



GANNAWARRA

Shire Council

Wednesday, 15 August 2018

6.30pm

Sir John Gorton Library

Kerang

AGENDA

Ordinary Council Meeting

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1 ACKNOWLEDGEMENT OF COUNTRY

I would like to take this time to acknowledge the Traditional Custodians of the land, and pay my respect to elders both past and present

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 18 July 2018

5 DECLARATION OF CONFLICT OF INTEREST

The Local Government Amendment (Councillor Conduct and Other Matters) Act 2008.

A Councillor, member of a special committee, or member of Council staff has a conflict of interest in a matter if he or she has a *direct interest* or an *indirect interest* in that matter.

A person has a direct interest in a matter if there is a likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way. This includes where there is a likelihood that the person will receive a direct benefit or loss that can be measured in financial terms or that the residential amenity of the person will be directly affected if the matter is decided in a particular way.

A person has an indirect interest in a matter if the person has:

- a close association in the matter because a family member, a relative or a member of their household has a direct or indirect interest in the matter
- an indirect financial interest in the matter
- a conflicting duty – although there are circumstances where a person does not have a indirect interest because of a conflicting duty
- received an ‘applicable gift’
- become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter.

Disclosure of conflict of interest

If a Councillor or member of a special committee has a conflict of interest in a matter which is to be or is likely to be considered at a meeting of the Council or special committee, the Councillor or member must:

- if he or she will be present at the meeting, make a full disclosure of that interest by advising of the class and nature of the interest to either –
- the Council or special committee immediately before the matter is considered at the meeting, *or*

- in writing to the Chief Executive Officer (CEO). Where the disclosure is made to the CEO in writing, the Councillor or member need only disclose the class of interest to the meeting, immediately before the matter is considered.
- if he or she will not be present at the meeting, make a full disclosure to the CEO or Chairperson of the meeting, in writing, of the class and nature of the interest. If a Chairperson is given a written disclosure, he or she must give the written disclosure to the CEO.
- The CEO must keep written disclosures in a secure place for 3 years after the date the Councillor or member of the special committee who made the disclosure ceases to be a Councillor or member, and destroy the written disclosure when the 3 year period expires.
- While the matter is being considered or any vote taken, the Councillor or member of a special committee with the conflict of interest must leave the room and notify the Mayor or Chairperson of the special committee he or she is doing so. The Mayor or Chairperson must notify the Councillor or member that he or she may return to the room after consideration of the matter and all votes have been cast.
- A CEO or Chairperson of a special committee must record in the minutes of the meeting the declaration of the conflict of interest, the class of the interest and, if the Councillor or member has disclosed the nature of the interest to the meeting, the nature of the interest.
- A failure by a Councillor or member to comply with section 79 of the Act may result in a penalty of up to 100 penalty units and disqualification under section 29(2) of the Act.

6 QUESTION TIME

Question Time at Council meetings enables an opportunity for members of the public in the gallery to address questions to the Council of the Shire of Gannawarra.

QUESTIONS FROM THE GALLERY

- All questions are to be directed to the Chair.
- Members of the public may ask questions from the gallery and should provide their name (and organisation if relevant) at the beginning of their questions.
- There is a maximum number of 3 questions of up to 2 minutes each.
- Chair will respond or refer to Councillor or CEO.
- Sometimes a Councillor/officer may indicate that they require further time to research an answer. In this case, the answer will be provided in writing generally within 10 days.
- Where a question cannot be answered on the spot, the person is asked to write out their questions on a form provided to enable an accurate response to be prepared.
- Questions will be answered at the meeting, or later in writing, unless the Chairperson has determined that the relevant question relates to:
 - Personal matters
 - The personal hardship of any resident or ratepayers
 - Industrial matters
 - Contractual matters
 - Proposed developments
 - Legal advice
 - Matters affecting the security of council property
 - An issue outside the Gannawarra Shire Council core business
 - Or any other matter which the Council considers would prejudice it or any person

- A matter which may disadvantage the Council or any other person
 - Is defamatory, indecent, abusive or objectionable in language or substance
 - Is repetitive of a question already answered (whether at the same or an earlier meeting)
 - Is asked to embarrass an officer or another Councillor
-
- No debate or discussion of questions or answers shall be permitted and all questions and answers shall be as brief as possible.

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS 19 JULY 2018 TO 15 AUGUST 2018

Author: Tom O'Reilly, CEO

Authoriser: Tom O'Reilly, CEO

Attachments: 1 Assembly of Councillors Record Form - 24 July, 2018
2 Assembly of Councillors Record Form - 6 August, 2018

RECOMMENDATION

That Council notes the records of Assembly of Councillors from 19 July, 2018 to 15 August, 2018.

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 Assemblies of Councillors records as outlined in this report.



Assembly of Councillors Record Form

Date:	Tuesday, 24 July 2018
Time:	5.30pm -7.15pm
Location:	Meeting Room 1, Kerang Council Office
In Attendance: (Councillors)	Cr Brian Gibson, Cr Charlie Gillingham, Cr Sonia Wright, Cr Steve Tasker, Cr Jodie Basile, Cr Lorraine Learmonth, Cr Mark Arians
Apologies	Nil
In Attendance: (Officers)	Tom O'Reilly, Stacy Williams, Richard Morrison, Jo Haw
Matters Discussed:	Capital Works 2017/18 Update Capital Works 2018/19 Update Councillor Issues Raised CEO Bi-annual KPI Update
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Chief Executive Officer 



Assembly of Councillors Record Form

Date:	Monday, 6 August 2018
Time:	9.05am -3.00pm
Location:	Agriculture Victoria, Meeting Room, 26 Wellington Street, Kerang
In Attendance: (Councillors)	Cr Brian Gibson, Cr Charlie Gillingham, Cr Sonia Wright(until 10.15am), Cr Steve Tasker, Cr Jodie Basile (from 10.45am), Cr Lorraine Learmonth, Cr Mark Arians (until 10.15am)
Apologies	Nil
In Attendance: (Officers)	Tom O'Reilly, Geoff Rollinson, Stacy Williams, Richard Morrison, Roger Griffiths, Stevie Pearce, Kellie Burmeister
Matters Discussed:	<p>Presentations</p> <ul style="list-style-type: none"> • Medical Marijuana – Allan McCallum • Speak up 4 Water – Greg Toll and Jodie Hay <p>Appointment of Acting CEO Council Delegation to Chief Executive Officer Delegation Update-Council Members to Council Staff Gannawarra Planning Scheme Review Report 2018 Application to Amend Planning Permit P13.019 Heavy Plant Replacement Contract VP113286 – Purchase Joint Future Waste and Recycling Services Proposal National Disability Insurance Scheme Fees Schedule 2018/19 Draft Advocacy Strategy Council Plan 2017-2021 Progress Report Aquatics Contract Councillor Issues</p>
Conflict of Interest Disclosures (Councillors)	Cr Learmonth declared an indirect interest in Item 2.7 – Joint future waste and recycling services proposal, and left the room during discussion.
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Chief Executive Officer

Tom O'Reilly
7/8/18

8 BUSINESS REPORTS FOR DECISION

8.1 APPLICATION TO AMEND PLANNING PERMIT P13.019 - APPROVAL

Author: Kellie Burmeister, Manager Planning and Regulatory Services
Authoriser: Geoff Rollinson, Director Infrastructure and Development
Applicant: CleanGen Project Pty Ltd
Owner: IW and DM Hebb
Proposal: Use and development of a renewable energy facility (solar farm).
Location: Lots 1 & 2, PS719689W, 13 McPhail Road, Kerang East
Attachments: 1 Site Plan
2 Location of Objectors Dwellings

RECOMMENDATION

That Council issue a Notice of Decision to Grant an Amendment to Permit P13.019 for the use and development of a renewable energy facility (solar farm) at Lots 1 and 2, PS719689W, 13 McPhail Road, Kerang East subject to the following conditions:

1. Amended Plans

Before the 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:

- Site plan showing location of all buildings and works including accessways and car parking areas
- Elevation plans showing all buildings, solar panels and supporting structures
- Landscaping plans and planting schedule as required by condition 7
- Environmental Management Plan as required by condition 10
- Details of proposed signage on the site

2. General Requirement

Use and development of the site for the proposed Renewable Energy Facility as detailed within the application and shown on the endorsed plan must not be altered or modified unless to comply with conditions of this permit without the written consent of the Responsible Authority.

3. Permit Expiry

- a) The use and development must be commenced within 3 years of the date of this permit and completed within 5 years of commencement.
- b) An application to the Responsible Authority to extend the periods referred to must be received by the time of expiry or within three months afterwards.

4. Amenity

The use and 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 site
- the appearance of any building, works or materials
- the emission of noise, vibration, dust, wastewater, waste products, reflected light, light spill and electromagnetic interference

In the event of any 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.

5. Minimising Glare

The proposed solar panels must be non-reflective to the satisfaction of the Responsible Authority.

6. 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.

7. Generation of Dust

The applicant must ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by works within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority.

8. No Mud on Roads

Appropriate measures must be implemented throughout the construction stage of the development and during operation of the facility, to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads from the subject land to the satisfaction of the Responsible Authority.

9. External Lighting

All lighting used to externally illuminate buildings must be fitted so as to prevent the emission of direct light onto adjoining roadways.

10. Damage to Roads

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

11. Landscape Plan Required

Prior to the plans being endorsed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must include of indigenous trees and shrubs to ensure an effective visual screen to the satisfaction of the Responsible Authority.

A landscape strip along the western boundary of the site shall be a minimum of 15 metres in width, comprising of a least 5 rows of indigenous trees and shrubs.

A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant must be included.

12. Completion of Landscaping

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

13. Landscaping Maintenance

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

14. Environmental Management Plan

Prior to the plans being endorsed, an Environmental Management Plan for the management and operation of the use and development must be submitted to and approved by the Responsible Authority. Three copies must be provided. When approved, the plan will be endorsed and will then form part of the permit. The Environmental Management Plan must address the following:

- Site maintenance and weed and pest management
- Construction management
- Soil, water and flood management
- Fire management
- Traffic management

- Procedures to ensure that no significant adverse environmental impacts occur as a result of the use and development
- Decommissioning of the facility

The Environmental Management Plan must be reviewed annually by the facility operator and any consequential changes to the plan submitted to and approved by the Responsible Authority.

The use and development must be conducted in accordance with the endorsed Environmental Management Plan at all times.

15. Decommissioned Facility

Within 2 years of the plant being decommissioned, all infrastructure on the site must be removed and the site restored to its original condition to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

16. Kerang Aerodrome

- a) The structures must not impact on the Kerang Aerodrome's Obstacle Limitation Surfaces and must not produce any adverse glare or glint impact on aircraft within the vicinity of the Kerang Aerodrome.
- b) A glare analysis should be conducted to determine more clearly any potential impact on aviation safety.

17. Environmental Health Officer

All amenities and plumbed fixtures associated with the site office, (and any other structure with plumbed fixtures), must be connected to an all-waste septic tank system installed and maintained in accordance with EPA Code of Practice – Onsite Wastewater Management, February 2013.

18. Goulburn Murray Water

- a) All construction and on-going activities must follow sediment control principles outlines in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
- b) All wastewater from any permanent amenities buildings on the site must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval.
- c) The wastewater disposal area must be located at least 60 metres from the nearest waterway and any Goulburn-Murray Water channels or drains.
- d) The wastewater disposal area must be kept free of buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.
- e) Waste/wastewater from any temporary toilet facilities used during the construction phase must be removed from the site and disposed of at an approved facility to the satisfaction of Council's Environmental Health Department. At no time must any waste/wastewater be discharged to any waterways or Goulburn-Murray Water channels or drains.
- f) No buildings are to be constructed within 30 metres of Goulburn Murray Water's open channels and drains, or within the Rural Flood Overlay (RFO) and Land Subject to Inundation Overlay (LSIO).
- g) All solar panels must be setback at least five metres from Goulburn Murray Water's easement, freehold, or reserve boundary.

Note -GMW advises for the purposes of solar farm applications, solar panels are not treated as buildings. Where applicable, GMW will refer specially to either buildings or solar panels.

19. Country Fire Authority

a) Access

- Access into and around both sites for the fire appliances including a perimeter road around both the north and south sections. Roads shall be of all weather construction, have a minimum load capacity of 15 tonnes and curves shall have a minimum inner radius of 10m
- The minimum trafficable width of the roadways shall be 6m or 4m width if passing bays are provided.

b) Vegetation Management

- A minimum perimeter vegetation buffer zone between the boundary fence and the solar arrays of 10m where vegetation will be managed for minimal fuel.
- Vegetation shall be modified and managed in accordance with the following requirements:
 - Grass must be short cropped and maintained during the declared fire danger period.
 - Vegetation in and around the solar arrays and transformers shall be maintained in minimal fuel condition (ie grass not more than 100mm in height) during the declared fire danger period.

c) Water Supply

- Fire water tanks to be provided strategically around both sites and for each section we recommend a minimum of 4 tanks with one being located approximately in each corner.
- Water tanks shall be constructed of steel or concrete.
- Water tanks shall be a minimum capacity of 22,500 litres and have CFA approved fittings. The suction fitting shall be a 100mm Storz connection.
- Each tank shall be clearly signed FIRE WATER, be maintained at full capacity and shall have a water level indicator.
- Provide a truck hardstand area within 4m of each tank outlet.

d) Buildings

- If there are any buildings on site suitable portable fire extinguishers shall be provided.

e) On-site and Remote Shut-off

- The project shall have on-site and remote capability to shut off the solar farm if a fire or fault occurs. The operation of these devices shall be by the site management.

f) Signage at the Site Entry

- Suitable warning signage and site contact details to be provided at the main entry for emergency services personnel.

g) Emergency Management Plan

- An EMP is to be developed for the site covering a range of hazards including on site fire/explosion and bushfire (grassfire) in the vicinity.

Note: CFA recommends that the Solar Farm Manager contact the District 20 Operations Manager prior to commissioning of the facility to ensure the responding brigades are aware of all site operating procedures for pre-response planning purposes.

20. Powercor**a) The applicant shall:-**

- Any buildings or structures must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
- Negotiate with Powercor for the connection of the development, to the existing power distribution network.
- Set aside for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required.

Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- Obtain for the use of Powercor Australia Ltd any other easement external to the development.

21. VicRoads

- a) The developer must design and construct bell mouth sealing on Old Echuca Road to a length of 10m at the intersection of Loddon Valley Highway to the satisfaction and at no cost to VicRoads prior to the commencement of construction of the development.
- b) The developer must repair any damage to the Loddon Valley Highway at Old Echuca Road intersection to the written satisfaction and at no cost to VicRoads, once the construction is completed.
- c) The proponent must comply with the Road Management Act 2004, Road Management (Works and Infrastructure) Regulations 2005 and the Road Management (General) Regulations 2005 with respect to any requirements to notify VicRoads and/or seek consent from VicRoads to undertake "works" (as defined in the Act) in, over or under the road reserve. VicRoads, in requesting the inclusion of this condition on this planning permit, is not deemed to have been notified of, or to have given consent to undertake any works within the road reserve as proposed in this permit.

22. North Central Catchment Management Authority

- a) The development must be constructed so as not to obstruct the conveyance of flood water through the site, i.e. an earthen bund must not be constructed around the perimeter of the site and any earthworks must be limited to protecting critical infrastructure.
- b) Unless otherwise agreed in writing by the North Central Catchment Management Authority, the lowest part of the solar panels must be able to be raised to at least 900mm above the natural surface level of the ground.
- c) Unless otherwise agreed in writing by the North Central Catchment Management Authority, the proposed Office and Maintenance Building, Inverter Station, and Battery Storage units must be raised at least 900mm above the natural surface level of the

ground at the location of each infrastructure.

- d) Prior to the commencement of works, amended plans to the satisfaction of North Central Catchment Management Authority must be submitted for any proposed filling of the land that may be required to achieve condition 3 above. Filling must be limited to the immediate extent necessary to achieve the condition.
- e) Unless otherwise agreed in writing by the North Central Catchment Management Authority, any fencing of the site must be of an open style construction to ensure that flood waters can flow unimpeded through the site.

Note - Flood levels for the 1% AEP probability (100 year ARI) have not been determined for this area under the Water Act 1989. However, information available at North Central CMA indicates that in the event of a 1% AEP flood event it is possible that the property may be subject to inundation up to 600mm deep in the lowest portions of the site.

23. Environment Protection Authority

- a) Nuisance dust and/or airborne particles must not be discharged beyond the boundaries of the premises.
- b) Construction and post-construction activities must be in accordance with EPA Publication 275 Construction Techniques for Sediment Pollution Control 1991 or as amended.
- c) Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.

24. VicTrack

- a) The permit holder must, at all times, ensure that the common boundary with railway land is fenced at the permit holder's expense to prohibit unauthorised access to the rail corridor.
- b) The permit holder must not, at any time:
 - allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or
 - store or deposit any waste, soil or other materials on the railway land.
- c) The permit holder must not plant any plants or tree species that are likely to cause any future overhang onto the railway land or disturbance to the railway operations.
- d) The permit holder must not enter any railway land without the written consent of the Rail Operator. If the permit holder has obtained the Rail Operator's written consent to enter the railway land, the permit holder must comply with the Rail Operator's Site Access Procedures and Conditions when accessing the railway land.

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

NOTE 2: ANY WORKS REQUIRED WITHIN THE ROAD RESERVE MUST BE IN ACCORDANCE WITH COUNCIL'S "ROAD OPENING HANDBOOK. ANY NEW VEHICLE CROSSING OR ALTERATION TO EXISTING CROSSINGS MUST BE IN ACCORDANCE WITH COUNCIL'S "ROAD OPENING HANDBOOK". A "ROAD OPENING PERMIT" MUST BE OBTAINED PRIOR TO ANY WORKS BEING UNDERTAKEN WITHIN THE ROAD RESERVE.

NOTE 3: THE CIVIL AVIATION SAFETY AUTHORITY (CASA) ADVISED THAT THE PROPONENT SHOULD BE MADE AWARE THAT ANY APPROVAL DOES NOT MITIGATE ANY COMPLAINTS MADE IN THE FUTURE FOR GLARE AND GLINT, AND THAT THESE WOULD BE REFERRED TO CASA FOR ASSESSMENT PER MANUAL OF STANDARDS PART 139, SUB PART 9.21.2 LEGISLATIVE BACKGROUND.

9.21.2.1 THE CIVIL AVIATION SAFETY AUTHORITY (CASA) HAS THE POWER THROUGH REGULATION 94 OF THE CIVIL AVIATION REGULATIONS 1988 (CAR 1988), TO REQUIRE LIGHTS WHICH MAY CAUSE CONFUSION, DISTRACTION OR GLARE TO PILOTS IN THE AIR TO BE EXTINGUISHED OR MODIFIED.

NOTE 4: ABORIGINAL CULTURAL HERITAGE

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

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

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

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

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

PLEASE NOTE THAT UNDER THE ABORIGINAL HERITAGE ACT 2006 ANY WORKS INVOLVING HIGH IMPACT ACTIVITIES LOCATED WITHIN 200 METRES OF A CULTURALLY SENSITIVE AREA, WILL REQUIRE THE DEVELOPMENT OF A CULTURAL HERITAGE MANAGEMENT PLAN. FOR MORE INFORMATION REGARDING THE KIND OF ACTIVITIES THAT TRIGGER A CULTURAL HERITAGE MANAGEMENT PLAN PLEASE REFER TO THE ABORIGINAL HERITAGE REGULATIONS 2007 OR FOLLOW THE WEB LINK TO <http://www.aav.nrms.net.au/aavQuestion1.aspx>.

EXECUTIVE SUMMARY

This report is being presented to Council to determine an application to Amend Planning Permit P13.019. The application seeks to amend planning permit P13.019 by increasing the size of land used for a renewable energy facility from 70 hectares to 129.5 hectares at Lots 1 and 2, PS719689W, 13 McPhail Road, Kerang East.

The application was advertised to surrounding property owners and occupiers and two objections were 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 an application to amend planning permit P13.019 for the use and development of a renewable energy facility (solar farm).

DECLARATIONS OF CONFLICT OF INTEREST

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

COUNCIL PLAN

Council Plan 2017-2021 – Economic diversity, growth and prosperity – Support and advocate for sustainable and renewable energy industries within the Shire.

BACKGROUND INFORMATION

Planning Permit P13.019 was issued on 29 May 2013 for the use and development of a renewable energy facility (solar farm), in accordance with the endorsed plan. The address of land relating to the application was Lots 1, 2 & 3 TP118303M, 13 McPhail Road, Tragowel.

No objections were received for planning permit application P13.019.

An application to Amend Planning Permit P13.019 was received by Council, under section 72 of the *Planning and Environment Act 1987* on 11 May 2018. Section 72 of the Act states '*A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.*'

The application seeks to amend P13.019 in the following manner:

- Increasing the size of land used for the renewable energy facility (solar farm) from 70 hectares to 129.5 hectares.

It is also stipulated in the application that CleanGen Project Pty Ltd is seeking approval to add battery storage units onsite and to change from fixed tilt to single axis trackers. As a permit has already been approved for the use and development of a renewable energy facility, at the subject site, it is considered appropriate to address these two specific matters separately under Secondary Consent.

CONSULTATION

The application was advertised by mail to adjoining property owners and occupiers. Two written objections were received.

ASSESSMENT

The assessment of this application to amend a permit is quite specific, in that it relates to a singular matter, that is:

- Whether it is appropriate to increase the size of land used for a renewable energy facility (solar farm) from 70 hectares to 129.5 hectares.

The subject land, that is the additional 59.5 hectares of land proposed for use and development of a renewable energy facility, consists of two separate titles and is currently used for irrigated pastures.

The land adjoins Old Echuca Road and McPhail Road.

The land includes shelter belts of planted trees, water storage dams, irrigation bays and irrigation channels.

Three dwellings and associated outbuildings are located directly north of the development site. The dwellings are situated approximately 405 metres, 460 metres and 705 metres from the

approved solar farm. The distance from these dwellings to the additional requested land is approximately an additional 450 metres.

Directly south of the development site is another established dwelling and associated outbuildings. The dwelling will be approximately 320 metres from the proposed solar panel arrays.

Directly east of the development site is another dwelling and outbuildings. The proposed solar panel arrays will be approximately 210 metres from the dwelling.

The solar panel arrays will be accessed from Old Echuca Road.

The subject site is situated within a Farming Zone (FZ) under the Gannawarra Planning Scheme. The use of land for a Renewable Energy Facility can be considered within this zone pursuant to Clause 35.07-1 and must meet the requirements of Clause 52.42. The development of land for this use also triggers a planning permit pursuant to Clause 35.07-4. Some of the purposes of the FZ are *“to provide for the use of land for agriculture”, “to ensure than non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture’ and ‘to encourage the retention of employment and population to support rural communities”*.

The subject land is affected by the Environmental Significance Overlay Schedule 4 (ESO4) and Land Subject to Inundation Overlay (LSIO).

The key objective of the ESO4 is:

- *To ensure that any development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and with local drainage conditions and will not cause any significant rise in flood levels or flow velocity.*

The key objective of the LSIO is:

- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*

The application was referred to North Central Catchment Management Authority (NCCMA) under Section 55 of the *Planning and Environment Act 1989*. NCCMA consented to the application subject to conditions.

Notice of the application was given to VicRoads, Goulburn Murray Water (GMW), Powercor, AusNet Services, Civil Aviation Safety Authority (CASA), Country Fire Authority (CFA), Environment Protection Authority (EPA) and VicTrack under Section 52 of the *Planning and Environment Act 1989*. VicRoads and AusNet Services advised they had no objection and had no conditions. All the other authorities had no objections to the proposal subject to conditions should Council resolve to approve the application.

The CFA are currently developing guidelines around solar farm developments. It is noted that these guidelines have not been published for comment, nor have they been approved. Discussion has occurred with the CFA around the conditions that may be appropriate for inclusion in any approval. The conditions included are consistent with previous decisions on solar applications and relate to access, vegetation management, water supply, buildings, on-site and remote shut-off, signage and Emergency Management Plan.

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

The application was advertised and two written objections were received to the application. The issues identified within the objections include:

- No impact study provided regarding the effect the proposed development will have on surrounding households.
- The proposal will result in the loss of another irrigation property.
- Increase in shared road use with heavy vehicles is a concern as is the concern that the increase in heavy traffic during the construction phase will lead to the further deterioration of Old Echuca Road.
- Concern regarding lighting of the site, during the evening, throughout the project construction phase.
- Visual impact – what guarantees are in place to ensure the hedge screen will provide sufficient screening from Day 1 and that they will be adequately maintained.
- Devaluation of land value.

DISCUSSION

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

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

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

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

Decision Guidelines of Clause 65 require the consideration of the purpose of the zone, the orderly planning of the area and the effect of a proposal on the amenity of the area. It is considered that this proposal is consistent with the purpose of the zone and any amenity issues for the area can be dealt with by the inclusion of conditions in relation to amenity impacts.

The issues raised in the objection received can be dealt with by the inclusion of conditions to alleviate concerns.

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

- No impact study – There are currently no planning requirements to undertake such a study.
- Loss of another irrigation property – Whilst the proposal is not an “agricultural” use it is an allowable use within the Farming Zone.
- Old Echuca Road – Traffic management will be addressed in the Environmental Management Plan (condition 14) which will be required prior to the commencement of any development. In addition to this, conditions 8 (No Mud on Roads) and 10 (Damage to Roads) all relate to ensuring the roads condition is either upgraded or repaired during the construction phase of the project.

- Lighting – Any lighting will be required to be suitably baffled to the satisfaction of Council. This is addressed in conditions 4 (Amenity), 6 (Control of Light Spill) and 9 (External Lighting).
- Visual impact – The proposed development will be required to be screened by a vegetation buffer. This is addressed in conditions 11 (Landscape Plan Required), 12 (Completion of Landscaping) and 13 (Landscaping Maintenance). In addition to this, the applicant will be required to consult with the Department of Agricultural in relation to the appropriate species and maintenance requirements.
- Devaluation of land value – This is not a planning consideration.

The State Planning Policy Framework (SPPF)

Clause 11.13-2 A diversified economy – The objective is *“to realise opportunities to strengthen and diversify the economy”*. One of the strategies is to *“support emerging and potential growth sectors such as nature-based tourism, mining and renewable energy generation and protect these activities from urban encroachment”*.

Clause 15.02-1 Energy and resource efficiency – The objective is *“to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions”*. One of the strategies is to *“improve efficiency in energy use through greater use of renewable energy”*.

Clause 19.01-1 Provision of renewable energy – The objective is *“to promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met”*. One of the strategies is to *“facilitate renewable energy developments in appropriate locations”*.

The proposal is considered to be consistent with both state and regional planning policy.

Local Planning Policy Framework (LPPF)

Clause 21.10-1 Renewable energy – Objective 1 is *“to increase energy supplies from renewable sources, particularly from solar generation of electricity, and reduce dependence on fossil fuels”*. One of the strategies is to *“promote and encourage the establishment of a solar electricity generation industry in the municipality, including electricity generation on ‘solar farms’, the manufacture of components and research into solar applications”*.

The proposal is again consistent with local planning policy.

Particular Provisions

Clause 52.42 Renewable Energy Facility – The purpose is *“To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.”*

OPTION ANALYSIS

Council has two options in relation to this report:

Option 1: Council issue a Notice of Decision to Grant an Amendment to a Permit, subject to the conditions set out in the officer recommendation. The objector has the opportunity to appeal Council’s decision at VCAT.

Option 2: Council resolve to refuse the application to amend planning permit P13.019. This option would require Council to issue a Notice of Decision to Refuse to Grant an Amendment to the Permit which must specify the grounds of refusal. The applicant may choose to appeal the decision at VCAT.

RISK IMPLICATIONS

There are no risk implications to Council.

FINANCIAL IMPLICATIONS

N/A

CONCLUSION

The proposed use and development is considered to be appropriate for this site. The application was advertised satisfactorily. Two objections were received.

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

Given the above, it is recommended that planning permit application P13.019 be amended subject to conditions as outlined earlier in this report (see recommendation).



Application to Amend Planning Permit P13.019

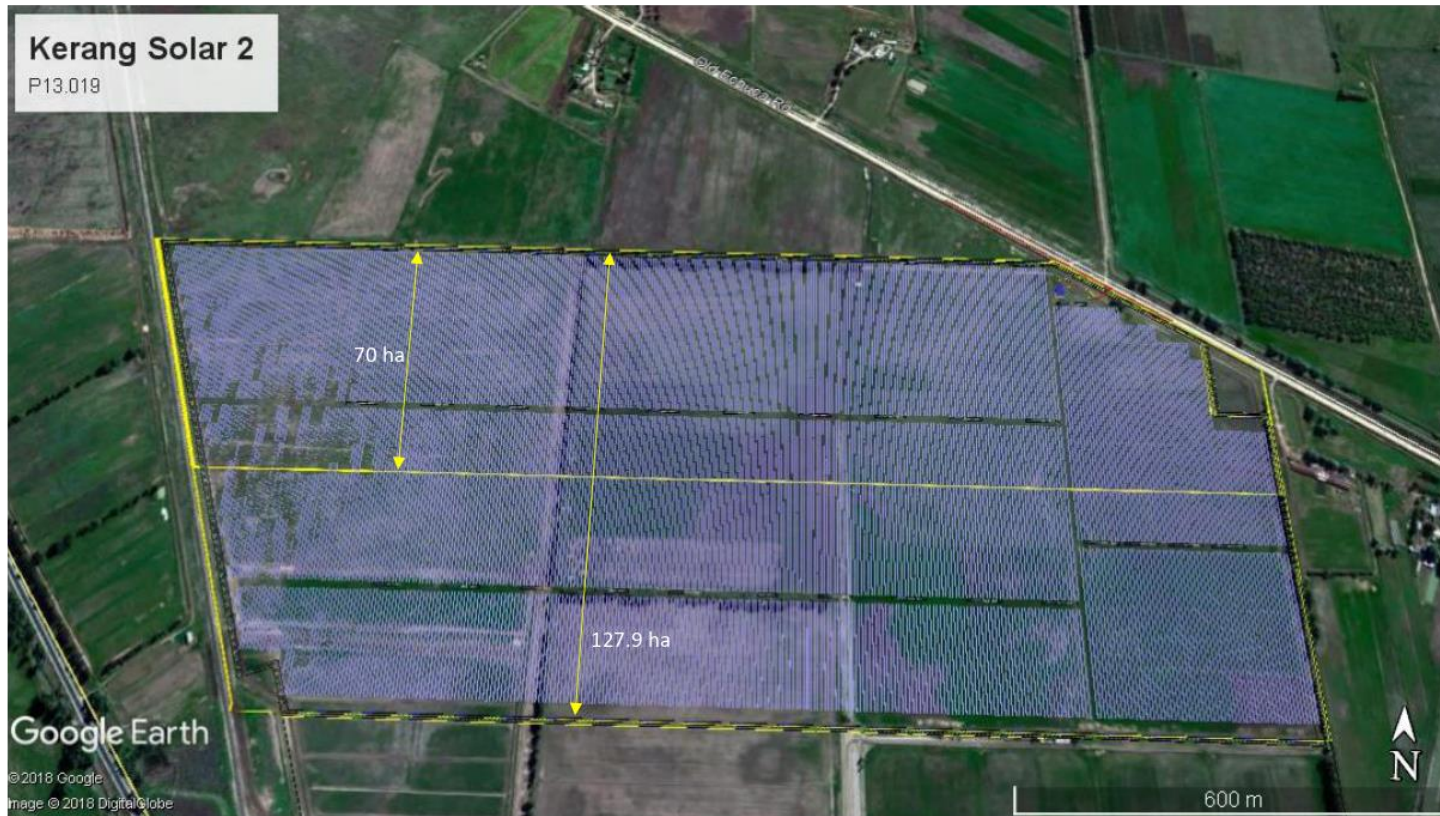
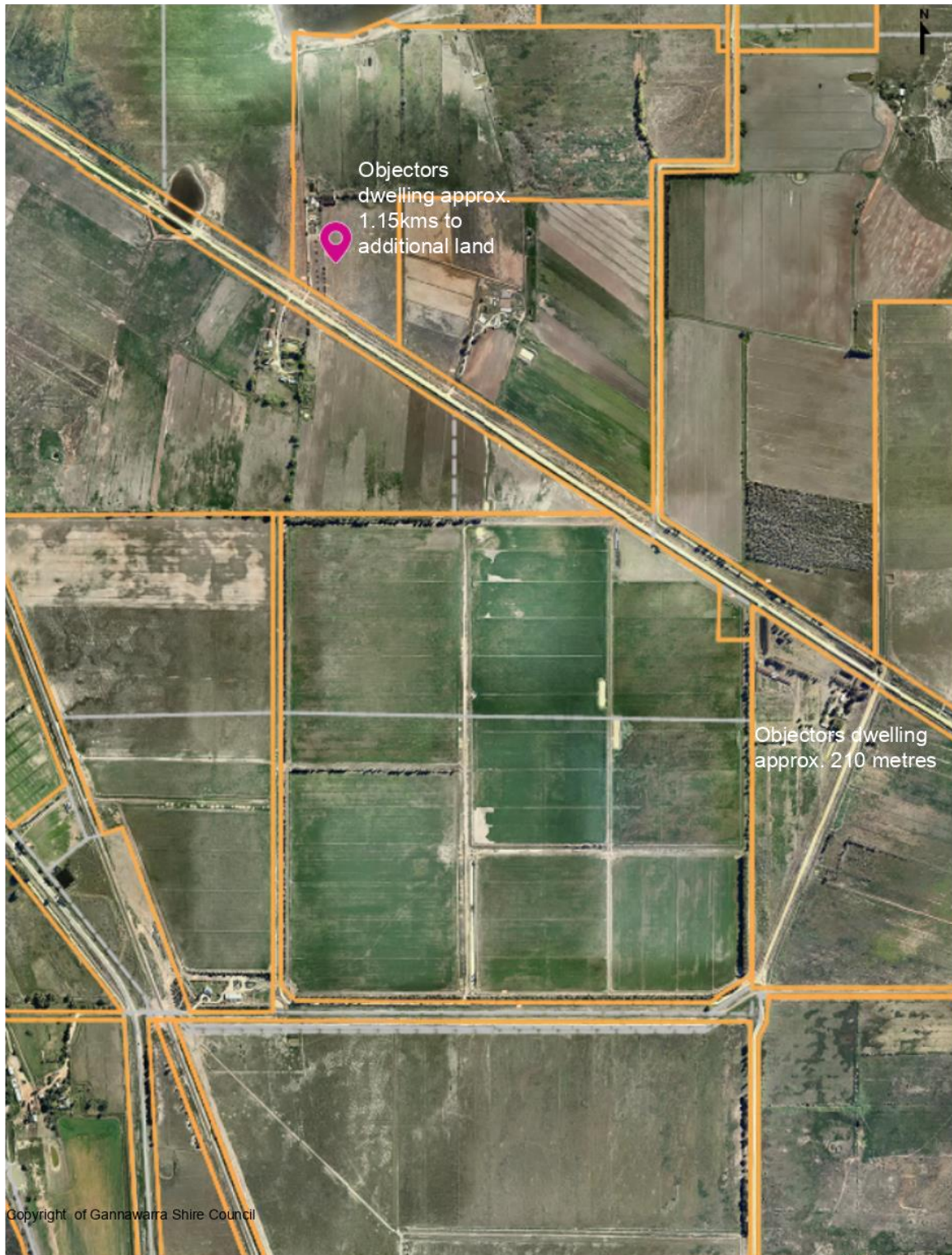


Figure 1 Map - Kerang Solar Farm Stage 2

February 2018

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10-August-2018



Copyright of Gannawarra Shire Council

500 m

Scale = 1 : 11997.720



Property Address

Owner Information

Allotments

8.2 GANNAWARRA PLANNING SCHEME REVIEW REPORT 2018

Author: Stevie Pearce, Strategic Planning Officer
Authoriser: Geoff Rollinson, Director Infrastructure and Development
Attachments: 1 Gannawarra Planning Scheme Review Report 2018 (under separate cover)

RECOMMENDATION

That Council adopt the Gannawarra Planning Scheme Review Report 2018 and forward the report to the Minister for Planning.

EXECUTIVE SUMMARY

The purpose of this report is to present for Council's consideration the Gannawarra Planning Scheme Review Report 2018 and recommend to Council that the report's findings be presented to the Minister for Planning under section 12B of the *Planning and Environment Act 1987*.

BACKGROUND

Under section 12B of the *Planning and Environment Act 1987* each Council is required to review its Planning Scheme no later than one year after approving its Council Plan, unless otherwise agreed by the Minister for Planning.

The purpose of the review is to enhance the effectiveness and efficiency of the planning scheme in achieving:

- The objectives of planning in Victoria and
- The objectives and strategies of the planning scheme including the State Planning Policy Framework and the Local Planning Policy Framework.

The Review has been completed in-house by Council Officers over the past several months and has been prepared in accordance with Planning Practice Note 32: Review of Planning Schemes. The Review was also undertaken having regard to the Continuous Improvement Review Kit for Planning and Responsible Authorities.

Overall the Review has found that the Gannawarra Planning Scheme is working effectively and implements the objectives of planning in Victoria. However it is apparent that since the last review was undertaken in 2010 there are some gaps within the Planning Scheme that need to be addressed and that some changes could be made to the Municipal Strategic Statement (MSS), Local Planning Policies (LPP) and Schedules to improve the overall performance of the planning scheme.

The Review Report recommends that a number of changes be made to the Gannawarra Planning Scheme via a single Review amendment. This includes:

- Updating and revising specific clauses within the MSS;
- Deleting specific clauses, objectives and further strategic work items from the MSS;
- Adding projects to the Further Strategic Work program to be outline in the MSS;

- Amending or revising the wording of specific strategies contained within the MSS;
- Adding additional wording to the 'Overview' section of particular clauses in the MSS;
- Adding various new strategies and objectives to the MSS;
- Amending the objectives and strategies of specific clauses contained within the MSS;
- Making minor updates to the specific policies for particular towns listed in Clause 21.11 and making minor updates to town Structure Plans to ensure they are formatted appropriately;
- Making minor adjustments to the wording of Special Use Zone Schedule 2 and 4;
- Amending the schedules of specific overlays;
- Reviewing the schedules of specific overlays, particular provisions and incorporated documents;
- Making reference to the strategic basis for the application of the Design Development Overlay Schedule 3, Design and Development Overlay Schedule 4 and Bushfire Management Overlay in the MSS; and
- Deleting the Development Plan Overlay Schedule 1 and Development Plan Overlay Schedule 2 from those parcels of land which have already been subdivided and developed.

The Review Report also recommends that a number of matters be taken into consideration as part of the Review Amendment. This includes:

- Considering adding a new strategy to the MSS which seeks to ensure that all community infrastructure and development provides safe accessibility for all members of the community;
- Considering amending the following exemption listed in Schedule 4 to the Environmental Significance Overlay, so as to increase the specified floor area, 'A single non-habitable building with a floor area less than 200 square metres.'
- Considering whether a LPP should be developed in relation to new large scale facilities;
- Considering adding a strategy to Clause 21.08-3 (Tourism) around promoting the development of a variety of tourist accommodation facilities in appropriate locations, throughout the Shire;
- Considering including a new objective and strategy in Clause 21.08 around supporting new and emerging industries such as mineral sands and bio fuel production;
- Considering adding a strategy to Clause 21.08-3 (Tourism) around encouraging tourism development related to food, wine and boutique farming enterprises;
- Considering the appropriateness of combining the ESO1 and ESO3 together;
- Investigating whether policy guidelines need to be provided in the planning scheme to assist decision-making in the case of industrial proposals in the Farming Zone;
- Considering including a new objective and strategy in Clause 21.08 around 'Innovation and Research';
- Considering the need to re-examine the application requirements and decision guidelines for the use and development of land for intensive animal husbandry;

- Considering whether there is any 'scope' in the MSS to seek to address the issue of youth migration i.e. could an objective be incorporated into the MSS around encouraging employment opportunities for local residents; and
- Considering the need to incorporate a strategy into the MSS which promotes the development of green spaces and plantation of street trees in the public realm.

Furthermore, the Review Report sets out additional strategic work items which should be carried out during the next few years. This includes:

- Undertaking a review of the Urban and Rural Strategy Plan and Domestic Waste Water Management Plan. The review of the Urban and Rural Strategy Plan is of particular importance and will be noted in the MSS, as part of the Review Amendment, as a major strategic project.
- Investigating whether there is a sufficient supply of industrial zoned land available for the next 15 years. This project is of particular importance and will be noted in the MSS, as part of the Review Amendment, as a major strategic project;
- Undertaking a review of the Rural Land Use Planning Project Study: Impacts of sales of permanent water entitlements and land use planning options for new dryland;
- Identifying additional properties throughout the Shire which should be covered by the Environmental Audit Overlay;
- Undertaking further strategic work to ascertain whether it is appropriate to reduce the Airport Environs Overlay Schedule 2;
- Investigate retaining or removing the Development Plan Overlay Schedules 1, 2 and 3;
- Investigate carrying out a separate amendment to rezone parts of those water bodies, which are located on privately owned land, to a non-public zoning and considering how the environmental values of these water bodies will be protected;
- Conducting another Mapping Fix Up Amendment;
- Undertaking further strategic work to better recognise that at Macorna, lack of services and limited land capability for the treatment and disposal of wastewater limit the suitability of vacant land for residential development;
- Reconsidering the extent of the Environmental Significance Overlay Schedule 2 mapping and considering reviewing the ESO2 Schedule;
- Investigating the potential for alternate methods of waste disposal, other than landfills, in the municipality and investigate whether waste disposal and processing could provide new economic opportunities and employment growth; and
- Reviewing the appropriateness of land adjoining residential areas which is zoned Industrial 1 Zone or Industrial 3 Zone.

The full list of changes recommended to be made to the Gannawarra Planning Scheme and the updated additional strategic work list, alongside all those matters which will be taken into consideration as part of the Review Amendment, are specified in Chapter 11 of the Review Report.

It should be noted that on 31 July Amendment VC148 came into operation. This amendment re-arranged the SPPF of all planning schemes, in preparation for local content to be added from the present LPPF to create an integrated Planning Policy Framework (PPF) in each Planning Scheme.

Our Review Amendment will now feed in to the process of re-ordering the local policy provisions so as to create the PPF in the Gannawarra Planning Scheme.

POLICY CONTEXT

Planning and Environment Act 1987: Section 12B of the Planning and Environment Act 1987 requires a planning authority to regularly review the provisions of the planning scheme.

Council Plan 2017-2021: Sustainable Natural and Built Environment – To initiate, develop and manage sustainable natural and built environments.

DISCUSSION

In order to implement a majority of recommendations made via the Review it is suggested that a single Review amendment be undertaken as soon as practicable. This constitutes the second stage of the review process. The first phase of the review process shall conclude once the Review Report is adopted by Council and the report is forwarded to the Minister of Planning.

In effect the Review Amendment will result in additions being made to the MSS, revisions being made to the current MSS/LPP/Schedules, alterations potentially being made to the mapping component of the Gannawarra Planning Scheme and the inclusion of a number of new projects to Council's further strategic work program. The draft provisions and wording of the amendment will be submitted to Council at a future meeting for consideration and the community will be invited to make submissions during the exhibition period.

The amendment process arising from this Review will have cost implications including advertising, public consultation and potentially costs associated with a Panel Hearing. An allocation for the Review Amendment will be required to be included in the 2019/2020 Budget.

Other costs will be incurred during the next few years, this includes undertaking those outstanding further strategic work items already identified in the MSS and completing those new additional strategic work items recommended in the Review Report. Whilst some of the further strategic work can be undertaken in-house there are other projects which will require input from external specialists e.g. reviewing the Urban and Rural Strategy Plan. Projects such as this will need to be budgeted for.

CONSULTATION

During the preparation of the Review Report Council Officers wrote to referral and servicing authorities, adjoining Councils and stakeholders whom regularly use the planning system, to seek their input into the review.

Workshops were held with Councillors, Council's Executive Leadership Team and various Council staff members to seek their comments on the operation and efficiency of the Gannawarra Planning Scheme and the key land use issues impacting on the Gannawarra Shire.

The community was also invited to participate in the review process. Community members were invited to complete a survey/feedback form to provide their thoughts and opinions on the operation and effectiveness of the Gannawarra Planning Scheme and to discuss land use issues impacting on the Shire. In June two 'drop in' sessions were held in Kerang and Cohuna to allow members of the community the opportunity to meet with the Planning Department to discuss the above matters.

CONFLICT OF INTEREST

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

CONCLUSION

The Review Report has found that the Gannawarra Planning Scheme is working effectively and implements the objectives of planning in Victoria.

However, it is apparent that since the last review was undertaken in 2010 there are some gaps within the Gannawarra Planning Scheme that need to be addressed and that some changes could be made to the Municipal Strategic Statement, Local Planning Policies and Schedules to improve the overall performance of the planning scheme.

The Review Report has made recommendations regarding what changes should be made to the Gannawarra Planning Scheme as part of a single Review Amendment, what matters should be taken into consideration as part of the Review Amendment and sets out additional strategic work items which should be carried out over the next few years.

Following the adoption of the Review Report the report will be forwarded to the Minister of Planning thus concluding the first stage of the review process.

The second stage of the Review involves preparing an amendment to the Planning Scheme to implement the Review recommendations.

8.3 NATIONAL DISABILITY INSURANCE SCHEME FEES SCHEDULE 2018/2019

Author: Carole Wandin, Manager Community Care
Authoriser: Stacy Williams, Director Community Wellbeing
Attachments: Nil

RECOMMENDATION

That Council adopt the National Disability Insurance Scheme (NDIS) Fees and Charges Schedule to enable the provision of services to NDIS participants.

EXECUTIVE SUMMARY

In June 2018 Council agreed to register for approved provider status for the National Disability Insurance Scheme (NDIS). It is recommended that Council agree to adopt the Fees and Charges Schedule in line with the NDIS Price Guide – Victoria, New South Wales, Queensland, Tasmania – 1 July 2017 to enable the delivery of services currently offered to our community.

BACKGROUND

The NDIS is a response to the Productivity Commissioner's inquiry into long-term disability care and support (August 2011). An agreement was reached to reform disability services at the July 2012 Council of Australian Governments (COAG) meeting through a NDIS.

Funding for supports is determined by consideration of a person's individual needs, goals and aspirations. Participants then choose their supports from the marketplace of providers.

National Disability Insurance Agency (NDIA) has determined that client contributions towards services received are not to be charged to any participant in receipt of NDIS funding.

POLICY CONTEXT

Council Plan 2017 – 2021

Good Governance and a Healthy Organisation

- Pursue initiatives to achieve long term financial sustainability in line with best practice.
- Our community is consulted on issues that will affect them.

Strong Healthy Communities

- Ensure quality and accessible services that meet the needs of our community

DISCUSSION

Several conversations with NDIA relating to the appropriate price guide for Gannawarra Shire Council have been undertaken in the past six months.

NDIA currently holds three price guides:

- NDIS Price Guide – Victoria, New South Wales, Queensland, Tasmania – 1 July 2017
- NDIS Price Guide – Remote – 1 July 2017

- NDIS Price Guide – Very Remote – 1 July 2017

NDIA bases the appropriate price guide on the rating of a Local Government Area (LGA) according to the Modified Monash Model (MMM). Through the MMM assessment, the Gannawarra LGA is rated RA3 – Outer Regional – other rural area (5).

Gannawarra MMM rating (5) determines that Council uses NDIS Price Guide – Victoria, New South Wales, Queensland, Tasmania – 1 July 2017 as listed below:

Core Supports	NDIS Fees and Charges Schedule excl. GST (18/19)
Personal Care - Weekdays	\$44.72
Personal Care - Weekday evening	\$49.04
Personal Care - Saturday	\$62.03
Personal Care - Sunday	\$79.38
Personal Care - Public Holiday	\$96.69
Sleepover - Inactive	\$194.79
Sleepover - Active	\$49.90
Community Access - Weekdays	\$44.72
Community Access - Weekday evening	\$49.04
Community Access - Saturday	\$62.03
Community Access - Sunday	\$79.38
Community Access - Public Holiday	\$96.69
Community Access - Group - Weekdays	\$20.24
Community Access - Group - Weekday evening	\$22.22
Community Access - Group - Saturday	\$29.67
Community Access - Group - Sunday	\$37.94
Home Care	\$39.40
Home Care - Training	\$42.43
Property Maintenance	\$43.94
Delivered Meals	\$11.61

Capacity Building	NDIS Fees and Charges Schedule excl. GST (18/19)
Community Access - Social Participation	\$56.14
Community Access - Improved Relationships	\$56.14
Personal Training - Health and Wellbeing	\$54.57

According to the Goods and Services Tax Act (Chapter 3 – The exemptions, Part 3-1 – Supplies that are not taxable supplies, Division 38 – GST-free supplies, Subdivision 38-B – Health, 38-30 Home Care) all fees and charges applicable to NDIS participant services must be GST free.

CONSULTATION

Conversations with NDIA have been completed to determine the fees and charges schedule that Gannawarra Shire Council will adopt.

CONFLICT OF INTEREST

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

CONCLUSION

Council Officers recommend that Council adopts the NDIS Fees and Charges Schedule effective from 1 August 2018 to enable the delivery of services to all NDIS participants.

8.4 SEASONAL POOLS PROVISION OF LABOUR HIRE TENDER G14-2018 - AWARD OF CONTRACT

Author: Narelle O'Donoghue, Manager Community Health
Authoriser: Stacy Williams, Director Community Wellbeing
Attachments: Nil

RECOMMENDATION

That Council award the contract G14-2018 for Seasonal Pools Labour Hire Services for the 2018/19 season to MomentumOne Shared Services Pty Ltd.

EXECUTIVE SUMMARY

To seek approval from Council to appoint MomentumOne Shared Services Pty Ltd as the successful tenderer for contract G14-2018 for the provision of Labour Hire Services in connection with the operation of the Kerang and Cohuna swimming pools for the 2018/19 season.

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

BACKGROUND

Council operates two outdoor seasonal pools from the beginning of November to the end of March. These pools are located in Kerang and Cohuna. Operating times are varied throughout the season depending on temperature, holiday periods and special events. Council also operates the Kerang Exercise Pool which is open Monday – Friday all year round.

Since the 2015/16 season Council has outsourced labour provision for the Kerang and Cohuna outdoor swimming pools and this has realised significant cost savings to Council over the past three pool seasons.

The current contract expires in 2018. A new tender was therefore advertised for the engagement of a labour hire contractor to handle the recruitment and payment of seasonal pools staff.

POLICY CONTEXT

The provision of sustainable, high quality services to the local community is a priority in the Council Plan and, in the particular context of the seasonal swimming pools, will ensure that ongoing access is provided to facilities that support healthy and active lifestyles.

DISCUSSION

Tenders were invited for G14-2018 – the provision of labour hire services for the 2018/19 swimming pools season. The tender was offered with a contract term of 1 year with two 12 month options at Council's discretion.

At the close of tenders on Tuesday 7 August 2018, one tender had been received through Council's E-Tendering Portal. The tender was received from MomentumOne Shared Services Pty Ltd, and is considered to conform to the specification for tenders.

The evaluation criteria in the tender conditions for G14-2018 and the level of compliance demonstrated by the sole tenderer were as follows:

Criteria		Compliant (Yes/No)
1	Tenderer's and any nominated sub-contractors' resources, technical and financial capabilities to successfully complete the contract.	Yes
2	Financial costs to Council - including rates for variations etc. and any additional overhead costs and/or liabilities Council could bear (such as WorkCover).	Yes
3	Tenderer's and any nominated sub-contractor's experience on similar projects and standing, experience and skill within the industry.	Yes
4	Tenderer's and any nominated sub-contractor's OH&S record and procedures and ability to minimise Council's insurance risks.	Yes
5	Local Benefit	Yes

MomentumOne Shared Services Pty Ltd is a company established by Alpine and Towong Shire Councils to provide specialist "talent and technology" solutions to councils, with a particular focus on and understanding of the issues and challenges faced by small rural councils. MomentumOne deliver tailored labour hire and IT solutions for councils. MomentumOne has provided seasonal pools labour hire services since 2015/16 to the municipalities of; Alpine, Indigo, Towong, Hepburn and Gannawarra.

In addressing the evaluation criteria, the following is noted:

1. The hourly rates for lifeguards are more competitive than those offered by Council which results in operational savings. Council's actual cost for the 2017/18 year was \$143,603. The submitted rates estimate a spend of \$155,000 and take into account Fair Work Australia rates applicable at 1st July 2018.
2. MomentumOne is an established labour hire organisation with a proven track record in this field.
3. The tenderer has been able to provide and manage suitably-qualified personnel on behalf of a range of local government organisations.
4. The software platforms offered by the tenderer are provided at a competitive rate and provide accurate point of sale, attendance records, rostering system and recruitment management system.
5. MomentumOne undertakes to source all personnel from within the Gannawarra Shire.
6. An option to include the Kerang Exercise Pool is available under this contract. This benefits Council by upgrading the current point of sale system and entry recording system as well as allowing casual lifeguards to provide services in the Kerang Exercise Pool throughout the summer.

In view of the above, the tender is considered to comply with the specification.

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

CONSULTATION

Relevant Council staff have been involved with the development of the specification and the evaluation process.

CONFLICT OF INTEREST

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

CONCLUSION

Given the prior experience and the tendered rates it is recommended that Council accept the tender from MomentumOne Shared Services Pty Ltd for the provision of labour hire services for the 2018/19 swimming pools season.

8.5 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER

Author: Alissa Harrower, Governance and Compliance Coordinator

Authoriser: Lisa Clue, Acting Director Corporate Services

Attachments: 1 Instrument of Delegation to Chief Executive Officer

RECOMMENDATION

That Council, in the exercising of powers conferred by Section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, resolves that;

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

EXECUTIVE SUMMARY

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

Council delegations are regularly reviewed to ensure they reflect current legislation and regulations and Council officer position titles.

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

BACKGROUND

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

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

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

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

Where this is to occur, appointments are formalised through written ‘instruments of delegation’.

The Instrument of Delegation to the Chief Executive Officer was last reviewed in May 2017.

POLICY CONTEXT

Section 98 – *Local Government Act 1989*

Council Plan 2017 - 2021 – Good Governance and a Healthy Organisation

DISCUSSION

Under the Act, delegations must be reviewed within twelve months after a general election. Council officers undertake additional reviews throughout the term of Council to ensure the delegations reflect current legislation and regulations and Council officer position titles; and conditions and limitations remain appropriate.

The only required change identified in the review is to amend point 4.1 to align with Council Policy 109 – Procurement.

CONSULTATION

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

CONFLICT OF INTEREST

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

CONCLUSION

The review of the Instrument of Delegation to the Chief Executive Officer has been completed and is now presented to Council for resolution.

Gannawarra Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

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

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on 15 August 2018
- 2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
- 3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL of the GANNAWARRA SHIRE COUNCIL)
 was hereunto affixed in accordance with Local Law No. 7)
 on the _____ day of _____ 2018.)

_____ Chief Executive Officer
 (signature)

_____ Full name

Schedule

The power to

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

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

Conditions and Limitations

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract exceeding the Chief Executive Officer's delegation as per Council approved Procurement Policy 109;
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s.125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s.126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;
 - 4.9 appointment of councillor or community delegates or representatives to external organisations;
or
 - 4.10 the return of the general valuation and any supplementary valuations;
5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

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

8.6 DELEGATION UPDATE - COUNCIL TO MEMBERS OF COUNCIL STAFF

Author: Alissa Harrower, Governance and Compliance Coordinator

Authoriser: Lisa Clue, Acting Director Corporate Services

Attachments: 1 Instrument of Delegation to Members of Council Staff (under separate cover)

RECOMMENDATION

That Council, in the exercise of powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation to members of Council staff, resolve that;

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in the instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

EXECUTIVE SUMMARY

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

Delegations are regularly reviewed to reflect changes in legislation and regulations and changes to Council's organisational structure.

BACKGROUND

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

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

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

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

Where this is to occur, appointments are formalised through written 'instruments of delegation'.

While under the Act, delegations must be reviewed within twelve months after a general election. Gannawarra Shire Council staff conduct reviews more regularly to reflect changes in legislation and regulations and changes to Council's organisational structure.

POLICY CONTEXT

Section 98 – *Local Government Act 1989*

Council Plan 2017 – 2021 – Good Governance and a Healthy Organisation

DISCUSSION

A recent review of delegations identified changes in legislation and regulations including the following:

- The conditions and limitations for s 41A(1) in the *Domestic Animals Act 1994* (DA Act) have been updated to reflect new language of the DA Act;
- The *Heritage Act 1995* has been replaced by the *Heritage Act 2017* and the relevant provision for councils has now changed from s 84(2) to s 116;
- There have been extensive changes to the *Planning and Environment Act 1987* (P&E Act) prompted by the *Planning and Environment Amendments (Public Land Contributions) Act 2018*. These changes commenced on 2 July 2018 and include, for the purposes of this Instrument, the:
 - a) Removal of ss 46GF – 46GI(5), 46GL, 46GM and 224(8);
 - b) Insertion of ss 46GI(2)(b)(i) – 46LB(3) and 172C – 172D(2), which are provisions conferring powers and functions, and imposing duties, on Council acting in one or more of the following capacities:
 - i. collecting authority;
 - ii. development authority;
 - iii. municipal council;
 - iv. planning authority; and
 - c) Amendment of ss 62(5)(a) and 62(6)(a).
- Further changes to the P&E Act have been made by the *Planning and Environment Amendment (Distinctive Areas and Landscapes) Act 2018*, which include the insertion of ss 46AQ – 46AZK. These provisions have commenced and apply where Council is a 'responsible public entity'.

CONSULTATION

Lawyers from Maddocks provide Council with regular updates of relevant changes to legislation and regulations. Council staff with delegations and authorisations under legislation and regulations that have recently changed and those affected by new legislation, have been involved in the delegation review process.

CONFLICT OF INTEREST

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

CONCLUSION

The review of the Instrument of Delegation to Members of Council staff has been completed, reflecting current legislation and regulations.

8.7 HEAVY PLANT REPLACEMENT CONTRACT VP113286 - PURCHASE**Author:** David Basil, Manager Operational Services**Authoriser:** Geoff Rollinson, Director Infrastructure and Development**Attachments:** Nil**RECOMMENDATION**

That Council award contract VP113286 to Bucher Municipal Pty Ltd for the Supply and Delivery of 1 x Road Sweeper Unit for the lump sum payment not subject to rise and fall for the amount of \$351,919.21 (GST Inclusive).

EXECUTIVE SUMMARY

Tenders were called for the supply and delivery of one Road Sweeper for the purpose of street sweeping of town streets, airport runways and sweeping aggregate for road sealing when required. Eight potential suppliers were invited to tender, two declined and four did not respond. Consequently only two tenders were received for evaluation.

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

BACKGROUND

Heavy Plant Replacement is an item listed on the Capital works program every year with funds allocated depending on the need for replacement vehicles and plant. The 2018/19 financial year Heavy Plant budget allocation is \$825,000 of which \$360,000 was allocated for this item.

Council currently uses a Bucher Road Sweeper (formerly McDonald Johnson) purchased in 2010, which has completed 296,000km and approximately 98,000 hours of operation. The recommended Road Sweeper is part of the heavy plant replacement program. It is expected Council will receive approximately \$40,000 for the current Street Sweeper at auction. The price is demand dependant at auction time.

POLICY CONTEXT

Council Plan 2017-2021: Implement Council's Capital Works Program.

DISCUSSION

The evaluation criteria and weighting contained in the contract conditions for VP113286 were as follows.

Criteria	Weight
1. Specification Compliance	30%
2. Price of the tender	20%
3. Standing/Reputation of equipment and tenderer within the industry	20%
4. Range of warranty services and location of tenderer's service, parts, technical and backup facilities	20%
5. Local Benefit	10%

The following table summarises the weighted score assigned to each tenderer using the evaluation criteria listed above:

Tenderer	Cost (GST Inc.)	Score	Weighted Score
Bucher Municipal Pty Ltd	\$351,919	96/100	21.50
Tenderer B	\$349,079	93/100	20.80

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

CONSULTATION

All relevant Council staff and external contactors were consulted on this matter.

CONFLICT OF INTEREST

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

CONCLUSION

Bucher Municipal Pty Ltd received the highest weighted score and offers the best value. Council has previously purchased and used their equipment and received good service.

Council staff have evaluated both tender submissions and received a demonstration of the recommended street sweeper. The Bucher Municipal Pty Ltd road sweeper is considered the best option for both value and service to Council and is the preferred tenderer.

8.8 JOINT FUTURE WASTE AND RECYCLING SERVICES PROPOSAL

Author: Jo Haw, Manager Projects and Property
Authoriser: Geoff Rollinson, Director Infrastructure and Development
Attachments: Nil

RECOMMENDATION

That Council prepare a Memorandum of Understanding and Specification Development of Kerbside Collection and Associated Services in accordance with the Loddon Murray Waste and Resource Recovery Group proposal.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval to develop a Memorandum of Understanding (MOU) and specification for a Waste and Recycling contract that meets the requirements of Gannawarra Shire Council while supporting the procurement processes of the Loddon Mallee Waste and Resource Recovery Group (LMWRRG) member Councils of Gannawarra, Buloke, Loddon, Swan Hill and Mildura.

BACKGROUND

The LMWRRG is working to facilitate a joint proposal to source future contracts for the delivery of waste and recycling services for the municipalities of Gannawarra, Swan Hill, Buloke, Loddon and Mildura. While Gannawarra's contract does not expire until 2021, there is an opportunity for it to be part of the tender for waste services as and when Council contracts become due for renewal.

To commence the process, LMWRRG managed the tender process for the member councils of Bendigo, Macedon Ranges and Mount Alexander to achieve appropriate contracts. The LMWRRG is now requesting Council to sign a Memorandum of Understanding and Specification Development of Kerbside Collection and Associated Services document that will become part of the next wave of collaborative tender processes. To this end, Council should develop a concept that considers what its waste collection needs will be into the future, eg kerbside and recycling collections, green waste and/or food organics collections, duration of contract and yearly cost increases.

The LMWRRG has ACCC compliance until 2029 which enables the group to facilitate the process.

POLICY CONTEXT

Policy No. 060 – Waste Management Services – Provision and Replacement of bins

Council Plan 2017-2021: Continue to develop sustainable waste management practice

DISCUSSION

LMWRRG has provided member Councils with a process in which to participate to develop a joint procurement concept to address the future kerbside and commercial collection needs of members.

There is no cost to Council to participate and Council can opt out at any time up until a formal tender process commences.

It is proposed that Council consider:-

- Weekly kerbside waste collection;
- Street bin collection;
- Fortnightly kerbside recyclable and green waste collections;
- Continue to send kerbside waste to Denyer Rd landfill;
- Fortnightly recycling to Echuca MRF;
- Green waste delivered to the Kerang transfer station;
- Supply and Collection of Bulk Bins and Skips to Transfer Stations / Collection Point;
- Roll out, collection and disposal of waste for peak period skip bins at designated sites;
- Whether contract is subject to rise and fall or CPI fluctuations; and
- Contract duration of five years plus further option of three years.

Council currently collects 2,300t of kerbside waste, approximately 30% (700t) of which is reported to be food organics. While a food organics collection is a potential task for the future, at present Gannawarra is not developed enough in its waste management to consider how this process would be managed.

CONSULTATION

Senior staff met with the CEO of LMWRRG and an officer has subsequently attended an LMWRRG workshop where the proposal was presented and direction on a way forward provided.

CONFLICT OF INTEREST

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

CONCLUSION

Based on the direction provided by LMWRRG, Council could prepare an MOU and specification to demonstrate Council's willingness to be involved in a collaborative procurement process that will support each of the member Councils.

8.9 APPOINTMENT OF ACTING CEO

Author: Tom O'Reilly, CEO

Authoriser: Tom O'Reilly, CEO

Attachments: Nil

RECOMMENDATION

That Council:

1. Approves annual leave for the Chief Executive Officer for the period Monday 20th August 2018 to Friday 28th September 2018 inclusive.
2. Appoints Geoff Rollinson, Director Infrastructure Services as the Acting Chief Executive Officer for the period Monday 20th August 2018 to Friday 28th September 2018 inclusive.

EXECUTIVE SUMMARY

Council Policy No.133 - Appointment of Acting Chief Executive Officer requires Council to formally appoint an Acting CEO where the CEO has a period of continuous leave greater than four weeks. Given the CEO will be absent for a period of six weeks, this report provides for approval of Annual Leave for the CEO and the appointment of Geoff Rollinson, Director Infrastructure Services as the Acting CEO whilst the CEO is on annual leave.

BACKGROUND

At the Ordinary Council Meeting held on 15 November 2017, Council adopted Policy No.133 - Appointment of Acting Chief Executive. The purpose of the Policy is to provide clear guidance on the provisions that apply to the appointment of a person as Acting Chief Executive Officer.

POLICY CONTEXT

Council Policy No. 133 - Appointment of Acting Chief Executive Officer is applicable.

DISCUSSION

This report seeks Council approval of CEO annual leave, and appointment of an Acting CEO for the period 20 August 2018 to 28 September 2018.

Council Policy No. 133 - Appointment of Acting Chief Executive Officer provides that where the period of leave of the CEO exceeds four continuous weeks, then Council should appoint an Acting CEO by resolution. Council may appoint to the position of Acting CEO –

- A Council Director
- A suitably experienced and qualified individual on a short term contract.

CONSULTATION

Councillors have been briefed and had the opportunity to discuss and consider options available to appoint an Acting CEO.

CONFLICT OF INTEREST

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

CONCLUSION

That the Director Infrastructure Services, Geoff Rollinson be appointed as the Acting CEO whilst the CEO is on annual leave.

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS**11 NOTICES OF MOTION**

Nil

12 DELEGATES REPORTS**12.1 DELEGATES REPORT - 19 JULY, 2018 TO 15 AUGUST, 2018****Author:** Allison Peace, Administration Assistant - Chief Executive Office**Authoriser:** Tom O'Reilly, CEO**Attachments:** Nil**EXECUTIVE SUMMARY**

Delegate Reports from 19 July, 2018 to 15 August, 2018

Cr Brian Gibson

27-29 July	Councillor Development Weekend – Torquay
31 July	Mayoral Roundtable Meeting – Dandenong
10 Aug	Homelessness Week Event - Kerang

Cr Mark Arians

25 July	Kerang Bus Stop Grant Announcement Kerang Progress Association Meeting
26 July	Golden Rivers Art Group Rotational Gallery Anniversary Gannawarra Toy Run Meeting

Cr Jodie Basile

27-29 July	Councillor Development Weekend – Torquay
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Cr Charlie Gillingham

24 July	Kerang Lakes Community Development Meeting
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Cr Lorraine Learmonth

23 June	CCLLEN Annual Meeting – Echuca
26 July	Golden Rivers Art Group Rotational Gallery Anniversary
27-29 July	Councillor Development Weekend – Torquay
31 July	Kerang Seniors Annual General Meeting
03 Aug	LMWRRG Board Meeting – Swan Hill
07 Aug	Smiles4miles Presentation at Cohuna and Leitchville Preschools Cohuna Seniors Annual General Meeting
09 Aug	Smiles4miles Presentation at Kerang and Koondrook Preschools Senior Advisory Meeting - Kerang

Cr Steve Tasker

25 July Kerang Bus Stop Grant Announcement
 27 July Official Opening of Murrabit Community Garden
 10 Aug Barook Seniors Luncheon and Annual General Meeting
 14 Aug Koondrook Development Committee Meeting

Cr Sonia Wright

20 July Victorian Greenhouse Alliance Conference – Melbourne
 21 July Waterwonderland Debutante Ball - Kerang
 26 July Cohuna Lions Changeover Dinner
 07 Aug CVGA Finance & Audit Committee Meeting

This table represents attendances at Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
Council Strategic Briefing (24 July)	✓	✓	✓	✓	✓	✓	✓
Council Briefing (06 August)	✓	✓	✓	✓	✓	✓	✓
Ordinary Council Meeting (15 August)	✓	✓	✓	✓	✓	✓	✓

LoA = Leave of Absence

A = Apology

13 CONFIDENTIAL ITEMS

Nil