



**GANNAWARRA**  
*Shire Council*

**Wednesday, 20 December 2017**

**6.00pm**

**Council Chambers**

**Kerang**

# **MINUTES**

**Ordinary Council Meeting**

**Order Of Business**

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**MINUTES OF GANNAWARRA SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, KERANG  
ON WEDNESDAY, 20 DECEMBER 2017 AT 6.00PM**

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

**IN ATTENDANCE:** Tom O'Reilly – Acting Chief Executive Officer, Geoff Rollinson – Director Infrastructure and Development, Stacy Williams – Director Community Wellbeing, Lisa Clue – Acting Director Corporate Services, Peter Bergman – Manager Planning and Regulatory Services

**Gallery:** 13

**Media:** 1

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 OPENING DECLARATION**

The Deputy Mayor read the Opening Declaration.

**3 APOLOGIES**

Cr Sonia Wright

**4 CONFIRMATION OF MINUTES**

**RESOLUTION**

Moved: Cr Jodie Basile

Seconded: Cr Lorraine Learmonth

**That the minutes of the Ordinary Council Meeting held on 15 November 2017 be confirmed.**

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Nil declared.

**6 QUESTION TIME**

One question was asked regarding volunteer Criminal Checks and a response was provided by the Mayor.

## **7 ASSEMBLY OF COUNCILLORS**

### **7.1 ASSEMBLY OF COUNCILLORS NOVEMBER 16, 2017 TO DECEMBER 20, 2017**

#### **EXECUTIVE SUMMARY**

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

#### **RESOLUTION**

Moved: Cr Jodie Basile

Seconded: Cr Charlie Gillingham

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

**CARRIED**

## **8 BUSINESS REPORTS FOR DECISION**

### **8.1 GANNAWARRA PLANNING SCHEME AMENDMENT C42 (MAPPING ANOMALIES)**

#### **EXECUTIVE SUMMARY**

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

#### **RESOLUTION**

Moved: Cr Lorraine Learmonth

Seconded: Cr Charlie Gillingham

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

**CARRIED**

## 8.2 HEAVY PLANT REPLACEMENT CONTRACT VP87260 - PURCHASE

### EXECUTIVE SUMMARY

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

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

### RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Lorraine Learmonth

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

**CARRIED**

## 8.3 KERANG CEMETERY - ROAD DISCONTINUANCE - DECISION

### EXECUTIVE SUMMARY

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

### RESOLUTION

Moved: Cr Jodie Basile

Seconded: Cr Mark Arians

**That Council:**

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

**CARRIED**

#### **8.4 AUDIT COMMITTEE - MEMBERSHIP RE-APPOINTMENT**

##### **EXECUTIVE SUMMARY**

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

##### **RESOLUTION**

Moved: Cr Lorraine Learmonth

Seconded: Cr Charlie Gillingham

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

**CARRIED**

#### **8.5 AUDIT COMMITTEE - 21 NOVEMBER 2017 MEEETING**

##### **EXECUTIVE SUMMARY**

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

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

##### **RESOLUTION**

Moved: Cr Jodie Basile

Seconded: Cr Lorraine Learmonth

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

**CARRIED**

## 8.6 COUNCILLOR ALLOWANCES - ENDORSEMENT OF NEW RATES

### EXECUTIVE SUMMARY

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

### RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Steven Tasker

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

**CARRIED**

## 9 INFORMATION REPORTS

Nil

## 10 URGENT ITEMS

Nil

## 11 NOTICES OF MOTION

Nil

## 12 DELEGATES REPORTS

### 12.1 DELEGATES REPORT - 16 NOVEMBER TO 20 DECEMBER, 2017

#### Cr Brian Gibson

17 Nov	Golden Shoe Trophy Presentation – Kerang South Primary School Golden Shoe Trophy Presentation – St Joseph’s Primary Kerang LMCLP Graduation - Epsom
21 Nov	Audit Committee Meeting Official Opening of St Vincent de Paul – Kerang Combined Progress Association meeting – Kerang
22 Nov	GMW Stakeholder Breakfast meeting – Shepparton
23 Nov	MAV Transport and Infrastructure Committee – Melbourne
24 Nov	Official Starter Day 5 – Massive Murray Paddle
29 Nov	Gannawarra Goes Orange – Cohuna
02 Dec	Rockfest – Swan Hill
05 Dec	International Day of People with Disability – Kerang
06 Dec	MRGC Dinner – Echuca

07 Dec	MRGC Meeting - Echuca Captain Roby Lewis Manuel – Plaque Unveiling – Kerang
14 Dec	NCCMA Steering Committee – Bendigo
15 Dec	Warra Youth Arts Festival – Exhibition Opening
18 Dec	Cohuna & District Progress Association meeting

Cr Mark Arians

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

Cr Jodie Basile

19-20 Oct	MAV Annual Conference - Melbourne
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Cr Charlie Gillingham

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

Cr Lorraine Learmonth

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

Cr Steve Tasker

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

Cr Sonia Wright

16 Nov	CVGA AGM and Board meeting – Bendigo
18 Nov	Entrepreneurship meeting webinar
20 Nov	Golden Shoe Trophy Presentation – Cohuna Consolidated School
21 Nov	Combined Progress Association meeting – Kerang
22 Nov	NDCH AGM – Kerang

29 Nov	Gannawarra Goes Orange – Cohuna
05 Dec	International Day of People with Disability – Kerang
06 Dec	Leitchville Progress Association meeting
18 Dec	Cohuna & District Progress Association meeting

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

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

LoA = Leave of Absence

A = Apology

**SUSPENSION OF STANDING ORDERS**

**RESOLUTION**

Moved: Cr Jodie Basile

Seconded: Cr Lorraine Learmonth

**That Council suspend standing orders to introduce the new Mayoral Regalia.**

**CARRIED**

**13 INTRODUCTION OF MAYORAL REGALIA**

The Mayor introduced the Mayoral Regalia and provided an opportunity for the gallery to view and for the current and former Mayors in attendance (Jenny Kelly, Keith den Houting, Max Fehring and Lorraine Learmonth) and Mrs Pat Jane (on behalf of Olly Jane) to be photographed with the Regalia.

**RESUMPTION OF STANDING ORDERS**

**RESOLUTION**

Moved: Cr Charlie Gillingham

Seconded: Cr Jodie Basile

**That Council resume standing orders.**

**CARRIED**

**13 CONFIDENTIAL ITEMS**

**RESOLUTION**

Moved: Cr Lorraine Learmonth  
Seconded: Cr Charlie Gillingham

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

**14.1 Appointment of Chief Executive Officer**

This matter is considered to be confidential under Section 89(2)(d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.

**14.2 Awarding of 2018 Australia Day Awards**

This matter is considered to be confidential under Section 89(2)(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with any matter which Council considers prejudicial to Council or any person.

**CARRIED**

**RESOLUTION**

Moved: Cr Lorraine Learmonth  
Seconded: Cr Jodie Basile

**That Council moves out of Closed Council into Open Council.**

**CARRIED**

**The Meeting closed at 6:37pm.**

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Gannawarra Shire Council held on 21 February 2018.**

.....  
**Cr Brian Gibson – MAYOR**  
**CHAIRPERSON**