(1,111)	-	-	-	—
Borrowing costs		(29,200)	(28,305)	895	(42,135)	(42,135)	-	—
Depreciation	10	(4,221,657)	(4,380,378)	(158,721)	(5,661,517)	(5,631,017)	30,500	—
Other expenses		(184,690)	(212,702)	(28,012)	(305,600)	(305,600)	-	—
Total expenses		(20,077,646)	(19,705,095)	372,551	(27,208,460)	(26,205,261)	1,003,199	—
Underlying Surplus/(deficit)		1,836,860	2,250,349	413,489	(1,710,320)	(1,605,871)	104,449	—
Grants capital and major projects	11	1,275,110	1,136,016	(139,094)	2,503,843	1,770,603	(733,240)	✘
Contributions - non monetary assets		-	-	-	-	-	-	-
Capital contributions - other sources		-	-	-	-	-	-	-
Surplus/(deficit) for the year		3,111,970	3,386,364	274,395	793,523	164,732	(628,791)	✘

Favourable greater than 10% ✔
 Constant between plus or minus 10% —
 Unfavourable less than 10% ✘

Overall Result

At 31 March 2019 Council is showing an underlying surplus of \$2.250 million this is greater than the budgeted surplus for the same period by \$0.413 million. Income has a favourable variance of \$40 thousand and expenditure a favourable variance of \$373 thousand. The underlying deficit of \$1.710 million in the budget is forecast to decrease by \$104 thousand giving an underlying deficit of \$1.606 million.

Note	Income	Variance to 31/3/2019
1	Rates and charges Favourable 105,000	
	1.1 Additional rate income raised due to changes in the valuation at the time of raising the rates. Changes include any adjustments made to meet the requirements of the Valuer General and supplementary valuations undertaken since the adoption of the rates.	105,000
2	Statutory fees and fines Favourable 45,295	
	2.1 Food analysis income budgeted as statutory should be non-statutory fees (see below)	(38,705)
	2.2 Additional planning permit fees including latest Solar Farm development (\$57k)	84,000
		45,295
3	User fees Unfavourable (1,231,295)	
	3.1 Parental child care subsidies for Long Day Care \$132k and Family Day Care \$120k are now being paid as reimbursements by the Department of Education and Training and no longer being paid as user fees. Refer reimbursements below.	(252,000)
	3.2 Food analysis income budgeted as statutory should be non-statutory fees (refer above).	38,705
	3.3 The amount of chargeable works budgeted was dependant on stage 2 & 3 of the solar farm commencing, these works did not proceed and other private works were not requested. (Refer to decrease in chargeable work expenses below).	(1,010,000)
	3.4 Increased patronage at the Kerang exercise pool.	8,000
	3.5 Income lower than budgeted for outdoor pools (Cohuna \$6k and Kerang \$10k).	(16,000)
		(1,231,295)
4	Grants - Operating Unfavourable (890,910)	
	4.1 Child care subsidies for Long Day Care \$388,597 and Family Day Care \$290,563 are now being paid as reimbursements by the Department of Education and Training and no longer being paid as a grant. Refer reimbursements below.	(679,160)
	4.2 Grant received for the Building Inclusive Communities Program auspiced by the Swan Hill Rural City Council.	28,553
	4.3 Funding received for the 'This Girl Can' program.	14,471
	4.4 State Government funding to implement the central enrolment scheme for pre-school.	25,000
	4.5 State Government funding to implement the 'School Readiness Program'.	48,024
	4.6 Drought funding received from DHS for 2018/19 and 2019/20	75,000
	4.7 Final funding received from Department of Education for the supported playgroups program	26,244
	4.8 State Government funding for the 'Walk to School' program.	15,000
	4.9 Funding received to promote 'Kick a Football' film induction.	2,458
	4.10 Funding received from Department of Justice for Kerang security lighting and CCTV.	49,500
	4.11 Final grant payment for the Recreation Facilities Strategy program to be received in June	3,000
	4.12 Funding not available for Koondrook long day care Willow Park \$150k and Koondrook preschool upgrade \$349k	(499,000)
		(890,910)
5	Contributions and donations Favourable 111,500	
	5.1 Contribution from State Revenue Office for prior year revaluation.	111,500
		111,500
6	Reimbursements Favourable 941,660	
	6.1 Parental child care subsidies for Long Day Care \$132,000 and Family Day Care \$120,000 are now being paid as reimbursements by the Department of Education and Training and no longer being paid as user fees. Refer user fees above.	252,000
	6.2 Child care subsidies for Long Day Care \$388,597 and Family Day Care \$290,563 are now being paid as reimbursements by the Department of Education and Training and no longer being paid as a grant. Refer grants above.	679,160
	6.3 Reimbursement/subsidy for successful completion of Cert 3 course.	10,500
		941,660
7	Interest Earned Favourable 20,000	
	7.1 Return on investments slightly higher than expected.	20,000
		20,000
	Total Income Adjustments	(898,750)

Expenses		Variance to 31/3/2019
8	Employee costs Favourable 37,343	
	8.1 Numerous programs with increases and decreases in employee costs - net effect \$37k	37,343
9	Operational Materials and Services Favourable 935,356	
	9.1 Expenditure required to undertake the Building Inclusive Communities Program. Refer grants operating above.	(28,600)
	9.2 Supported Playgroups grant received during 2017/2018 but not spent.	(68,124)
	9.3 Additional expenditure to complete the Quambatook Rec Reserve female facilities. (2017/2018 project).	(60,662)
	9.4 Expenditure required to undertake the Building Inclusive Communities Program. Refer grants operating above.	
	9.5 Arts and culture grant received in 2017/2018 but not expended.	(12,573)
	9.6 Community Sport & Recreation Project for improving cricket facilities at Cohuna and Leithville are capital projects not operating. Riverside Park Kerang and Macoma Rec Reserve projects moved to 2019/20	287,020
	9.7 Roadside Weeds & Pests expenditure in relation to the amount of the grant remaining unspent as at 30 June 2018.	(18,323)
	9.8 Expenditure in relation to drought funding received from DHS for 2018/19 and 2019/20	(35,000)
	9.9 Waste litter and education strategy funding received prior year but not expended.	(40,000)
	9.10 Increase in legal fees various programs, including lease renewals.	(38,000)
	9.11 Decrease in level of expenditure for publications and promotion across various programs	12,000
	9.12 Further review of strategies to be undertaken in 2019/2020	34,000
	9.13 Additional costs associated with funded program 'This Girl Can'	(22,871)
	9.14 Additional advertising costs for staff recruitment	(10,000)
	9.15 Additional costs in the administration of the preschool centres	(9,011)
	9.16 Reduction in consultant fees - property data base adjustments to be completed in-house	10,000
	9.17 Reduction in consultant fees - anticipated service review costs will be \$25k not \$50k	25,000
	9.18 Additional costs associated with insurance claim excess payments and payment of Fire services levy	(50,000)
	9.19 Reduction in telephone and communication charges	20,000
	9.20 Additional electrical works undertaken at the Cohuna and Quambatook Caravan Park	(10,500)
	9.21 Repairs to Flannery's Bridge as a result of a car accident	(100,000)
	9.22 Reduction in the cost of chargeable works mainly in relation to stage 2 & 3 of the solar farm not proceeding this financial year.	565,000
	9.23 Increased contractor payments for Cohuna outdoor pool	(13,000)
	9.22 Koondrook long day care - Willow Park (\$150k) and Koondrook preschool upgrade (\$349K) not proceeding	499,000
		935,356
10	Depreciation Favourable 30,500	
	10.1 Adjustment made to various depreciation charges	30,500
		30,500
	Total Expenditure Adjustments	1,003,199
11	Grants - Capital Unfavourable (733,240)	
	11.1 Grant funding received for Main Street Links to Punt Road - Koondrook	635,000
	11.2 Additional grant funding received for Avoca Bridge replacement.	15,000
	11.3 State government funding received for E-waste Infrastructure upgrade	66,760
	11.4 Funding for Koondrook Nature Based Tourism Hub will not be received until 2019/2020	(725,000)
	11.5 Funding for Cohuna Koondrook forest trail project not approved.	(150,000)
	11.6 Funding for waterfront projects at Kangaroo Lake, Cohuna and Koondrook will not be received until 2019/2020	(575,000)
		(733,240)
	Total Variation - Budget to Forecast	(628,791)

**Capital Works
Quarter Ended 31 March 2019**

Project	Note	YTD Actuals	Hard Commitments	Total Expenditure	Adopted Budget	Total Project Cost	Permanent Adjustments
Land Improvements							
Cohuna RSL Memorial Park	1	160	-	160	30,000	15,000	(15,000)
Building improvements							
Cohuna Hall Acoustics	2	19,795	-	19,795	56,000	20,000	(36,000)
Cohuna Hall Indoor Toilets		36,783	-	36,783	40,000	40,000	-
Kerang And Cohuna Hall Floor Rejuvenation		25,090	-	25,090	28,000	28,000	-
Quambatook Senior Citizens Building		3,093	-	3,093	50,000	50,000	-
Energy Saving Initiatives		13,061	-	13,061	200,000	200,000	-
Plant, Machinery and Equipment							
Light Plant Replacement		275,179	-	275,179	316,000	316,000	-
Heavy Plant Replacement	3	763,185	51,355	814,539	825,000	831,346	6,346
Cat Cages 6 Enclosures For Pound		5,632	-	5,632	8,000	8,000	-
Computers and Telecommunications							
Information technology replacement program	4	26,976	2,538	29,514	220,000	212,484	(7,516)
Library Books							
Books purchases		64,447	-	64,447	86,000	86,000	-
Roads							
Gravel resheeting		614,597	-	616,027	1,000,000	800,000	(200,000)
Sealed road rehabilitation		510,597	-	510,597	349,000	547,000	198,000
Bitumen road reseals		32,701	50,895	83,674	850,000	850,000	-
Local Roads To Market (Adamthwaite)		71,472	-	71,472	140,000	140,000	-
Fire access roads		16,711	-	16,711	15,000	17,000	2,000
Bridges							
Sampsons Bridge		13,520	608,000	621,520	943,000	943,000	-
Total Footpaths and Cycleways							
Footpath replacement program		92,422	9,545	101,967	110,000	102,000	(8,000)
Scoresby Street (Nolan To Shadforth)		33,792	-	33,792	25,000	34,000	9,000
Tracks and trails		26,895	-	26,895	50,000	49,000	(1,000)
Kerb Replacement							
Kerb replacement	5	83,237	-	83,237	150,000	115,000	(35,000)
Drainage							
Richardson Street	6	-	-	-	120,000	60,000	(60,000)
Murrabit Stormwater Drainage Survey & Design		-	42,782	42,782	50,000	50,000	-
Recreational, Leisure and Community Facilities							
Swimming pool renewal program		121,467	4,500	125,967	130,000	130,000	-
Cohuna Aquatics Design		41,898	-	41,898	50,000	50,000	-
Egg Park Upgrade		70,083	-	70,083	75,000	75,000	-
Tree Planting Program		916	3,689	4,604	10,000	10,000	-
Market Street Cohuna Tree Planting		-	490	490	15,000	15,000	-
Western Road Roundabout Cohuna Tree Planting	7	21,513	-	21,513	25,000	21,600	(3,400)
Promotional Infrastructure		51,741	-	51,741	50,000	52,000	2,000
Kangaroo Lake North End Upgrade - Pipeline Project	8	-	-	-	450,000	-	(450,000)
Koondrook Waterfront Access - Pipeline Project	9	-	-	-	450,000	-	(450,000)
Cohuna-Koondrook Forest Trails - Pipeline Project	10	-	-	-	300,000	-	(300,000)
Cohuna Waterfront Piers & Jetties - Pipeline Project	11	-	-	-	250,000	-	(250,000)
Kerang Clock Tower		17,960	-	17,960	18,000	18,000	-

Project	Note	YTD Actuals	Hard Commitments	Total Expenditure	Adopted Budget	Total Project Cost	Permanent Adjustments
Murray River Adventure Trail	12	-	-	-	50,000	-	(50,000)
Sport & Recreation Leisure Funding	13	30,796	-	30,796	65,000	31,000	(34,000)
Cohuna Ski Run	14	38,347	-	38,347	35,000	38,400	3,400
Kerang Pool Kiosk Enclosure	15	83,369	-	83,369	150,000	90,000	(60,000)
							-
Waste Management							-
Old Kerang landfill capping	16	178,706	-	178,706	350,000	250,000	(100,000)
Transfer station upgrade		29,765	14,550	44,315	45,000	45,000	-
Saleyard Truckwash Water Treatment		52,430	-	52,430	50,000	53,000	3,000
							-
Parks, Open Space and Streetscapes							-
Scoresby Street Open Space Precinct		162,334	1,500	163,834	200,000	200,000	-
							-
Other Infrastructure							-
Cohuna Caravan Park hydrants		53,393	-	53,393	75,000	75,000	-
Project design	17	42,251	29,405	71,656	210,000	155,000	(55,000)
Total 2018/2019 Projects		3,726,313	819,248	4,547,070	8,714,000	6,822,830	(1,891,170)
Carried Forward Projects from 2017/2018				-			
Leitchville Pre-School Upgrade	18	346,241	-	346,241	411,000	441,000	30,000
Apex Park Cohuna Toilets	19	107,691	117,483	225,173	180,000	216,000	36,000
Southern Levee Acquisition	20	8,782	-	8,782	80,000	14,000	(66,000)
Koondrook Stormwater Drainage		9,005	14,485	23,490	40,000	40,000	-
Quambatook Township Flood Mitigation		87,431	380,989	468,420	491,000	491,000	-
Koondrook Nature Based Tourism Hub	21	411,831	-	411,831	800,000	460,000	(340,000)
Koondrook Caravan Park Stage 2 (Roads And Drainage)	22	-	-	-	350,000	-	(350,000)
Total Carried Forward Projects from 2017/2018		970,981	512,957	1,483,938	2,352,000	1,662,000	(690,000)
Total Projects as per Budget		4,697,295	1,332,205	6,031,008	11,066,000	8,484,830	(2,581,170)
Other Projects				-			
CCTV In Patchell Plaza And Kerang Exercise Pool	23	12,516	-	12,516	-	12,516	12,516
Cobden Street Quambatook	24	34,335	-	34,335	-	35,000	35,000
Cell 3 Completion - Denyers	25	157,136	76,372	233,508	-	234,000	234,000
Quambatook Bridge	26	16,220	-	16,220	-	17,000	17,000
McCann Crescent Playground	27	51,346	-	51,346	-	52,000	52,000
E-Waste Shed Project - Kerang And Cohuna	28	68,859	-	68,859	-	69,000	69,000
Cohuna Kindergarten Front Entrance	29	27,123	4,368	31,491	-	31,630	31,630
Koondrook Kindergarten Outdoor Storage	30	-	12,055	12,055	-	12,100	12,100
Main Street Links to Punt Road	31	310,360	5,693	316,053	-	750,000	750,000
Aerial Imagery	32	18,079	-	18,079	-	20,000	20,000
Cohuna/Leitchville Improving Cricket Facilities Across Gannawarra	33	73,401	-	73,401	-	135,000	135,000
Kerang Council Office Ceiling Repairs	34	9,322	-	9,322	-	9,400	9,400
Kerang Exercise Pool (Warm Water Pool) - Replacement Heating Unit	35	8,443	-	8,443	-	9,204	9,204
Total Other Projects		787,138	98,488	885,625	-	1,386,850	1,386,850
Total Capital Works		5,484,433	1,430,693	6,916,633	11,066,000	9,871,680	(1,194,320)

Overall Result

Total Projects as per Budget

Council's Capital Works program is progressing as scheduled. The capital budget for 2018/2019 is \$11.066m - this includes budgeted new works and budgeted carried forward works. At the end of March \$5.484 million had been spent with an additional \$1.431 million on order giving a total spend of \$6.916 million.

As projects proceed, the budget allocation may need to be reviewed, the following projects have been reviewed:

Note Project	Variance to 31/3/2019
1 Cohuna RSL Memorial Park - Funding not received, project has been scoped back to reflect Council's contribution.	(15,000)
2 Cohuna Hall acoustics - project completed.	(36,000)
3 Heavy Plant Replacement - increased for the purchase of an emergency management trailer. The trailer is part of the Municipal Emergency Resourcing program and savings will be achieved in operating to cover the cost of the capital expenditure.	6,346
4 Information technology replacement program - reduction to cover the cost of CCTV program detailed below (\$12,516). Equipment purchases for the Central Enrolment Scheme for children services (\$5,000).	(7,516)
5 Kerb replacement program - Council's contribution to the Main Streets Link to Punt Road project is \$65,000 this is being partly funded by a reduction in kerb and channel replacement program.	(35,000)
6 Richardson Street drainage - Council's contribution to the Main Streets Link to Punt Road project is \$65,000 this is being partly funded by a reduction in Richardson Street drainage program (\$30,000) and balance of program to be completed in 2019/2020 (\$30,000).	(60,000)
7 Western Road Roundabout tree planting - project completed	(3,400)
8 Kangaroo Lake North end upgrade - project being undertaken in 2019/2020.	(450,000)
9 Koondrook waterfront access - project being undertaken in 2019/2020.	(450,000)
10 Cohuna Koondrook forest trails - project not proceeding due to lack of funding.	(300,000)
11 Cohuna waterfront piers and jetties - project being undertaken in 2019/2020.	(250,000)
12 Murray river adventure trail - project not proceeding.	(50,000)
13 Sport and recreation leisure program - reduction in the program to address the overspend in the McCann Crescent project (Respark the Park) refer project below.	(34,000)
14 Cohuna ski run - over run on project funded by savings on Western Road roundabout tree planting program.	3400
15 Promotional Infrastructure - small overrun	2000
16 Kerang pool kiosk enclosure - project completed	(60,000)
17 Old Kerang landfill capping - Savings achieved in the capping of the Old Kerang Landfill to be transferred to complete Cell No. 3 at Denyers to meet additional EPA requirements.	(100,000)
18 Saleyards Truckwash - small overrun	3,000
19 Transfer from Project Design (reducing the project budget to \$190k) to fund the aerial imagery project shown in Other Projects. Transfer \$35K for Koondrook NBTH	(55,000)
20 Leitchville preschool upgrade - additional costs for firewall and the joining of cells incurred.	30,000
21 Apex Park Cohuna toilets contract variation approved by Council 19 September 2018.	36,000
22 Southern levee acquisition - purchase to be made during 2019/2020	(66,000)
23 Koondrook Nature Based Tourism Hub - project to be completed 2019/2020	(340,000)
24 Koondrook Caravan Park stage 2 - project being carried over to 2019/2020.	(350,000)
	<u>(2,581,170)</u>

Other Projects

Projects commenced previous year but not completed by 30 June 2018

During the course of the year any savings in the current capital program will be used to fund the projects in this category, they include:

25	CCTV in Patchell Plaza and Kerang exercise pool	\$ 12,516	Funded from Information Technology replacement program
26	Cobden Street Quambatook	\$ 35,000	Completion
27	Cell 3 completion Denyers	\$ 234,000	Part funded from savings achieved from Old Kerang Landfill project \$100,000
28	Quambatook bridge	\$ 17,000	State funded project
29	McCann Crescent playground	\$ 52,000	Completion of 2017/2018 project
		<u>\$ 350,516</u>	

New funded projects

During the course of the year additional capital projects may be added, these projects usually occur when grant funding or another source of funds become available. These projects include:

30	E-Waste shed project - Kerang and Cohuna	\$ 69,000	Grant funded
31	Cohuna Kindergarten front entrance \$30,630	\$ 31,630	LMPA funded
32	Koondrook Kindergarten outdoor storage \$12,100	\$ 12,100	LMPA funded
33	Main Street Links to Punt Road	\$ 750,000	State Government funding \$635,000 balance from kerb and channel replacement program and Richardson Street drainage.
		<u>\$ 862,730</u>	

Other projects funded elsewhere include:

34	Aerial imagery	\$ 20,000	Funded from Project design
35	Cohuna/Leitchville Improving Cricket Facilities across Gannawarra	\$ 135,000	Funded from reduction in operating
36	Kerang Office ceiling replacement	\$ 9,400	Insurance claim
37	Kerang Exercise Pool (Warm Water Pool) - Replacement Heating Unit	\$ 9,204	
		<u>\$ 173,604</u>	

Total other Projects 1,386,850

Total Capital Works (1,194,320)

Balance Sheet
As at 31 March 2019

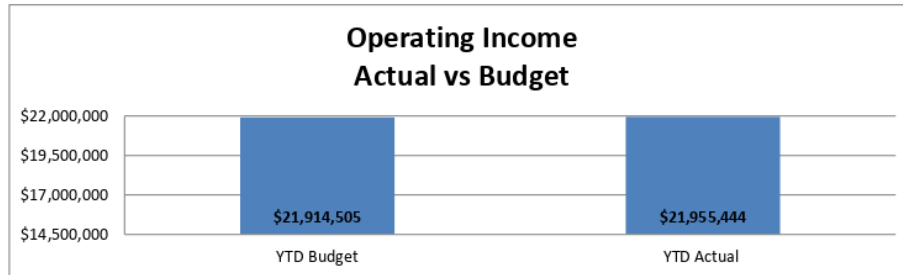
	Year to Date
	\$
Assets	
Current assets	
Cash and cash equivalents	530,819
Trade and other receivables	4,400,175
Financial assets	11,705,642
Inventories	233,040
Other Assets	17,114
Non-current assets classified as held for sale	-
Total current assets	16,886,790
Non-current assets	
Property, infrastructure, plant and equipment	196,868,111
Investment Assets	1,152,329
Total non-current assets	198,020,440
Total assets	214,907,229
Liabilities	
Current liabilities	
Trade and other payables	1,447,253
Trust funds and deposits	137,590
Provisions	2,510,841
Interest-bearing loans and borrowings	13,852
Total current liabilities	4,109,536
Non-current liabilities	
Provisions	1,265,057
Interest-bearing loans and borrowings	564,270
Total non-current liabilities	1,829,328
Total liabilities	5,938,864
Net Assets	208,968,365
Equity	
Accumulated surplus	88,558,034
Reserves	120,410,331
Total Equity	208,968,365

FINANCIAL OVERVIEW

	Year to Date		
	YTD Budget	YTD Actual	Variance
Total income	\$21,914,505	\$21,955,444	\$40,939
Total expenses	(\$20,077,646)	(\$19,705,095)	\$372,551
Underlying Surplus/(deficit)	\$1,836,860	\$2,250,349	\$413,489

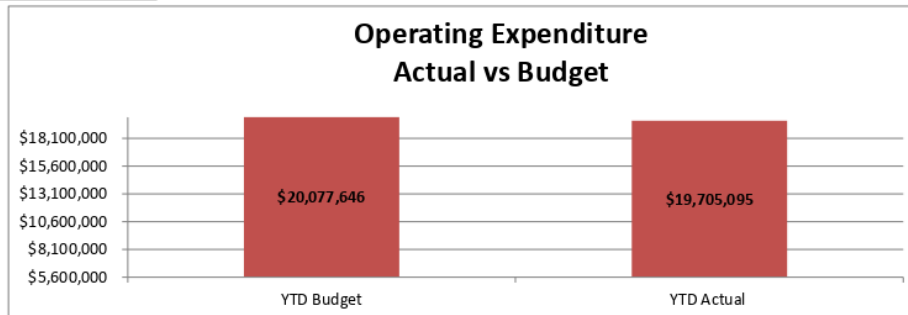
Abbreviations: YTD - Year to date EOY - End of year FY - Full year

Operating Revenue:



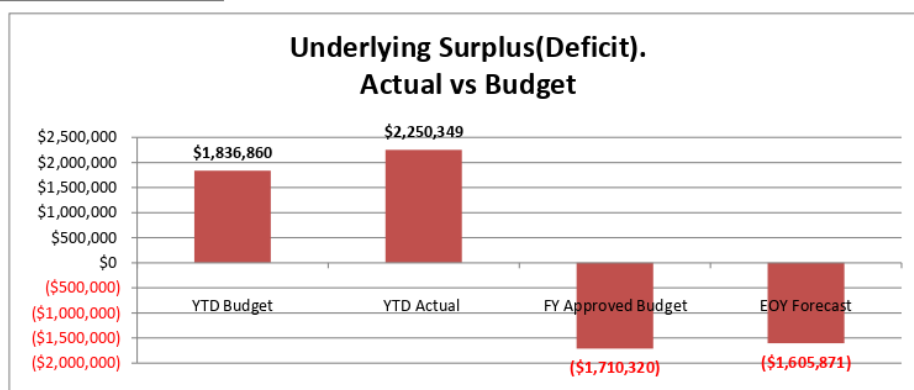
To date there is a favourable variance of \$40k.

Operating Expenditure:



To date there is a favourable variance of \$373k.

Result from ordinary activities:

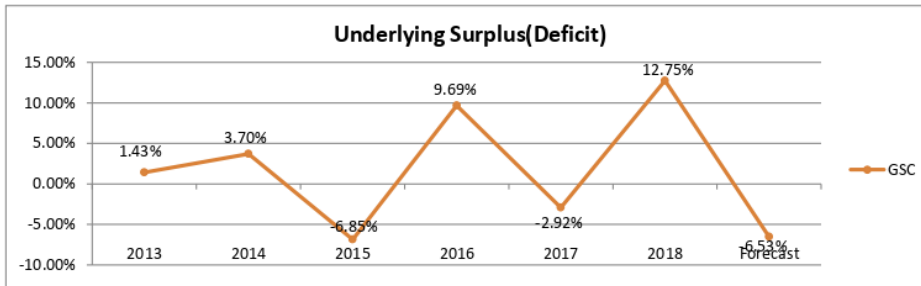


A favourable year to date result has been achieved.

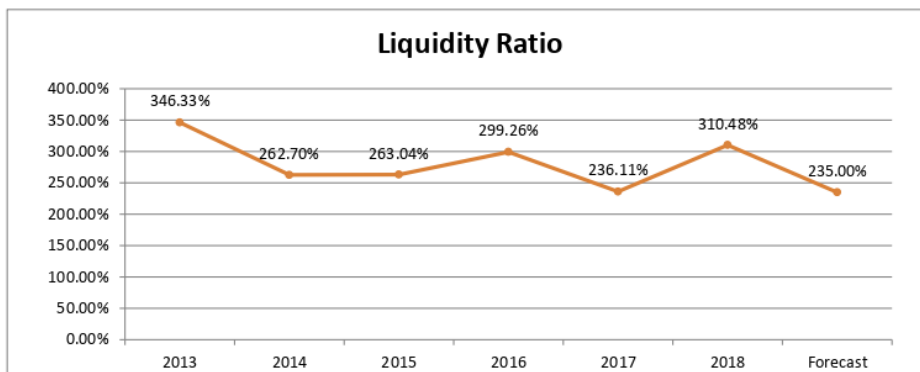
Abbreviations: YTD - Year to date FY - Full year EOY - End of year

Financial Ratios

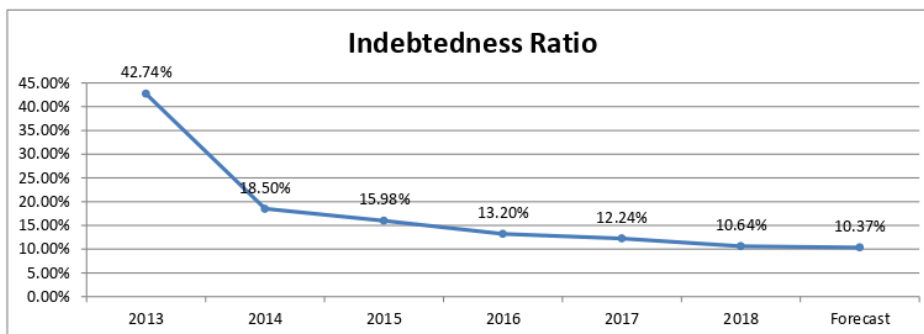
Financial Sustainability:



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.



Liquidity ratio: Measures the level of Council's current assets to meet its current liabilities. The ratio needs to be higher than 100%.



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

8.2 COUNCIL POLICY REVIEW - NO. 109 - PROCUREMENT

Author: Alissa Harrower, Governance and Compliance Coordinator

Authoriser: Phil Higgins, Director Corporate Services

Attachments: 1 Council Policy No. 109 - Procurement [↓](#)

RECOMMENDATION

That Council endorse reviewed Policy No 109 – Procurement.

EXECUTIVE SUMMARY

Council Policy No. 109 – Procurement is required under s. 186A of the *Local Government Act 1989* (the Act), and at least once in each financial year, Council must review the Policy.

The Policy provides guidance to allow consistency and control over procurement activities, being the primary reference point for how all procurement is to be performed at Council.

BACKGROUND

Council Policy No. 109 – Procurement, details the principles, processes and procedures applied to all purchases of goods, services and works undertaken by Council.

It is a requirement of Section 186A (7) of the *Local Government Act 1989* that at least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the policy.

POLICY CONTEXT

s. 186A (7) *Local Government Act 1989*

DISCUSSION

The Policy is binding upon Councillors, Council staff, including temporary employees, contractors and consultants while engaged by Council.

The Act and Policy is the primary reference point, providing a robust and transparent process for how all procurement is to be performed.

During this year's review, a number of relatively minor adjustments are recommended, largely around terminology reflecting best practice, relevant procurement processes and to further tighten up language within the document to ensure matters are clearer to the reader.

The section relating to performance indicators has been amended to align with Council's Corporate Performance Reporting Framework which includes purchasing compliance, general compliance and complaint handling.

CONSULTATION

Council's Executive Leadership Team, Managers and Procurement Team have been involved in the review of Council Policy No. 109 – Procurement.

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

Council endeavours to continually improve its procurement performance such that all relevant policies, guidance and training are regularly reviewed and updated.

Council staff reviewed the policy and recommend a number of minor adjustments reflecting best practice and relevant Council processes.



Procurement

COUNCIL POLICY NO. 109

1. PRINCIPLES

1.1. Background

Gannawarra Shire Council recognises that:

- Developing a procurement strategy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for the purchase of all goods, services and works by Council, will enhance achievement of Council objectives, including, sustainable and social procurement; bottom-line cost savings, supporting local economies; achieving innovation; and better services for communities.
- The elements of best practice applicable to local government procurement incorporate:
 - broad principles covering ethics, value for money, responsibilities and accountabilities
 - guidelines giving effect to those principles
 - a system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process)
 - procurement processes, with appropriate procedures covering minor, simple procurement to high value, more complex procurement.
- Council's contracting, purchasing and contract management activities endeavour to:
 - support the Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment and corporate social responsibility
 - take a long term strategic view of its procurement needs while continually assessing, reviewing and auditing its procedures, strategy and objectives
 - provide a robust and transparent audit trail which ensures that procurement projects are delivered on time, within cost constraints and that the needs of end users are fully met
 - are conducted, and are seen to be conducted, in an impartial, fair and ethical manner
 - achieve value for money and quality in the acquisition of goods, services and works by the Council
 - ensure that risk is identified, assessed and managed at all stages of the procurement process
 - use strategic procurement practices and innovative procurement solutions to promote sustainability and best value, in particular making use of collaboration and partnership opportunities
 - use social procurement to enhance sustainable and strategic procurement to effectively contribute towards building stronger communities and meeting the wider social objectives of the Council
 - comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Council standards and best practice.

1.2. Scope

This Procurement Policy is made under Section 186A of the *Local Government Act 1989*. The Act is the key legislative framework that regulates the process of all local government procurement in Victoria. Section 186A of the Act requires the Council to prepare, approve and comply with a Procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

This policy applies to all contracting and procurement activities at Council and is binding upon Councillors, Council staff and temporary employees, contractors and consultants while engaged by the Council.

The Act and the Procurement Policy of the Council is the primary reference point for how all procurement should be performed.

1.3. Purpose

The purpose of this Policy is to:

- provide policy and guidance to the Council to allow consistency and control over Procurement activities
- demonstrate accountability to rate payers
- provide guidance on ethical behaviour in public sector purchasing
- demonstrate the application of elements of best practice in purchasing
- increase the probability of obtaining the right outcome when purchasing goods and services.

1.4. Treatment of GST

All monetary values stated in this policy excludes GST except where specifically stated otherwise.

1.5. Definitions and Abbreviations

Term	Definition
Act	<i>Local Government Act 1989.</i>
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g. prices, discounts, rebates, profits, methodologies and process information.
Contract Management	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Council Staff	Includes full-time and part-time Council staff, and temporary employees, contractors and consultants while engaged by the Council.
Probity	Within Local Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Category Management	A 'Category' is an area of spend determined by known market boundaries separating different products, services or industries. Category management recognises that suppliers within a certain market are likely to have similarities which enable a tailored approach to procurement.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
e-Procurement	e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services and works.
Corporate Social Responsibility (CSR)	Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council's commitment to the local community and environment on which it impacts.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Social Procurement	Social Procurement uses Procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.
Tender Process	The process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Expression of Interest (EOI)	An invitation for persons to submit an EOI for the provision of the goods and/or services generally set out in the overview of requirements contained in the document. This invitation is not an offer or a contract
Request for Proposal (RFP)	A request for proposal is generally sent to the supplier market, designed to capture commercial information and pricing. Allows Council to assess suitability and evaluate responses against a set of pre-defined requirements

Term	Definition
Best Value	<p>Best value in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including:</p> <ul style="list-style-type: none"> • contribution to the advancement of the Council’s priorities; • non-cost factors such as fitness for purpose, quality, service and support; and • cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.
MAV	Municipal Association of Victoria

2. EFFECTIVE LEGISLATIVE AND POLICY COMPLIANCE AND CONTROL

2.1. Ethics and Probity

2.1.1 Requirement

The Council’s Procurement activities shall be performed with integrity and in a manner able to withstand the closest possible audit scrutiny.

2.1.2 Conduct of Councillors and Council Staff

Councillors and Council staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and will:

- treat potential and existing suppliers with equality and fairness
- not seek or receive personal gain
- maintain confidentiality of Commercial in Confidence information such as contract prices and other sensitive information
- present the highest standards of professionalism and probity
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest
- provide all suppliers and tenderers with the same information and equal opportunity
- be able to account for all decisions and provide feedback on them.

2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act.

2.1.4 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interest’s conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff involved in the procurement process, in particular preparing tender documentation, including writing tender specifications, tender opening, and tender evaluation panels, must:

Avoid conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council staff, plus their relatives and close associates.

Declare that there is no conflict of interest. Where future conflicts, or relevant private interests arise, Council staff must make their manager, or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific Procurement exercise.

Observe prevailing Council guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information whether or not for personal gain.

2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

2.1.6 Gifts and Hospitality

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer or Councillor in the making of a decision. Councillors and staff will adhere to conduct principles within the Code of Conduct for Councillors and the Code of Conduct for Staff respectively. Councillors and Council staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Councillors and Council staff should also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Councillors and staff who have occasion to use either a Council supplied credit card or fuel card are not to under any circumstance use these transactions to collect points on personal rewards cards.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the CEO.

2.1.7 Disclosure of Information

Commercial in Confidence information received by the Council must not be disclosed and is to be stored in a secure location.

Councillors and Council staff are to protect, by refusing to release or discuss the following:

- allocated Council budgets for proposed tenders
- information disclosed by organisations in tenders, quotation or during tender negotiations
- all information that is Commercial in Confidence information
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations
- discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

2.1.8 Local Benefit

Where applicable, Council will include a weighted evaluation criterion on tenders and quotations so that an assessment of the local benefit generated in awarding the works can be determined.

Local benefit is defined as the benefit generated in accepting goods or services in terms of:

- Employment generated within the Gannawarra Shire
- Materials or goods purchased from businesses within the Gannawarra Shire
- Economic benefit to local business or the community.

Generally the weighted value of 'Local Benefit' will be 10% of the overall score; however it may be as high as 15% where deemed appropriate.

Where this criterion applies, bidders are encouraged to provide detail on the following, or any other benefit, that will be generated. This detail will be used for the purpose of evaluating the local benefit derived by accepting the tender:

- Percentage of materials to be purchased from within the Gannawarra Shire
- Details of local subcontractors that would be engaged and percentage of project value that they would be conducting
- Business ownership i.e. township(s) in which business is operated and township(s) in which owners reside.
- Accommodation/hospitality services that will be utilised whilst carrying out works
- Employment benefits that will occur within the Gannawarra Shire

- Ability for maintenance to be carried out by local businesses.

Successful bidders may be asked to prove the benefits stated at any time during the contract or tender period.

2.2. Governance

2.2.1 Structure

The Council shall:

- establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by the Council
- ensure that the Council's procurement structure:
 - is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council
 - ensures that prospective contractors and suppliers are afforded an equal opportunity to tender/quote
 - encourages competition.

2.2.2 Standards

The Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with:

- The Act
- The Council's policies
- The Council's Code of Conduct
- Local Government Procurement Best Practice Guidelines
- Other relevant legislative requirements such as but not limited to the *Trade Practices Act*, *Goods Act* and the *Environmental Protection Act*.

2.2.3 Methods

The Council's standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- purchasing card and/or credit card
- purchase order following a quotation process from suppliers for goods or services that represent best value for money under directed quotation thresholds
- under contract following a tender process
- using aggregated purchasing arrangements with other Councils, MAV Procurement, Victorian Government, or other bodies
- other arrangements authorised by the Council or the CEO on a needs basis as required by abnormal circumstances such as emergencies.

The Council may, at the CEO's discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Typically a multi-stage tender process will commence with a registration of interest stage followed by a tender process involving the organisations selected as a consequence of the registration of interest stage.

2.2.4 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations.

Council staff must not disclose allocated budget unless considered necessary to obtain best value for the procurement. Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

2.3 Procurement Processes and Thresholds

2.3.1 Process

Council procurement processes are based on a number of principles:

- Best Value

The benefits of the purchase are weighted against the costs necessary for the optimum result for the Council and local community. The Council is not required to accept the lowest tender. Instead, the Council is required to take into account issues of quality, cost, the accessibility of the service and other factors relevant to both the overall objectives of the Council and requirements of the *Local Government Act*.

Best value is often mistaken for meaning the lowest price, however, in terms of the contracting process, best value requires us to balance quality and price with as much transparency as is reasonably achievable. In this context price should take into account the whole life cost of the provision so far as is practicable. It follows that the delivery of best value is dependent upon Council priorities.

Achieving best value also requires *challenging* the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, *comparing* service provision options against all those available, *consulting* with key stakeholders and ensuring *competition* in the open market.

Achieving best value for money must be the basis of all procurement decisions within the Council.

- Open and Fair Competition

All suppliers are treated fairly in an open and transparent manner and have access to the same information.

- Accountability

The Council maintains consistency in the approach to procurement across the whole organisation through coherent frameworks, policies and procedures. Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with the Council’s procurement policy and procedures as set out in this policy and other related, relevant Council documents.

Additionally:

- all Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by the Council and provide feedback on them
- all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

- Risk Management

Strategies for managing risks associated with all procurement processes are in place and consistent

- Probity and Transparency

All Council procurement processes must be conducted in a fair, honest and open manner, with the highest levels of integrity and in the public interest.

2.3.2 Minimum Spend Competition Thresholds NOTE: These thresholds are GST inclusive

2.3.2.1 Tenders

Purchase of all goods and services for which the estimated expenditure exceeds \$150,000, and building and construction works for which the estimated expenditure exceeds \$200,000, must be undertaken by public tender.

However, should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below these thresholds.

Exemptions to tendering obligations:

- Emergency – If an emergency is declared by the CEO, Council may enter into a contract up to or beyond the limits for the provision of goods, services or works without first putting contract to public tender.
- Ministerial Exemption – the requirements of Section 186A do not apply if a contract is entered into according to arrangements approved by the Minister.

2.3.2.2 Quotations

Purchase of goods and services up to a total of \$150,000 and works having a total valuation of up to \$200,000 may be undertaken using the procurement by quotation method as described below:

- Single transaction items with a value between \$2,000 and \$4,999 – A minimum of one written quotation must be received and the details recorded before placing an order (similar details should be recorded where more than one supplier has quoted) and documented in a document management system.
- Single transactions between \$5,000 and up to \$24,999- A minimum of two written quotations must be sought. Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome. Details of the suppliers contacted and their quotations must be recorded on the Quote Record Form and maintained with the original quotation in the document management system. The successful supplier’s original quotation must be maintained in the document management system.
- Items with a value between \$25,000 to \$149,999 (goods and services) or \$199,999 (works) – Request for Quotation.

Council will seek a minimum of three written quotations including detailed specification.

Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome. Details of the suppliers contacted and their quotations must be recorded on the Quote Record Form. The successful supplier’s original quotation must be maintained in a document management system.

Three quotes will not be required in instances where it is obviously impractical e.g. single realistic supplier of a required brand name product, highly specialised work or emergency situations.

Details of the suppliers contacted and their quotations must be recorded on at least a simple spreadsheet or similar document in a document management system.

Value (GST inclusive)	Requirement	Minimum Quotes Required
Up to \$2,000	Quotation desired, not mandatory	0
\$2,001 to \$4,999	Request for quotation	1
\$5,000 to \$24,999	Request for quotation	2
\$25,000 to \$149,999 (goods and services) or \$199,999 (works)	Request for quotation including detailed specification	3
\$150,000 and over (goods and services) or \$200,000 and over (works)	Public tender process	

Exemptions to the policy for obtaining quotations

- Sole Supplier – The Council deals with a number of sole suppliers where there is no market to test and obtain multiple quotations, including professional memberships, water supply, catchment management, and advertising.
- Public Advertising - Quotations may be advertised at the Council staff member’s discretion in addition to the methods above. This may occur when a field of potential tenderers hasn’t been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices, etc.

2.3.2.3 Purchases through an Existing Council or Collaborative Purchasing Scheme

Collaborative Purchasing involves the use of aggregated purchasing arrangements with other councils or bodies to enhance achievement of Council objectives such as sustainable and socially responsible procurement; bottom-line cost savings, supporting local economies; achieving innovation; and better services for communities.

Value of Purchase	Minimum Process	Specification	Need to enter into Contract
Where an existing contract itemises costs for works, goods or services	Proceed with purchase	Not required	Contract already exists. Provide Purchase Order only.
Where existing contract does not itemise cost or works, goods or services	Proceed with purchase following receipt of three written quotations	At delegated Business Unit Manager’s discretion. Reference should be made to the original contract	At delegated Business Unit Manager’s discretion depending on original contract. Provide Purchase Order.

2.4 Delegation of Authority

2.4.1 Requirement

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

2.4.2 Delegations

2.4.2.1 Council Staff

The Council shall maintain a documented scheme of procurement delegations (Schedule 1), identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of the Council and their respective delegations contained in Financial Delegations policies

- Acceptance of tenders
- Acceptance of quotes
- Contract term extensions (within authorised budget)
- Contract amendment (non-financial)
- Contract amendment (financial)
- Appointment to register of pre-qualified suppliers
- Credit Card purchases
- Procedural exceptions.

2.4.2.2 Delegations Reserved for the Council

Commitments and processes which must be approved by the Council are:

- Procurements that exceed CEO’s delegation
- Contract variations requiring additional budget.

2.5 Internal Controls

The Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end
- transparency in the procurement process
- a clearly documented audit trail exists for procurement activities
- appropriate authorisations are obtained and documented
- systems are in place for appropriate monitoring and performance measurement.

2.6 Risk Management**2.6.1 General**

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance the Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

2.6.2 Supply by Contract

The provision of goods, services and works potentially exposes the Council to risk.

The Council will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses
- requiring security deposits where appropriate
- referring specifications to relevant experts
- requiring contractual agreement before allowing the commencement of work
- use of or reference to relevant Australian Standards (or equivalent)
- effectively managing the contract including monitoring and enforcing performance.

2.7 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be obtained from the appropriate member of Council staff listed in the Council Delegations.

To protect the best interests of the Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose the Council to risk and thus must be authorised by the appropriate member of Council staff listed in the Council Delegations.

2.8 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.

2.9 Category Management

The Council has a Category Management approach to procurement which brings together expertise from across the Council to identify the most appropriate and effective approach to deliver the Council's outcomes through sourcing and supply arrangements.

The main objective of category management is to reach a point where all or a very high percentage of the Council's spend within a category is being channelled through approved arrangements, aligned with strategic priorities such that value is maximised on every dollar of expenditure.

2.10 Contract Management

The purpose of contract management is to ensure that the Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- establishing a system monitoring and achieving the responsibilities and obligations of both parties under the contract
- providing a means for the early recognition of issues and performance problems and the identification of solutions
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure the Council receives value for money.

2.11 e-Procurement

e-Procurement is integral to the overall development of procurement processes and involves the use of Council's electronic system to order, receive and pay for supplies, services and works.

By utilising e-procurement Council aims to:

- reduce transaction costs
- achieve greater leverage
- make processes more efficient
- improve management information and visibility of spend
- increase control and consistency of processes
- improve spend compliance.

3. DEMONSTRATE SUSTAINED VALUE

3.1 Achieving Best Value

3.1.1 Requirement

The Council's procurement activities will be carried out on the basis of obtaining best value. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinate of best value.

3.1.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle
- effective use of competition
- using aggregated contracts where appropriate
- identifying and rectifying inefficiencies in procurement processes
- developing cost efficient tender processes including appropriate use of e-solutions
- Council staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

3.1.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to the Council's Value for Money objectives through being written in a manner that:

- ensures impartiality and objectivity
- clearly defines the Council's requirements
- encourages the use of standard products
- encourages sustainability
- eliminates unnecessarily stringent requirements.

3.2 Performance Measures and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within the Council and performance against these targets will be measured and reviewed regularly to support continuous improvement.

The performance measurements developed will be used to:

- Highlight trend and exceptions where necessary to enhance performance
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers

- Facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

3.3 Corporate Social Responsibility

Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council’s commitment to the local community and environment on which it impacts. This means Council maximising the benefits of the services they provide across the community and minimising the negative aspects of their activities.

The Council integrates CSR into its organisational policies and practices through social procurement, sustainability and diversity.

3.3.1 Social Procurement

Social Procurement generates positive outcomes by building on initiatives already undertaken by the Council in enhancing sustainable and strategic procurement practice, further enabling procurement to effectively contribute towards building stronger communities and meeting the social objectives of the Council.

The Council is committed to Social Procurement by:

- Ensuring all procurement practices are sustainable and strategically aligned with the wider Council objectives
- Achieving greater value for money across the community through the use of effective procurement
- Ensuring all businesses have the same opportunity to tender for Council contracts
- Enhancing partnerships with other Councils, suppliers and community stakeholders
- Building and maintaining a strong community by exploring ways to generate local employment (particularly among disadvantaged residents) and further strengthening the local economy
- Purchasing ethical and fair trade goods to support equitable, local, national and international trade.

3.4 Sustainability

3.4.1 General

The Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment including but not limited to the following:

- waste management
- recycling
- energy management
- emission management
- water conservation
- green building design
- procurement.

3.4.2 Sustainable Procurement

The Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, and services and works.

In addition, the Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. The Council aims to achieve this by:

- Taking into account the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods and services
- Taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured
- Considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner

- Considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products
- Selecting products / services that have minimal effect on the depletion of natural resources and biodiversity
- Giving a preference to fair-trade, or equivalent, and ethically sourced and produced goods and services
- Working more effectively with local suppliers to ensure they are encouraged to bid for the Council's business in line with the Procurement Policy
- Ensuring all relevant procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured
- Comply with all Australian regulations and legislation and ensuring our suppliers do the same
- Training all Council staff on sustainability considerations within the procurement process.

3.5 Diversity

Promoting equality through procurement can improve competition, best value, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

4. APPLY A CONSISTENT AND STANDARD APPROACH

The Council will provide effective and efficient commercial arrangements for the acquisition of goods and services

4.1 Standard Processes

The Council will provide effective commercial arrangements covering standard products and provision of standard services across the Council to enable employees to source requirements in an efficient manner.

This will be achieved via establishing the following:

- Pricing where relevant
- Processes, procedures and techniques
- Tools and business systems (e.g. implementing appropriate e-tendering, e-evaluation; e-catalogue or e-sourcing arrangements)
- Reporting requirements
- Application of standard contract terms and conditions.

4.2 Performance Indicators

Performance indicators will be in line with the Corporate Performance Reporting Framework.

4.3 Management Information

The Council seeks to improve its performance by capturing and analysing procurement management information in a variety of areas, including:

- Volume of spend
- Number of transactions per supplier
- Compliance
- Category management
- Green spend.

The Council will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data
- Information from professional bodies such as the Chartered Institute of Purchasing and Supply Australia
- Supplier reports.

5. BUILD AND MAINTAIN SUPPLY RELATIONSHIPS

Council recognises that in order to achieve sustainable value, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access State Government panel agreements or other means. Council will consider supply arrangements that deliver the best value outcomes in terms of time, expertise, cost, value and outcome.

5.1 Developing and Managing Suppliers

Developing and managing suppliers is essential to achieving a competitive market capable of delivering the Council's services and works requirements.

Council needs to interact with the market and our suppliers in particular to understand their views and what enables and encourages diverse parts of the market to bid for work with the Council. At the same time Council will ensure that its relationship with strategic suppliers is mutually productive and that goals are shared. Council aims to develop a relationship with suppliers that creates mutually advantageous, flexible and long term relations based on the quality of performance and financial savings.

5.2 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises (SME's)
- Social enterprises
- Ethnic and minority business
- Voluntary and community organisations.

5.3 Relationship Management

The Council is committed to developing constructive long-term relationships with suppliers. It is important that the Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- Size of spend across the Council
- Criticality of goods / services, to the delivery of the Council's services
- Availability of substitutes.

5.4 Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners to the Council. The external website will be updated and provide:

- Information about Council and how to become an approved supplier
- A list of existing and forthcoming contract opportunities, projected over a number of years
- Links to other relevant sites.

6. REVIEW PROCESS

The Council endeavours to continually improve its procurement performance such that all relevant policies, guidance and training are continually reviewed and updated. The effectiveness of this approach will be measured and reported upon annually.

7. RELATED DOCUMENTS

- Department of Environment, Land, Water and Planning (DEWLP) – Local Government Procurement Best Practice Guidelines
- *Local Government Act 1989* specifically including:
 - Section 186 (Restriction on power to enter into contracts)
 - Section 186A (Procurement Policy)

Section 3C (Objectives of the Council)
 Section 98 (Delegations)
 Section 140 (Accounts and Records)
 Sections 77A, 77B, 78, 78A to 78E, 79, 79B to D, 80, 80A to C and 95 (Conflict of Interest)

- Council Policy No. 078 Code of Conduct and Values for Elected Members
- Employee Policy No. 034 Code of conduct for employees
- Council’s Corporate Credit Card Procedures
- Council’s Finance Procedures -Accounts Payable
- *Independent Broad-based Anti-corruption (IBAC) Act 2011*
- Relevant provisions of the *Competition and Consumer Act 2010*

8. POLICY REVIEW

Council will review this policy annually in accordance with section 186A (7) of the *Local Government Act 1989*.

At the time of review, 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 offices or online at www.gannawarra.vic.gov.au.

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

Altus Folder: 3.000518			
Originally adopted:	2009	Minute Book Reference:	7695
Reviewed:	21/03/2012	Minute Book Reference:	9101
Reviewed:	17/07/2013	Minute Book Reference:	10156
Reviewed:	15/10/2014	Minute Book Reference:	11082
Reviewed	16/03/2016	Minute Book Reference	12369
Reviewed	28/06/2017	Minute Book Reference	12551
Reviewed	27/06/2018	Minute Book Reference:	12692
Reviewed	15/05/2019		
To be reviewed	2020		

Schedule 1 – Council Staff Delegation

The Council shall maintain a documented scheme of procurement delegations, identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of the Council and their respective delegations contained in Financial Delegations policies.

The amounts listed below are GST exclusive.

Position	Capital Limit	Operating Limit	Group Name
Chief Executive Officer	999999	999999	CEO
Director Community Wellbeing	100000	100000	Executive
Director Corporate Services	100000	100000	
Director Infrastructure and Development	100000	100000	
Manager Children and Youth Services	25000	25000	Manager
Manager Community Care	25000	25000	
Manager Community Health	25000	25000	
Manager Library	25000	25000	
Manager Operational Services	25000	25000	
Manager Assets and Design	25000	25000	
Manager Planning and Regulatory Services	25000	25000	
Manager Projects and Property	25000	25000	
Manager Economic Development	25000	25000	
Manager Finance	25000	25000	
Manager Governance	25000	25000	
Manager Human Resources	25000	25000	
Manager ICT	25000	25000	
Customer Service Supervisor	0	5000	
Customer Service Officer	0	5000	
Senior Finance Officer	0	5000	
Works Team Leader	0	5000	
Community Engagement Coordinator	0	5000	
Supervisor - Workshop	0	5000	
Administration Officer(s)	0	1000	Admin/Officer
Sport and Recreation Officer	0	1000	
Information Services Officer	0	1000	
Supervisor Parks	0	1000	
Library Coordinator	0	1000	
Library Team Leader	0	1000	
Projects Officer(s)	5000	5000	
Tourism Officer	0	1000	
Environmental Officer	0	1000	
Payroll Coordinator	0	1000	
Team Leader - Local Laws	0	1000	

8.3 APPLICATION FOR PLANNING PERMIT P19.007- NOTICE OF DECISION TO APPROVE

Author: Kellie Burmeister, Manager Planning and Regulatory Services

Authoriser: Geoff Rollinson, Director Infrastructure and Development

Applicant: James Golsworthy Consulting Pty Ltd

Owner: Lynne Kelly

Proposal: Use and development of a Place of Assembly (Function Centre), use of land for accommodation (Residential Building), use of land for a licensed premises and a reduction in the required car parking in accordance with the endorsed plans.

Location: 90 Main Street, Koondrook

Attachments:

- 1 Planning Report [↓](#)
- 2 Site Plan [↓](#)
- 3 Elevations [↓](#)
- 4 Red Line Plan [↓](#)

RECOMMENDATION

That Council approve Planning Application P19.007 for the use and development of a Place of Assembly (Function Centre), use of land for accommodation (Residential Building), use of land for a licensed premises and a reduction in the required car parking in accordance with the endorsed plans and issue a Notice of Decision to Grant a Permit at CA 6, Sec 5, Township of Koondrook Parish of Murrabit, 90 Main Street Koondrook subject to the following conditions:

1. Amended Plans Required

Before the use and building 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:

- A Noise Management Plan as required by Condition 4.

2. General Requirement

The use and development of the proposed buildings and works as detailed with the application and shown as the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.

3. Permit Expiry

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

- The development is not commenced within 2 years of the date of this permit.
- The development is not completed within 4 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 3 months afterwards.

4. Noise Management Plan

Before the use and development starts, a noise management 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. All activities forming part of the use must comply with the endorsed plan. The plan must include:

- Music event operating hours;
- Frequency of events;
- The name of the company that will be in control of the event;
- The type of entertainment act;
- Limitation on stage orientation;
- Speaker height; arrangement and orientation;
- Noise barriers that may be used;
- Noise-reduction measures at source;
- Noise measurement practices to be undertaken; and
- Complaints response procedure and phone number.

5. Amenity

The development 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 building, works or materials
- the emission of noise, vibration, dust, wastewater or waste products

In the event of any such nuisance in the opinion of the Responsible Authority occurring, additional suitable procedures for suppression must be developed and implemented to the satisfaction of the Responsible Authority.

6. Hours of Operation

The use of land for a Licensed Premises must only operate on the days and times as listed in the schedule below and within the areas shown on the endorsed plan.

Monday	11.00am – 11.00pm
Tuesday	11.00am – 11.00pm
Wednesday	11.00am – 11.00pm
Thursday	11.00am – 11.00pm
Friday	11.00am – 11.00pm
Saturday	11.00am – 11.00pm
Sunday	11.00am – 11.00pm
Anzac Day & Good Friday	12 noon – 11.00pm

7. Limit on Number of Persons

No more than 120 persons may be present on the premises at any one time without the written consent of the Responsible Authority.

8. 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.

9. Carparking

The carparking as shown on the endorsed plan must be properly constructed (with all-weather material) and made available for such purpose prior to the use coming into effect.

10. Council Assets

Any damage to Council assets (i.e. roads, footpaths etc.) must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.

11. Stormwater

All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge to the satisfaction of the Responsible Authority.

12. Environmental Health Officer

- a) The proposed development must comply with the Food Act 1984 and Food Standards Code.
- b) If the premise is to be used as Prescribed Accommodation, it must comply with the Public Health and Wellbeing Act 2008.
- c) Noise from the proposed change in use must not cause a nuisance, and must comply with the Environment Protection (Residential Noise) Regulations 2018.

13. North Central Catchment Management Authority

The finished floor level of the permanent building must be constructed a minimum of 0.3 metres above the 1% AEP flood level of 77.8 metres, i.e. no lower than 78.1 metres to Australian Height Datum (AHD).

Note: Flood levels for the 1% AEP (100 year ARI) flood event have been estimated for this area under the provisions of the Water Act 1989. The applicable flood level for the location described above is 77.8 metres AHD.

North Central CMA advises that in the event of a 1% AEP flood event it is possible that the property may be subject to inundation from Murray River. However, it is recommended that a licensed surveyor be engaged to determine the exact effect of the applicable flood level on the property.

14. Environment Protection Authority

Effective noise levels from the use of the premises must comply with the requirements of the State Environment Protection Policies (Control of Music Noise from Public Premises) No. N-2.

Note: If the applicant wishes to operate an event outside the hours specified in SEPP N-2; or hold more than six concerts in a financial year, the applicant must contact EPA's Development Assessment Unit for further advice and assessment.

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 new or otherwise vehicular entrances to the subject land from the road, must be constructed at a location and of a size and standard satisfactory to the Responsible Authority. Consent for 'Works Within the Road Reserve' must be obtained from Council prior to carrying out any vehicle crossing works. All disused or redundant vehicle crossings must be removed and reinstated to the satisfaction of the Responsible Authority.

Note 4: A Liquor Licence from the Victorian Commission for Gambling and Liquor Regulation must be obtained.

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 Office 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>.

EXECUTIVE SUMMARY

This report is being presented to Council to determine a planning application for the use and development of a Place of Assembly (Function Centre), use of land for Accommodation (Residential Building), use of land for a licensed premises and a reduction in the required car parking at 90 Main Street, Koondrook.

The application was advertised to surrounding property owners and occupiers and one written objection was received. In addition to the objection, a petition in support of the proposal has also been received.

The proposal is considered to be appropriate for the site and consistent with the provisions of the Gannawarra Planning Scheme.

PURPOSE

To seek Council's decision on planning application P19.007 for the use and development of land for a Place of Assembly (Function Centre), use of land for Accommodation (Residential Building), use of land for a licensed premises and a reduction in the required car parking.

DECLARATIONS OF CONFLICT OF INTEREST

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

COUNCIL PLAN

Council Plan 2017-2021 – Economic diversity, growth and prosperity – Facilitate growth and diversity opportunities within the Shire.

BACKGROUND INFORMATION

The subject site is located at 90 Main Street, Koondrook. The site is approximately 2,031 square metres in size. The site contains the former St Paul's Anglican Church. The Church is sited in the centre of the block and toilet facilities are located directly behind the Church. There are a couple of trees planted on the subject site and access to the property is provided off Main and Forest Streets.

Land to the east, north east and south east of the site is zoned Commercial 1 Zone. A number of existing businesses are located within 100 metres of the subject land. Land to the west, south west and north west is predominately zoned General Residential Zone 1 however a section of land, which comprises of the Koondrook Swimming Pool and tennis courts, is zoned Public Park and Recreation Zone.

There are approximately 11 dwellings located within 100 metres of the proposed development area.

As part of this application, the applicant proposes to redevelop the former St Paul's Anglican Church and the associated land to enable the use of the site for a function centre and accommodation purposes. Whilst it is intended that the exterior of the existing church will remain, it is proposed to alter the internal arrangement of the Church to allow for accommodation purposes. In terms of land use descriptions, the most appropriate term to describe this component of the proposal is residential building which is defined under Clause 73.03 as 'Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village'.

It is noted in the planning permit application report that 'the accommodation will relate to the function centre use however not be exclusive to it.' The most likely scenario will be that whenever a function is held, the residential building, i.e. the former Church, will be occupied by patrons attending the function. However when functions are not being held, the building may still be used to accommodate persons in a similar fashion to a bed and breakfast or holiday rental home.

In terms of the use of the subject land for a function centre, it is noted that the facility will operate by booking rather than an ongoing daily operation. The hours of operation are likely to be during the day until 11.00pm. It is expected that the usual number of patrons to be onsite will be anywhere between 50 and 60 persons however the maximum capacity of patrons onsite equals 120 persons. The actual function centre will comprise a temporary marquee structure located between the Church and Main Street. It is proposed to construct a number of new buildings on the site, in association with the use of land for a function centre, including a bar, outdoor kitchen and storage shed. It is noted that under the Gannawarra Planning Scheme, a function centre is defined as 'Land used, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing'. It is stipulated in the planning permit application report that the rear part of the land, behind the existing toilets, will not be required for the use and no development will be undertaken on this land as part of the application. It is noted that events held at the venue will have the opportunity to include music. This will be either live or recorded.

The proposal also seeks approval to use the land as a licensed premises. It is stipulated in the planning permit application report that 'the nature of liquor supply at the premises will be limited to functions and events held at the site.' In effect there will be no sale of liquor independent of any event. The applicant is seeking to apply for an on-premises licence. The proposed hours of operation for serving alcohol will be restricted to between the hours of 11.00am and 11.00pm.

CONSULTATION

The application was referred to North Central Catchment Management Authority (NCCMA) under Section 55 of the *Planning and Environment Act 1989*. The NCCMA offered no objection to the granting of a planning permit subject to conditions. Notice of the application was also given externally to the Environment Protection Authority Victoria (EPA), the Country Fire Authority (CFA) and the Koondrook Police under Section 52 of the Act. EPA offered no objection to the granting of a planning permit subject to conditions. The CFA and Koondrook Police advised they had no objection and had no conditions.

The application was also referred internally to Council's Engineering, Building, Local Laws and Environmental Health Departments who offered no objection to the proposal. The Engineering and Environmental Health Departments provided conditions and/or notes.

Notice of the application was given by mail on 14 February 2019, to adjoining property owners and occupiers. Notice of the application was also included in the Koondrook Barham Bridge on Thursday 21 February 2019 and the Gannawarra Times on Friday 22 February 2019. In addition, a sign was placed onsite. One written objection was received.

The key issues raised in the objection were:

- Concern regarding the impact the noise generated from the live music will have on adjoining residential properties.
- Concern that the proposal has not incorporated adequate noise attenuation measures to reduce noise levels generated from outdoor music events.
- Concerns that events held at the premises will not adhere to the curfew times.
- Concern that the use of land for a licensed premise will result in patrons becoming unruly and potentially damaging their property;
- Concern that the proposal will negatively impact on their pets; and
- Loss of property value.

In response to the issues raised by the objector, the following relate to how Council will address each of the points should approval be granted for the proposal.

- Should the application be approved, a condition would be included on the permit which requires a noise management plan to be submitted and approved by the Responsible Authority prior to the use and development commencing. Furthermore both Council's Environmental Health Department and the Environment Protection Authority have stipulated that the proposal must comply with specific noise related regulations.
- In terms of compliance with hours of operation, liquor will only be able to be supplied until 11.00pm. Ultimately it is the responsibility of the licensee to ensure patrons are not intoxicated and cause a nuisance.
- The Victorian Commission for Gambling and Liquor Regulation (VCGLR) is the statutory authority who regulates Victoria's liquor industries. However it is noted that persons

involved with the supply of liquor to patrons at the premises will be required to complete Responsible Service of Alcohol (RSA) training.

- It is noted that the issue of loss of property value cannot be taken into consideration by Council.

ASSESSMENT

The subject land is zoned part Commercial 1 Zone (C1Z) and part General Residential Zone Schedule 1 (GRZ1) pursuant to the Gannawarra Planning Scheme.

The former St Paul's Anglican Church, which is proposed to be used as a residential building, and the proposed storage shed are sited within the GRZ1. The proposed outdoor kitchen and proposed bar are sited partly in the GRZ1 and C1Z.

One of the purposes of the GRZ1 is 'To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations'. Another purpose of the GRZ1 is 'To encourage development that respects the neighbourhood character of the area'.

Pursuant to Clause 32.08-2 of the Gannawarra Planning Scheme, a permit is required to use land for Accommodation (other than community care accommodation, dependent persons unit, dwelling, residential aged care facility and rooming house), this includes Residential Buildings. A permit is also required under Clause 32.08-2 to use land for Place of Assembly (other than amusement parlour, carnival, circus, nightclub and place of worship), this includes Function Centres. A permit is also triggered under Clause 32.08-9 to construct the proposed storage shed, outdoor kitchen and bar as these buildings are associated with the use of land as a Function Centre which is a Section 2 use under Clause 32.08-2.

One of the purposes of the C1Z is 'To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.' Under Clause 34.01-1 a permit is required to use land for Place of Assembly (other than carnival, cinema, circus, exhibition centre and place of worship), this includes Function Centres. A permit is also triggered under Clause 34.01-4 to construct the proposed outdoor kitchen and bar.

The whole of the subject site is covered by the Land Subject to Inundation Overlay (LSIO) and part of the subject land is covered by both the Bushfire Management Overlay (BMO) and Heritage Overlay Schedule 13 (HO13).

One of the purposes of the LSIO is 'To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity'. Clause 44.04-2 states that a permit is required to construct a building or to construct or carry out works, this does not apply if the schedule to this overlay specifically states that a permit is not required. As there are no exemptions for the proposed buildings i.e. the shed, outdoor kitchen and bar, under the schedule to the LSIO, a permit is triggered under Clause 44.04-2.

A portion of the proposed bar alongside the temporary marquee structure will be sited within the BMO. One of the purposes of the BMO is 'To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.' Clause 44.06-2 states that a permit is required to construct a building or construct or carry out works associated with a number of specific land uses including Place of Assembly. As part of the proposed bar is sited within the BMO, and this building is associated with the use of land as a function centre, a permit is triggered for the proposal under Clause 44.06-2.

Part of the proposed outdoor kitchen and bar will be sited within the HO13. One of the purposes of the HO is 'To ensure that development does not adversely affect the significance of heritage places'. A permit is required to construct the proposed outdoor kitchen and bar under Clause 43.01-1.

The proposal also seeks to use the land for a licensed premises. As an on-premises licence is required under the Liquor Control Reform Act 1998, a planning permit is also required under Clause 52.27 of the Gannawarra Planning Scheme.

The proposal is also seeking a waiver of car parking requirements. Clause 52.06-3 of the Gannawarra Planning Scheme requires a permit to reduce the number of car parking spaces required under Clause 52.06-5. Clause 52.06-5 states that, for the use of land for place of assembly, 0.3 car spaces must be provided to each patron permitted. As the function centre will have a capacity of 120 people, the required number of onsite car parks to be provided is 36. The site plan shows that four car parking spaces are to be provided onsite, this is a difference of 32 spaces.

Clause 53.06 (Live Music and Entertainment Noise) is also relevant to this application as the proposed function centre offers the opportunity to include live or recorded music when events are held onsite. Clause 53.06-3 requires a live music entertainment venue to be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

DISCUSSION

Clause 32.08-13 (GRZ1 Decision Guidelines) sets out a number of matters which the Responsible Authority must consider before deciding on an application. Some of the matters that the Responsible Authority must consider are:

- The Municipal Planning Strategy and the Planning Policy Framework;
- The purpose of this zone;
- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.

Clause 34.01-8 (C1Z Decision Guidelines) sets out a number of matters which the Responsible Authority must consider before deciding on an application. Some of the matters that the Responsible Authority must consider are:

- The interface with adjoining zones, especially the relationship with residential areas.
- The effect that existing uses may have on the proposed use.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape.
- The storage of rubbish and materials for recycling.

- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.

Clause 44.04-8 (LSIO Decision Guidelines) also sets out a number of matters which the Responsible Authority must consider before deciding on an application. Some of the matters that the Responsible Authority must consider are:

- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

Clause 43.01-8 (HO Decision Guidelines) also sets out a number of matters which the Responsible Authority must consider before deciding on an application. Some of the matters that the Responsible Authority must consider are:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

Clause 52.27 (Licensed Premises) also outlines decision guidelines which the Responsible Authority must consider before deciding on an application. Some of the matters that the Responsible Authority must consider are:

- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Clause 53.06-5 (Live Music and Entertainment Noise) outlines decision guidelines which the Responsible Authority must consider before deciding on an application. The matters that the Responsible Authority must consider include:

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.

It is noted that the subject site is situated within the commercial centre of Koondrook and interfaces with an established part of the town's residential area. There are a number of existing businesses located within close proximity to the site, the following is noted in the planning permit

application report 'The proponent has established the vision of linkages being created with other businesses in Koondrook to leverage off one and other through this proposal to their respective benefit'.

In terms of traffic generation it is indicated in the planning permit application report that it is expected that individual vehicle movements to the site for functions will be limited through the use of shared transport to the site. As is stated previously, the applicant is seeking a reduction in the required car parking. Although only four car parks are proposed to be provided onsite it is considered that there is sufficient on street parking available within close proximity to the subject site.

In terms of flooding and flood risk, it is noted that the application was referred to the North Central Catchment Management Authority. NCCMA did not object to the granting of a permit. However, the finished floor level of the permanent building will be required to be constructed a minimum of 0.3 metres above the 1% AEP flood level of 77.8 metres.

The proposal is not expected to adversely affect the cultural significance of the former St Paul's Anglican Church. As is stated in the planning permit application report the 'existing church will remain as is in terms of its exterior'. Whilst it is proposed to alter the internal arrangement of the building it is noted that no internal alteration controls apply to this heritage place under the Schedule to the Heritage Overlay. In addition the proposed new buildings, particularly the bar and outdoor kitchen, will complement the existing heritage place rather than adversely affect its significance. The proposed new buildings are sympathetic to the existing church building and effectively take design cues from the existing building.

In terms of the proposed use of the land as a licensed premises, as has been stated previously there will be no sale of liquor independent of any event. The type of liquor licence the applicant will seek to apply to the Victorian Commission for Gambling and Liquor Regulation for is an on-premises licence. An on-premises licence authorises the licensee to supply liquor on the licensed premises for consumption on the licensed premises. The proposed hours of operation for the serving of alcohol will be restricted to between the hours of 11.00am to 11.00pm.

Regarding the management of the premises, to minimise noise emissions generated from live music entertainment, it is noted that should the application be approved, a condition would be included on the permit which requires a noise management plan to be submitted and approved by the Responsible Authority prior to the use and development commencing. In addition, both Council's Environmental Health Department and the Environment Protection Authority have stipulated that the proposal must comply with specific noise related regulations. Finally it should be noted that in the planning permit application report it is stated that 'A further control in relation to music at the land will be the installation and operation of a sound limiting device'.

The State Planning Policy Framework (SPPF)

- Clause 11 (Settlement) states that 'Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together'.
- Clause 13.02-1S (Bushfire Planning): The objective is 'To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'.
- Clause 13.03-1S (Floodplain Management): The objective is 'To assist the protection of life, property and community infrastructure from flood hazard...'
- Clause 13.05-1S (Noise Abatement): The objective is 'To assist the control of noise effects on sensitive land uses'.

- Clause 13.07-1S (Land use compatibility): The objective is 'To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects'.
- Clause 15.01-1S (Urban Design): The objective is 'To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity'.
- Clause 15.01-2S (Building Design): The objective is 'To achieve building design outcomes that contribute positively to the local context and enhance the public realm'.
- Clause 15.01-5S (Neighbourhood Character): The objective is 'To recognise, support and protect neighbourhood character, cultural identity, and sense of place'.
- Clause 15.03-1S (Heritage Conservation): The objective is 'To ensure the conservation of places of heritage significance'.
- Clause 15.03-2S (Aboriginal Cultural Heritage) The objective is 'To ensure the protection and conservation of places of Aboriginal cultural heritage significance'.
- Clause 17.04-1S (Facilitating Tourism): The objective is 'To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination'.
- Clause 18.02-4S (Car Parking): The objective is 'To ensure an adequate supply of car parking that is appropriately designed and located'.

Local Planning Policy Framework (LPPF)

- Clause 21.02 (Settlement): Objective 1 is 'To facilitate the orderly development of the municipality's main townships, consistent with the directions in the town structure plans'.
- Clause 21.04-2 (Flooding): The objective is 'To manage flooding and floodplains so as to minimise loss and damage to property and infrastructure, and to preserve the function of floodplains to convey and store floodwater'.
- Clause 21.06-2 (Post Contact Heritage): The objective is to 'To protect, maintain and enhance the municipality's local post-contact heritage including historic buildings, precincts and places'.
- Clause 21.06-3 (Aboriginal Heritage): The objective is 'To protect, maintain and enhance the municipality's local Aboriginal heritage'.
- Clause 21.08.1 (Commercial Development): The objective is 'To provide for planned development and physical improvement in the retail centres of Kerang, Cohuna and Koondrook, which is integrated with existing retailing and is based on good urban design principles, to maximise levels of service, tourist visitation and trade'.
- Clause 21.08-3 (Tourism): The objective is 'To develop and expand tourist facilities, recreational activities and accommodation facilities, while protecting and enhancing natural and built assets and strengthening the role and return from tourism development (particularly based on the area's natural and cultural heritage)'.
- Clause 21.11-3 (Koondrook): One of the strategies listed is 'Encourage commercial development as well-designed infill within the established town centre.' Another strategy listed is 'Strongly encourage tourism development based on Koondrook's heritage, historic wharf and river location'.
- Clause 22.01 (Koondrook Heritage): One of the objectives is 'To preserve and enhance the remaining elements of Koondrook's history, particularly the buildings, sites and objects listed in the table to this policy.' It is noted that 90 Main Street is listed in the table.

Particular Provisions

- Clause 52.06 (Car Parking): One of the purposes of this clause is 'To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality'.
- Clause 52.27 (Licensed Premises): One of the purposes of this clause is 'To ensure that licensed premises are situated in appropriate locations.' Another purpose of this clause is 'To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered'.
- Clause 53.06 (Live Music and Entertainment Noise): One of the purposes of this Clause is 'To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise'.

The decision guidelines of Clause 65

The proposal generally complies with the provisions of Clause 65.01.

OPTION ANALYSIS

Council has two options in relation to this report:

1. To approve Planning Application P19.007 and issue a Notice of Decision to grant a planning permit subject to appropriate conditions. The objector has the opportunity to appeal Council's decision at VCAT.
2. To refuse Planning Application P19.007 and issue a Notice of Refusal stating the grounds of refusal. The permit applicant has the opportunity to appeal Council's decision at VCAT.

RISK IMPLICATIONS

There are no risk implications to Council.

FINANCIAL IMPLICATIONS

Nil.

CONCLUSION

The proposal as described above is considered appropriate for this site.

It is considered that the proposal is consistent with the Gannawarra Planning Scheme, in particular the purpose of the Commercial 1 Zone and the state and local planning policy.

Given the above, it is recommended that the application be approved subject to the conditions as stated in the recommendation of this report.



Planning Permit Application

90 Main Street Koondrook

February 2018

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Introduction

A planning permit is sought for the redevelopment of the former St Paul's Anglican church including its use as a residential building, function centre and licenced premises, along with a waiver of car parking requirements. The land is located at 90 Main Street Koondrook.

The land is situated on Main and Forest Street's abutting the former centrally located railway line which extends to the Koondrook wharf and Murray River. The land presently contains the former St Paul's Anglican Church and associated buildings which has ceased operation with the land being sold.



Figure 1 Koondrook wharf

The immediate locality is part of the Koondrook main street and associated commercial area which extends to the river environs where the redeveloped Koondrook Wharf is located. The Wharf is seen as a key ingredient and linkage to the proposal included in this application.

The redevelopment of the former church is the result of significant forethought and planning by the proponent through a vision for the land and Koondrook. The proponent has established the vision of linkages being created with other businesses in Koondrook to leverage of one and other through this proposal to their respective benefit.

For reasons outlined in the application the use and development proposed is consistent with Gannawarra Planning Scheme including state and local policy.

The development has been designed in such a manner that it has considered relevant urban design principles in relation to built form design. It is also respectful of the existing built form on the land and that of the adjoining land.

For reasons outlined in this report, the application is consistent with the requirements of the Gannawarra Planning Scheme and worthy of support though the issue of a planning permit.



Proposal

Approval is sought for the redevelopment of the St Paul's Anglican church and the associated site. The redevelopment will enable the use of the land for a function centre with the proponent seeking to be one part of a celebration precinct where the proposal will be only one part of several integral uses. The precinct will include the existing hotel, wharf, riverfront restaurant/bar all within the historical riverfront precinct.

The permissions required by the planning scheme include that being for a function centre, residential building, licensed premises and reduction of car parking requirements.

The existing church will remain as is in terms of its exterior. The actual functionality however will be altered due to the internal rearrangement and use for accommodation purposes. The accommodation will relate to the function centre use however not be exclusive to it. There will be occupancy of the accommodation when no function is/has occurred on the site.

New buildings on the sit will include a bar and outdoor kitchen and a shed will be established to enable storage of items. The buildings have been designed to consider the architecture of the existing church. Toilet facilities exist on the land to the rear of the existing church.

The function centre will be a temporary marquee structure located between the church and Main Street. The nature of the structure has been selected to ensure the atmosphere of events will be appropriate for the environment and also ensure it can be dismantled for storage when not in use.

The function centre use is new and offers opportunity in terms of the nature of its use and linkages to other existing uses in Koondrook. That said it will operate by booking rather than an ongoing daily operation. Hours of operation are likely to be during the day until 11.00pm. The number of patrons to be catered for will be limited in its capacity. Normally it is expected that between 50 and 60 patrons

will be on site however a maximum capacity of 120 people is sought through the application.

Gatherings at the venue will have the opportunity to include music. This will be either live or recorded. In the event of live music being part of an event, the operator will have a list of acceptable groups which can be booked. The list of the groups will be selected upon their appropriateness for the site and the type of entertainment. The operator has sought to ensure the nature of music is low level and non-amplified acoustic where possible.



Figure 2 3D perspective of the buildings from Main Street



Planning controls

The land arguably benefits from existing use rights based upon its long standing use for a place of worship. Such rights whilst potentially available, however have not been relied upon in this application.

Definition

Function centre

Land used, by arrangement, to cater for private functions, and in which food and drink may be served. It may include entertainment and dancing.

Residential building

Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.

Zoning

The land is included in partly in the Commercial 1 Zone (C1Z) and General Residential Zone (GRZ).

The purposes of the C1Z is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Clause 34.01-1 establishes the table of uses for when a permit is required for a particular use. A Residential building and Function centre are listed as section 2 uses and therefore requiring a planning permit.

A permit is also required for buildings and works under the zone as provided at clause 34.01-4.

The purpose of the GRZ is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

Clause 32.08-2 establishes the table of uses for when a permit is required for a particular use. A residential building and Function centre are listed as section 2 uses and therefore requiring a planning permit.

A permit is also required for buildings and works under the zone as provided at clause 32.08-8.

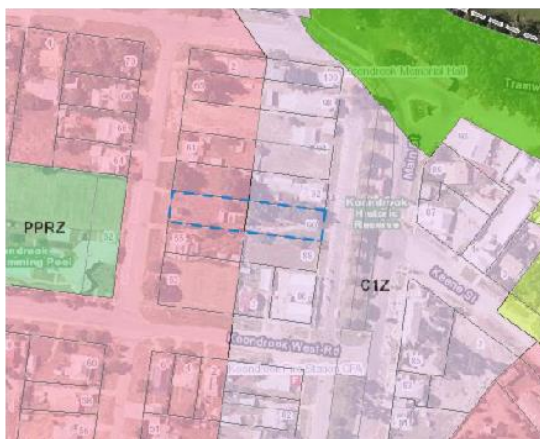


Figure 3 Zone map

Figure source <http://services.land.vic.gov.au>

Overlay controls

The land is affected in part by the Bushfire Management Overlay (BMO) and Heritage Overlay 13 (HO). The land is entirely affected by the Land Subject to Inundation Overlay (LSIO).

Bushfire Management Overlay

The area of the Function centre only is affected by the BMO. As no building is proposed within the overlay no permit is triggered.



Heritage Overlay

A permit is required for buildings and works as provided for at 43.01-1.

Land Subject to Inundation Overlay

The LSIO requires a permit for buildings and works as provided for at 44.04-2.

Particular provisions

There are several particular provisions which relate to the use and development.

Car parking

The provision of car parking is detailed at clause 52.06 of the planning scheme. Clause 52.06-3 requires a permit to reduce or waive the requirements for car parking as provided for within the clause. Table 1 to clause 52.06-5 requires 0.3 spaces to each patron permitted on site. With capacity of 120 patrons a total of 36 car parks are required for the use. A total of four car parks are proposed. Therefore, a permit is required for a reduction in the requirements.

Licensed premises

Based upon the use proposed in the sale of alcohol for consumption on the premises clause 52.27 is applicable which relates to licensed premises. A permit would therefore be required due to a licence been required under the Liquor Control Reform Act 1998.

Live music and entertainment noise

The clause applies and provides for the management of noise from live music. There are requirements which must be met and a response has been provided in the application.

Planning Policy Framework

The PPF provides a state wide approach to planning which is common to all planning schemes across Victoria. For the type of use and development proposed, issues of note listed in the SPPF include the following.

- ♦ the need to protect landscapes and significant open spaces that contribute to character, identity and

sustainable environments as provided for at clause 12.05-2S

- ♦ the need to protect floodplains to ensure no negative impacts take place as a result of any new development or use
- ♦ the need to achieve architectural and urban design outcomes that make a positive contribution to the local area
- ♦ the need to encourage development which meets the community's needs and provides net community benefit

Municipal Strategic Statement

The MSS provides the basis for Council's decision making and it's strategic and land use planning. Issues identified in the MSS and relevant to this application include the following.

21.06-2 Post-contact heritage

Objective 1

To protect, maintain and enhance the municipality's local post-contact heritage including historic buildings, precincts and places.

21.08-1 Commercial development

Objective 1

To provide for planned development and physical improvement in the retail centres of Kerang, Cohuna and Koondrook, which is integrated with existing retailing and is based on good urban design principles, to maximise levels of service, tourist visitation and trade.

21.08-3 Tourism

Objective 1

To develop and expand tourist facilities, recreational activities and accommodation facilities, while protecting and enhancing natural and built assets and strengthening the role and return from tourism development (particularly based on the area's natural and cultural heritage).



21.11-3 Koondrook

...
Ensure that all new development within the Koondrook town centre is consistent with the Koondrook Heritage Policy.

Encourage commercial development as well-designed infill within the established town centre.

...
Strongly encourage development that improves the appearance and image of the urban area and entrances to the town centre.

...
Strongly encourage tourism development based on Koondrook’s heritage, historic wharf and river location.

The policy identifies the church building as being an important heritage element and seeks to achieve a number of listed items within the policy.

The town structure plan identifies the site as being within the “Commercial centre – growth potential” and “Koondrook Heritage Precinct”.

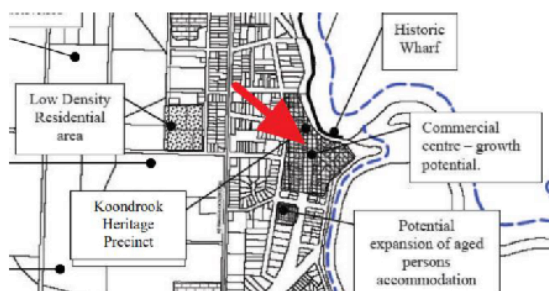


Figure 4 Town Structure Plan Extract

Local policies

Local policy exists at 22.01 Koondrook heritage and the policy objectives are as follows.

To preserve and enhance the remaining elements of Koondrook’s history, particularly the buildings, sites and objects listed in the table to this policy.

To undertake or facilitate improvements as listed below in order to preserve and enhance Koondrook’s heritage values and re-instate known heritage elements which have been removed or destroyed.



Site and surrounding area

Subject site

The land subject to the application is presently developed and has most recently been used for a church. The church has existed on the land for many years and is centrally located to the land. A toilet facility is located to the rear of the church.

The remainder of the site is vacant of any buildings and contains sparse and minor unremarkable vegetation to the side and rear boundaries.

Vehicle access exists to each frontage of the land.

The main Street frontage of the land is constructed with kerb and channel along with line marking for angle parking. The Forest Street frontage includes an informal construction and angle car parking is also included on the western side of the road.



Figure 6 Site from Main Street



Figure 7 Existing church on site



Figure 5 Aerial image of the site
Source <http://maps.au.nearmap.com/>



Figure 8 Site towards Main Street



Locality

The locality of the Koondrook township and riverfront has evolved significantly over time. From its natural state after the establishment of the township significant change took place which included and was dominated particularly by the paddleboat trade and the need to provide access and services to the river including transportation of goods. In association with this was the construction of the railway line which originally included a spur line in the vicinity of the riverfront.

Land immediately abutting the site is largely undeveloped with the exception of 55 Forest Street which includes a dwelling and associated outbuildings. Whilst there are multiple dwellings within the immediate area Main Street includes key commercial services for the community including the hotel and general store. To the south and west of the land are tennis courts, swimming pool and community buildings.

The Koondrook wharf and riverfront is approximately 120m north of the land.



Figure 10 Main Street frontage of the land



Figure 11 Nearest dwelling at Forest Street

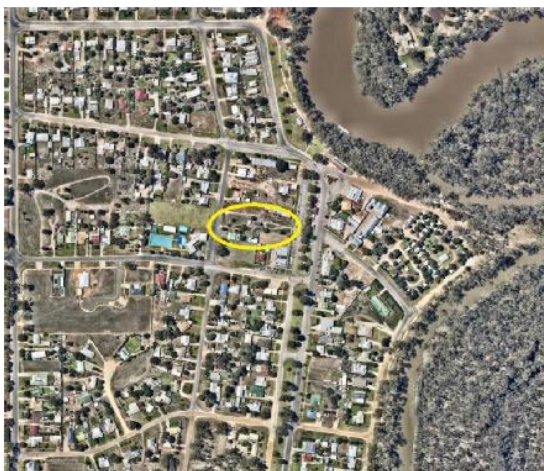


Figure 9 Aerial image of the locality

Source <http://maps.au.nearmap.com/>



Figure 12 Former railway building/proposed restaurant



Opportunities and constraints

An assessment of the site context indicates the following opportunities and constraints:

Development opportunities

- ♦ the existing building of the St Pauls Anglican Church situated on the site
- ♦ proximity to the Murray River
- ♦ Access and existing connection to all reticulated services
- ♦ No existing significant vegetation or remnant native vegetation that will be affected by the new building or works
- ♦ vehicular access from Main and Forest Streets with the associated car parking
- ♦ proximity to the main business area of Koondrook
- ♦ acknowledgement and support within policy of the planning scheme for such a proposal (retention of heritage, tourism and commercial nature)

Development constraints

- ♦ the flood level being the 1% flood event
- ♦ the siting of the existing buildings being central to the land
- ♦ residential use and development to the south of the site

Location attributes

- ♦ the setting of the locality being open in nature, wide street, central median, landscaped, proximity to the Murray River and that of the urban Koondrook
- ♦ Proximity to the commercial area of Koondrook, accommodation, retail facilities and entertainment
- ♦ Low scale built form and that built form generally having a close relationship to the river and/or the history of the river/locality
- ♦ car parking generally being available along the alignment of Main and Forest Street with parking being formally line marked

Design response

The use and development of the land contains the following elements that are considered important to its philosophy and relationship to immediate locality, tourism and the commercial nature of the locality:

- ♦ particular attention has been given to the external design of the buildings in order to meet the brief of the client and also integrate within the locality and that of the current and future use of the land
- ♦ use of sympathetic roof pitch to the of the existing church building
- ♦ provision of the main function area being on a grassed base with the marquee being removable. This provides for less impact in built form and flexibility for functions of varying patron numbers
- ♦ an internal upgrade of the existing toilets in order to meet user requirements and the expectations of patrons
- ♦ ensuring no impact to the existing vehicle access arrangements
- ♦ integration with other key uses in the immediate locality including hotel, wharf, riverfront restaurant and Murray River
- ♦ presentation of the building and development to Main Street
- ♦ respecting the heritage of the church use and the long-standing nature of the use by taking design cues from the existing building
- ♦ articulation of the building and use of different materials that creates an interesting design but also ensures there are no blank walls and continuous use of a single material for finish
- ♦ the ability for significant landscaping to take place to the perimeter of the works proposed in order to soften the impact of the development and embellish the area



Planning assessment

Policy context

The proposal is consistent with the direction of the PPF and Council's MSS by responding to its specific direction of providing a well designed re-development of an existing building that respects the landscape and character of the area, promotes tourism and implements key policy direction of the planning scheme.

The new function centre and residential building uses will have significant positive impacts upon visitation to the township and surrounding locale area by providing a precinct of activities within the commercial and riverfront precinct of Koondrook. Visitation to the area will be greatly enhanced by the wider riverfront/commercial area. Investment has and is continuing for the embellishments. Key items are development at the wharf, general riverfront improvements, proposed transformation of the railway building to a restaurant to complement the existing facilities of Koondrook including the Murray River, general store and hotel along with local accommodation providers.

Consideration through the redeveloped building and site has been given to the impacts of flooding and upon the landscape/Vista. The Catchment Management Authority will identify the flood levels that apply to the site and that any floor level requirements of the development. The marque will clearly not be affected by flooding due to its temporary nature.

The views and vistas available both to and from the existing building and along the streets and public areas are important. The design of the buildings and their setting into the site and landscape has been considered and was part of the original design brief. The response in the building architecture has been to maintain a well setback building, constrain the footprint of the building and making use of appropriate materials and colours that harmonise with the surrounding environs and existing building.

The design of the new buildings has taken account of the natural, cultural and strategic context of its location by firstly identifying the strategic locality of the land being in the main commercial area of Koondrook and within

relative proximity to the riverfront area. The design of the new buildings and their layout have considered the context of the locality by providing a respectfully designed redeveloped site with considered elevations, a variety of materials and distinction between new and old through the respective building design.

The main mode of transport to the site will be by private vehicle however by its nature the site is well located and proximate to accommodation of Koondrook and other commercial uses.

The proposal makes optimum use of infrastructure provided within the locality including road and footpath whilst retaining the existing facilities on site for access. In particular the gravity services of stormwater and sewage are immediately available.

Furthermore, the proposal satisfies the purpose of the C1Z. The purpose of the C1Z is to provide for vibrant commercial centre including that of entertainment. Additional to this the density of development should be commensurate with that of the role and scale of the commercial centre. The commercial centre of Koondrook is low density in commercial terms and the development respects such intensity of development.

As it relates to the GRZ it is important to note the fact that commercial uses are considered within the zone and this is reflected in particular within the purpose to the zone and the table of uses. The existing church building and immediately previous use is considered to be directly responsive to the purpose of the zone. Its re-use within the community is clearly desirable in a manner which will retain the structure and the social fabric which its longstanding use has achieved for the community.

Urban design

Below is a response in relation to the urban design matters of the development.

Context

The locality of the site and the immediate commercial/riverfront area has been acknowledged as an important area by Council which is evidenced through the significant policy direction of the planning scheme.



In receiving the design brief for the project McKnight and Bray have established some ground rules in relation to the development of the land namely understanding the context for which it is located which includes some key elements including existing built form, natural surface levels, servicing, access and the needs of the facility into the future.

In particular as it relates to the context of the locality consideration has been given to the overall form and scale of the building taking into account the economic sustainability of the future uses which it proposes to house. The response has been retention of the existing building along with the use of a variety of materials and colours that harmonise with the immediate surrounds of the locality and natural environs.

The public realm

The existing streetscape elements of Main Street provide a public realm worthy of retention and improvement, a significant many of which include items of public infrastructure such as pedestrian's pedestrian paths, the thoroughfare of Main Street, existing parking areas and the like. The redevelopment of the site will have no impact on such areas and in fact seeks to build upon the facilities through it having a positive impact upon the locality and its cultural identity.

Furthermore, the establishment of the function centre use sits neatly within the overall structure of the site and its relationship to the existing building.

Safety

The design and how it fits within generally accepted safety principles is detailed below under the heading of *Safer design guidelines*.

Landmarks, views and vistas

There are no significant views all visitors identified within the immediate locality of the land subject to the redevelopment. Neither are their significant landmarks identified specifically within the planning scheme however local landmarks could generally be described as the riverfront more generally, Koondrook wharf and the railway building. The proposed redevelopment is

considered to further embellish and elevate that of the landmark being the Koondrook main street and riverfront environs. This will be achieved through not only the redevelopment of the site but also the significant investment been provided to the greater riverfront through public works of the wharf and in the future development of commercial opportunities such as the railway building. The redevelopment of the site is seen as one stage of achieving this.

Pedestrian spaces

Significant effort has been put into the improvement of pedestrian spaces along the riverfront through provision of footpaths which connect key elements of the riverfront. The redeveloped site will play a key role in the accessibility through the precinct and positively encourage pedestrian movement.

Heritage

The building on the land and immediate locality have history attached to them. The site is included in the HO13 which seeks to protect the immediate environs of Koondrook. Consideration has been provided to the existing heritage fabric of the site and the church building for reasons already described.

Consolidation of sites and empty sites

The build time for the project will be brief based upon the limited structures proposed and based upon the unconstrained site and urgency for the redevelopment to take place it is expected the project will be a priority in terms of its construction following consideration of the application.

Light and shade

The public realm will not be affected following completion of the redevelopment. The proposal will increase the amenity of the locality and the public making use of the facilities including that of Main Street and the riverfront.

Energy and resource efficiency

The following elements have been incorporated into the design:

- ♦ awnings for shade to the new buildings



- ♦ natural light based upon the open design of the buildings
- ♦ Shade to western side of the buildings from the late afternoon sun

Architectural quality

The centrepiece of the design brief was the retention of the existing church building and its architecture which is to be incorporated into the new building. Considerable time and effort has been invested in the architectural design of the buildings both externally and internally. It was acknowledged from the outset by the proponent that there will only be one opportunity to deliver the building of this nature on the site. The result has been a crisp organic building that will have neat accurately detailed finishes undertaken in a respectful manner to the existing church building.

Landscape architecture

The existing quality of the landscape whilst being open is not attractive. Opportunity exists as part of the redevelopment to significantly increase the quality of landscaping and its design. Based upon the locality and its location a landscape designer will be engaged to complete the design.

Car parking

The current use of the land is defined in the planning scheme as a place of assembly which is the same requirement for car parking as that of the proposed use of the land.

The redeveloped site will have a capacity of 120 people which is likely to be similar to that of the church building in its past use.

Four new car parks are proposed as a result of the redeveloped building and therefore a permit is required for a reduction of the requirement. In response to the decision guidelines of the following is offered:

- ♦ based upon the existing use of the land a credit would exist for car parking associated with the land due to no formal parking being provided and existing use rights applying to the land

- ♦ the application incorporates and benefits from significant pedestrian linkages. This is a considerable advantage to the land and the redeveloped building. Linkage will be provided to the remainder of the commercial area and that of nearby accommodation facilities.
- ♦ The redeveloped building does also include amenity features such as awnings to frontages which provide shade and shelter to patrons and the public more generally, increased landscaping, new and improved toilets
- ♦ bicycle parking has not been formally provided within the site however bike parking can be accommodated.
- ♦ Landscaping has been shown on the plan to both public areas with the opportunity to provide additional landscaping through a design undertaken by a landscape designer
- ♦ Significant underutilised car parking is provided in the immediate locality of Main and Forest Streets. In addition to this there is the likelihood of shared trips being made to the facility for events and functions.

Licensed remises

The nature of liquor supply at the premises will be limited to functions and events held at the site. There will be no sale of liquor independent of any event. Persons involved with the supply of liquor to patrons will be trained in the responsible serving of alcohol to ensure management of the facility is at all times undertaken to ensure the enjoyment of patrons. This will also ensure the amenity of the locality is not negatively affected by the supply of alcohol at the site. The supply of alcohol for such a use is not likely to directly cause negative amenity concerns. This will be through the limited nature of the operation (as opposed to being a regular 7 day a week proposal), guests being invited rather than for general public and active management of the facility.

The hours of operation for the serving of alcohol will be restricted to between the hours of 11.00am and 11.00pm. This will not clearly be undertaken 7 days a week however the flexibility of operating each day is required to ensure events can be booked for any day of the week.



The number of patrons to be accommodated on the site at any given time will be limited to 120. Given the nature of the location, population of Koondrook and the region where functions will be secured it is not likely all functions will be at capacity. Patrons are likely to attend the site by car or by walking. It is also possible that buses could be arranged for larger events. Accommodation houses are proximate to the site in each of Koondrook and Barham which will enable ready access for patrons with minimal distance to travel in each direction. This will ensure the potential for the resulting amenity impacts will be minimised.

the sound at a fixed level by reducing the mains voltage to the equipment or signal to the amplifier.

The number of licensed premises in Koondrook are limited. Within 200m of the land there are 2 licensed premises. This results in the cumulative impact being somewhat diminished. Further the hours of the licensed premises which operate within the 200m are limited in the form of the lawn tennis club. Therefore, the resulting amenity impacts will be mitigated.

Live music venue

Impacts from the incorporation of music and live music has been considered through the design, layout and management of the facility.

Music will be performed within the function centre and associated with larger events in the marquee to the Main Street frontage of the site. The performers will be located to the eastern end of the area and will be structured to ensure only choice between a limited number of performers. A management plan will be established for the operation of the facility and one element which may be included will be that of the performers permitted to provide entertainment on the site.

A further control in relation to music at the land will be the installation and operation of a sound limiting device. Sound limiters are devices that are designed to monitor the sound in an area and limit the maximum sound level that can be generated by sound equipment. The device is installed into the signal path, or the electrical supply to the equipment in the area and applies control to prohibit the sound from exceeding the pre-set level. The device will either cut the power when the level is exceeded or clamp



Conclusion

In conclusion, it is considered for reasons outlined above the use and development responds well to the opportunities and constraints of the site, the appearance and function of the Koondrook main street and river environs, location of buildings and their uses on adjoining land and the opportunity for the greater reviver precinct and environs.

The buildings proposed as a result of this application is of architectural integrity and quality in terms of its appearance and setting within the heritage precinct and that of the existing church building.

The proposal is considered appropriate for the site for the following reasons:

- ♦ It is consistent with the PPF and LPPF and Ganawarra Planning Scheme
- ♦ The architecture of the buildings is of quality and has clear relationships to the site and locality
- ♦ The redevelopment and inclusion of the function centre is afforded policy for the locality
- ♦ The layout responds to the site characteristics and opportunities
- ♦ The design of the facility responds to that of the locality in an appropriate manner and makes a positive contribution to the environs
- ♦ Off site impacts have been limited due to the previous use of the land, limited intensity of the use, commercial nature of the locality and the lack of permanent buildings incorporated in the proposal
- ♦ existing car parking at Main and Forest Streets has been retained through the design of the proposal. The provision of parking on the site and within the immediate locality is commensurate with the intensity of the use and consistent with modes of transport available to the site and linkages available to accommodation within the township. The car parking assessment confirms the availability of car parks on the street and in the immediate vicinity of the land.
- ♦ The licensed premises element of the proposal has been demonstrated as being managed and not having

an intensity which will not have negative impacts upon the immediate locality

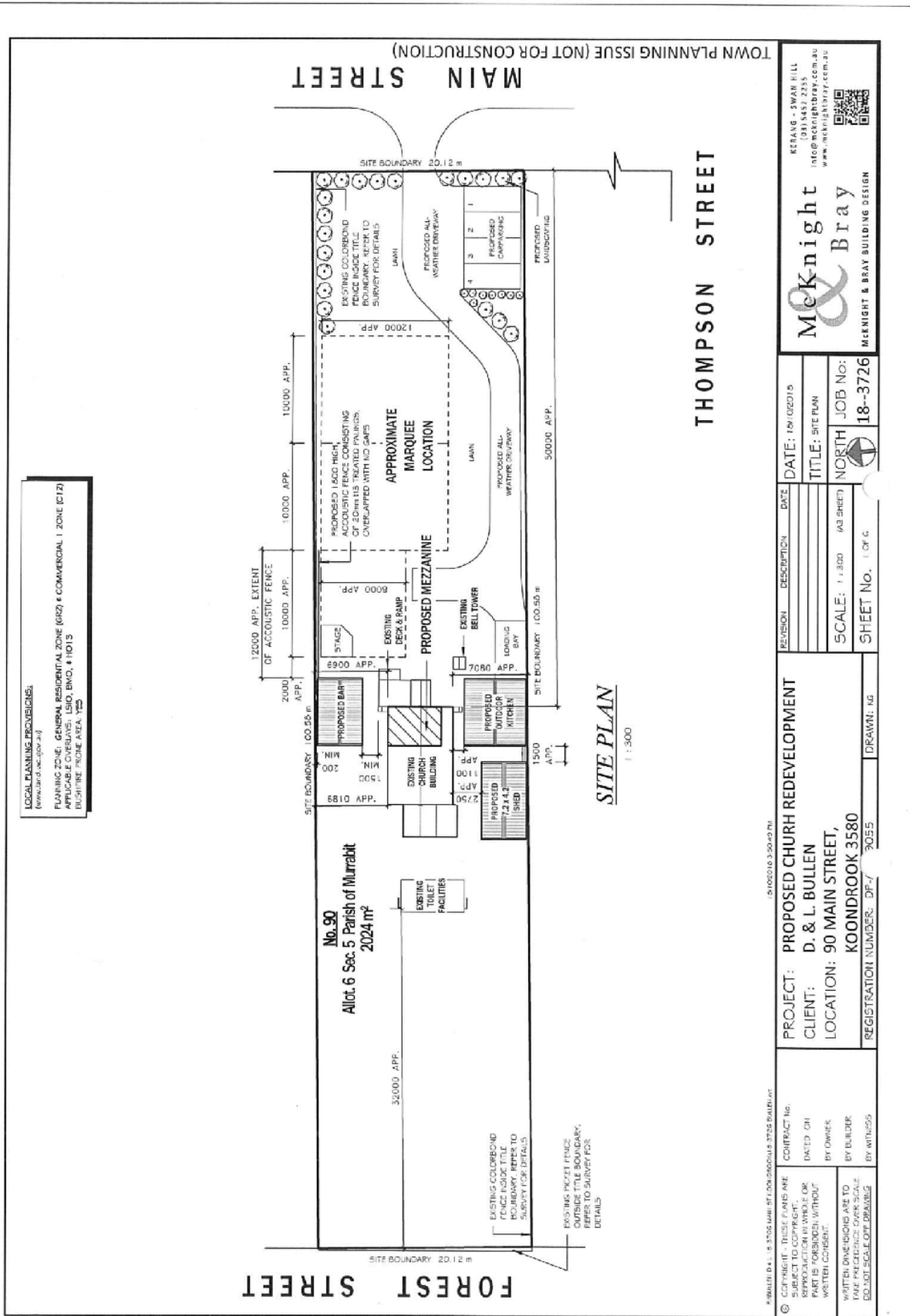
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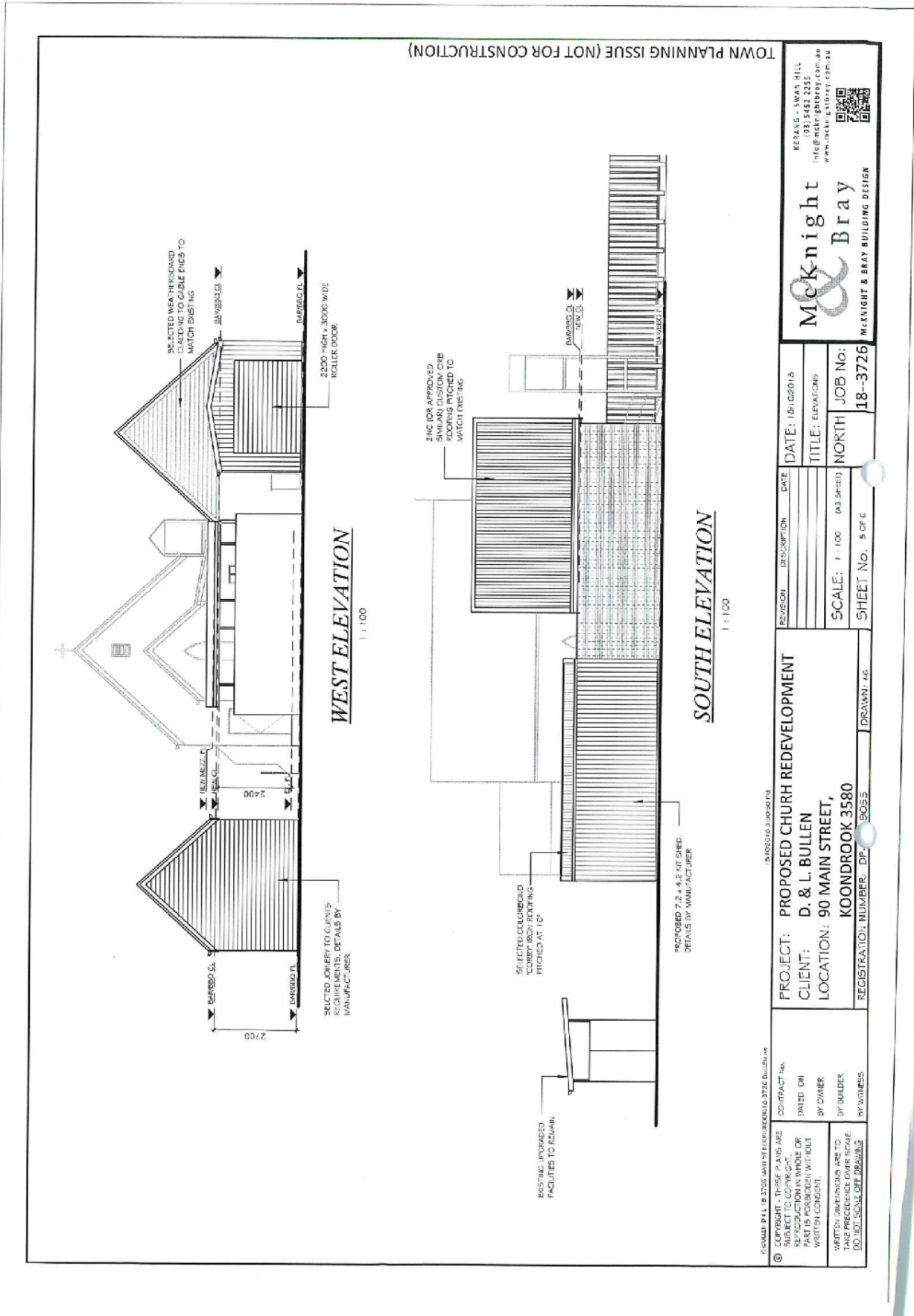
EAST ELEVATION
1 : 100

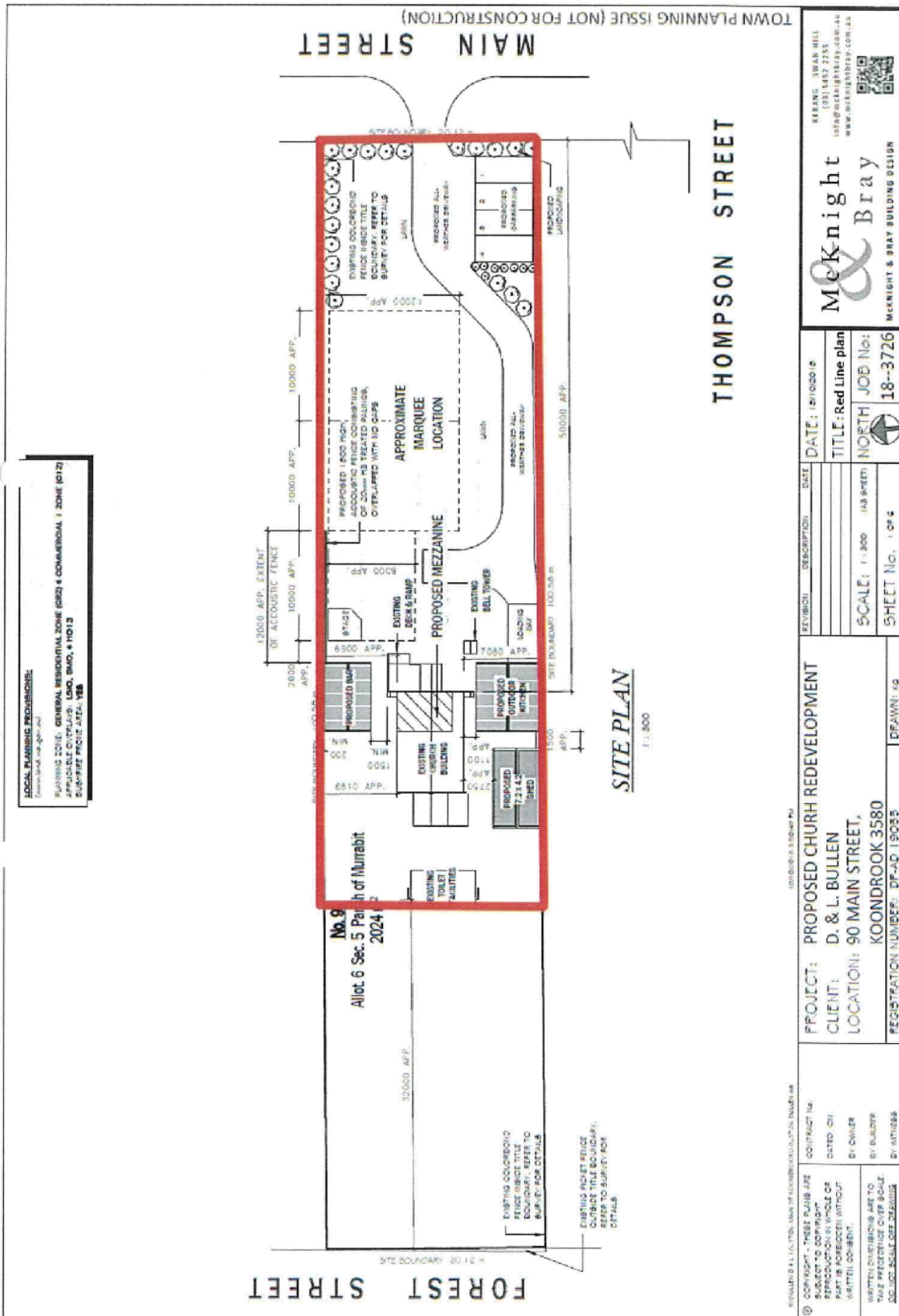
NORTH ELEVATION
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TOWN PLANNING ISSUE (NOT FOR CONSTRUCTION)

<p style="font-size: 8px; margin-top: 5px;"> MCKNIGHT & BRAY BUILDING DESIGN KERRIE - SWAN HILL (03) 5433 2135 info@mcknightbray.com.au www.mcknightbray.com.au </p>		DATE: 10/10/2018 TITLE: ELEVATIONS SCALE: 1:100 (A3 SHEET) SHEET No. 4 of 6	JOB No: 18-3726
PROJECT: PROPOSED CHURCH REDEVELOPMENT CLIENT: D. & L. BULLEN LOCATION: 90 MAIN STREET, KOONDROOK 3580		DRAWN: KG	

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8.4 GANNAWARRA SHIRE SPORT AND RECREATION STRATEGY 2019 - 2029

Author: Katrina Thorne, Communications and Engagement Coordinator

Authoriser: Stacy Williams, Director Community Wellbeing

Attachments: 1 Gannawarra Shire Sport and Recreation Strategy 2019 - 2029 and Implementation Plan (under separate cover) [⇒](#)

RECOMMENDATION**That Council**

1. **Note the submissions received for the Gannawarra Sport and Recreation Strategy 2019-2029**
2. **Adopt the Gannawarra Sport and Recreation Strategy 2019-2029.**

EXECUTIVE SUMMARY

The Gannawarra Shire Sport and Recreation Strategy 2019-2029 and accompanying Implementation Plan has been developed to consolidate the strategic direction of Council's investment and planning into sport and recreation facilities to better facilitate long-term planning and development of sport and recreation opportunities across the Shire.

Following endorsement of the draft strategy, public submissions were invited and a total of 19 submissions were received during the submission period. Minor changes have been made to the strategy to reflect the nature of the submissions and address community concerns.

BACKGROUND

The need for a Sport and Recreation Strategy was identified to assist Council in ensuring there is a consistent approach to recreation facility planning and resourcing across the Shire and also to identify gaps in infrastructure and maintenance provision. This document would also assist in how Council is able to work with state funding bodies, particularly Sport and Recreation Victoria, in identifying future infrastructure projects for funding support.

Council received funding from the Victorian Government's Community Infrastructure Support Fund to develop this strategy.

The Gannawarra Shire Council Plan 2017-2021 lists 'Develop a framework to guide Council decision making and support community access to sport and recreation funding opportunities' as an action.

POLICY CONTEXT

Council Plan 2017 – 2021 – Strong Healthy Communities

DISCUSSION

The Sport and Recreation Strategy 2019-2029 and Implementation Plan development has identified that nature-based and passive recreational opportunities are just as important to our communities as structured sports.

The strategy incorporates a ten year implementation plan which has two core sections to it, noting that none of the projects listed are in any order of priority.

The first details projects that have been identified as projects that Council holds a lead role in, and are primarily dependent on external funding.

The second details projects that have been identified as priorities by communities across the Gannawarra Shire where partnership opportunities present between community sporting clubs/organisations, Council and funding bodies.

In order for projects in the second section of the Implementation Plan to be considered for Council support, a background information form and project pre-planning checklist must be submitted to Council (appendix 4 of the strategy). Following the receipt of this information, Council staff are able to proceed with assessing the projects against a standardised framework which includes a small towns framework assessment (Appendix 2 of the strategy) and a capital works assessment tool (Appendix 3 of the strategy).

The outcome of these assessments would mean either the applicants are contacted to provide further information, or the proposed projects are able to proceed through to Council for a formal decision making process.

The strategy and implementation plan consider Council's high level priorities:

1. Multi-use facilities
2. Energy saving initiatives
3. Improving opportunities for participation
4. Improved opportunities for walking and cycling
5. Waterfront development.

CONSULTATION

The Sport and Recreation Strategy 2019-2029 and Implementation Plan has been developed in consultation with key Council staff and stakeholders. An appendix has been added to the Strategy (refer page 43 of the attachment) which details the three-phase community consultation approach that has been undertaken to inform the Strategy.

Meetings have been held with Sport and Recreation Victoria staff to ensure that the Strategy also aligns with the requirements of the original funding agreement.

During the public submission period, 19 submissions were received. Council officers met with 14 local sporting clubs and organisations to discuss the document and their club's priority projects. In addition, 76 clubs and organisations were contacted via email with the draft document for their opportunity to provide feedback.

Officers also made contact with clubs and representatives who participated in the original Phase One consultation sessions to offer a follow up opportunity to discuss the draft strategy and their clubs input.

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 Sport and Recreation Strategy 2019-2029 and Implementation Plan will assist Council in long-term planning, investment and development of sport and recreation facilities and opportunities across the Shire.

It is recommended to adopt the Sport and Recreation Strategy 2019-2029 and Implementation Plan.

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS

11 NOTICES OF MOTION**11.1 NOTICE OF MOTION - 69****Author: Councillor Sonia Wright****Authoriser: Tom O'Reilly, CEO****Attachments: Nil**

In accordance with section 70 of Council's Meetings Procedure, I, Councillor Sonia Wright, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council be held on 15 May 2019:

MOTION**That:**

- 1. A report be drafted by our administration on the practices adopted by other councils regarding an Independent CEO Performance Review and Remuneration Committee (CEO Employment Matters Advisory Committee) for the purpose being that Gannawarra Shire adopt an objective methodology in this process and seek Industry Best Practice Standards, now and for future Councils.**
 - 2. These findings are to be presented at the June General meeting for a decision.**
-

12 DELEGATES REPORTS**12.1 DELEGATES REPORT - 17 APRIL, 2019 TO 14 MAY, 2019****Author: Mel Scott, Executive Assistant - Chief Executive Office****Authoriser: Tom O'Reilly, CEO****Attachments: Nil****EXECUTIVE SUMMARY**

Delegate Reports from 17 April, 2019 to 14 May, 2019

Cr Lorraine Learmonth

19 April Rotary Annual Easter Art Show Award Selection – Kerang
Rotary Annual Easter Art Show 2019 Gala Official Opening – Kerang

20 April Quambatook Tractor Pull – Quambatook

23 April Council Proposed 2019/2020 Budget Social Media Video Recording – Kerang
Regional Organic Waste Meeting – Swan Hill
Lakes Development Committee Meeting – Lake Charm

25 April ANZAC Day Dawn Service – Kerang
ANZAC Day Service - Cohuna
ANZAC Day Service – Leitchville

29 April Quambatook Progress Association Meeting – Quambatook

1 May Leitchville Progress Association Meeting – Leitchville

3 May Rhythm and Sing – Kerang
Meet and greet Ray Kingston, Independent Candidate for Mallee – Kerang

8 May Arts & Creative Industries Forum for Local Government – Melbourne

9 May Seniors Advisory Group Meeting – Koondrook

Cr Sonia Wright

25 April ANZAC Day Dawn Service – Cohuna
ANZAC Day Service – Koondrook/Barham

9 May Council Proposed 2019/2020 Budget Social Media Video Recording – Cohuna

Cr Charlie Gillingham

23 April Lakes Development Committee – Lake Charm

25 April ANZAC Day Service – Quambatook

3 May Meet and greet Ray Kingston, Independent Candidate for Mallee – Kerang
Council Proposed 2019/2020 Budget Social Media Video Recording – Kerang

11 May Quambatook Recreation Reserve Club Rooms Opening – Quambatook

Cr Steve Tasker

- 25 April ANZAC Day Dawn Service – Barham
ANZAC Day Service – Murrabit
- 30 April Council Proposed 2019/2020 Budget Social Media Video Recording – Kerang
- 14 May Koondrook Development Committee Meeting – Koondrook

Cr Brian Gibson

- 25 April ANZAC Day Service – Kerang

Cr Mark Arians

- 24 April Kerang Progress Association Meeting – Kerang

This table represents attendances at Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
Ordinary Council Meeting (17 April)	✓	✓	✓	✓	✓	✓	✓
Council Briefing and Strategic Briefing (6 May)	✓	X	✓	✓	✓	✓	A

A = Apology

X = Absent

13 CONFIDENTIAL ITEMS

Nil