



**GANNAWARRA**  
*Shire Council*

**Wednesday, 15 August 2018**

**6.30pm**

**Sir John Gorton Library**

**Kerang**

**MINUTES**

**Ordinary Council Meeting**

**Order Of Business**

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**MINUTES OF GANNAWARRA SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE SIR JOHN GORTON LIBRARY, KERANG  
ON WEDNESDAY, 15 AUGUST 2018 AT 6.30PM**

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

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

**Gallery: 2**

**Media: 1**

**1 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the Traditional Owners 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 Mark Arians

**4 CONFIRMATION OF MINUTES**

**RESOLUTION**

Moved: Cr Charlie Gillingham

Seconded: Cr Lorraine Learmonth

**That the Minutes of the Ordinary Council Meeting held on 18 July 2018 be confirmed.**

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Cr Lorraine Learmonth declared a Conflict of Interest (Indirect Interest by close association) in relation to Item 8.8 as she is a Board Member of the Loddon Mallee Waste and Resource Recovery Group (LMWRRG).

## **6 QUESTION TIME**

Two members of the gallery asked questions of the Council.

## **7 ASSEMBLY OF COUNCILLORS**

### **7.1 ASSEMBLY OF COUNCILLORS 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*.

#### **RESOLUTION**

Moved: Cr Sonia Wright

Seconded: Cr Lorraine Learmonth

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

**CARRIED**

## **8 BUSINESS REPORTS FOR DECISION**

### **8.1 APPLICATION TO AMEND PLANNING PERMIT P13.019 - APPROVAL**

#### **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.

#### **RESOLUTION**

Moved: Cr Lorraine Learmonth

Seconded: Cr Charlie Gillingham

**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 c) 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>.**

**CARRIED**

## **8.2 GANNAWARRA PLANNING SCHEME REVIEW REPORT 2018**

### **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*.

### **RESOLUTION**

Moved: Cr Lorraine Learmonth

Seconded: Cr Charlie Gillingham

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

**CARRIED**

## **8.3 NATIONAL DISABILITY INSURANCE SCHEME FEES SCHEDULE 2018/2019**

### **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.

### **RESOLUTION**

Moved: Cr Jodie Basile

Seconded: Cr Sonia Wright

**That Council adopt the National Disability Insurance Scheme (NDIS) fees and charges in line with the applicable 'NDIS Price Guide – Victoria, New South Wales, Queensland, Tasmania' to enable the provision of services to NDIS participants.**

**CARRIED**

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

**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.

**RESOLUTION**

Moved: Cr Jodie Basile

Seconded: Cr Sonia Wright

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

**CARRIED**

## 8.5 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER

### 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.

### RESOLUTION

Moved: Cr Jodie Basile

Seconded: Cr Lorraine Learmonth

**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.**

**CARRIED**

## 8.6 DELEGATION UPDATE - COUNCIL TO MEMBERS OF COUNCIL STAFF

### 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.

### RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Sonia Wright

**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.**

**CARRIED**

## **8.7 HEAVY PLANT REPLACEMENT CONTRACT VP113286 - PURCHASE**

### **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.

### **RESOLUTION**

Moved: Cr Lorraine Learmonth

Seconded: Cr Sonia Wright

**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).**

**CARRIED**

At 7:09 pm, Cr Lorraine Learmonth left the meeting due to the Conflict of Interest declared at Item 5.

## **8.8 JOINT FUTURE WASTE AND RECYCLING SERVICES 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.

### **RESOLUTION**

Moved: Cr Steven Tasker

Seconded: Cr Charlie Gillingham

**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.**

**CARRIED**

At 7:14 pm, Cr Lorraine Learmonth returned to the meeting.



## **8.9 APPOINTMENT OF ACTING CEO**

### **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 and Development as the Acting CEO whilst the CEO is on annual leave.

### **RESOLUTION**

Moved: Cr Charlie Gillingham

Seconded: Cr Steven Tasker

#### **That Council:**

- 1. Approves annual leave for the Chief Executive Officer for the period Monday 20<sup>th</sup> August 2018 to Friday 28<sup>th</sup> September 2018 inclusive.**
- 2. Appoints Geoff Rollinson, Director Infrastructure and Development as the Acting Chief Executive Officer for the period Monday 20<sup>th</sup> August 2018 to Friday 28<sup>th</sup> September 2018 inclusive.**

**CARRIED**

## **9 INFORMATION REPORTS**

Nil

## **10 URGENT ITEMS**

Nil

## **11 NOTICES OF MOTION**

Nil

## 12 DELEGATES REPORTS

### 12.1 DELEGATES REPORT - 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)	✓	A	✓	✓	✓	✓	✓

LoA = Leave of Absence

A = Apology

**13 CONFIDENTIAL ITEMS**

Nil

**The Meeting closed at 7.22pm.**

**The Minutes of this Meeting were confirmed at the Ordinary Meeting of the Gannawarra Shire Council held on 19 September 2018.**

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**Cr Brian Gibson – MAYOR**

**CHAIRPERSON**