



GANNAWARRA
Shire Council

Ordinary Council Meeting

MINUTES

Wednesday, 20 November 2019

6:30pm

Council Chambers

Kerang

Order Of Business

1	Acknowledgement of Country	3
2	Opening Declaration.....	3
3	Apologies	3
4	Confirmation of Minutes	3
5	Declaration of Conflict of Interest	3
6	Question Time.....	4
7	Assembly of Councillors.....	4
	7.1 Assembly of Councillors 16 October, 2019 to 19 November, 2019	4
8	Business Reports for Decision	4
	8.1 2020 Citizenship Ceremony Dates.....	4
	8.2 Proposed Council Meeting Dates and Times for 2020.....	5
	8.3 Councillor Committee Memberships 2019/2020.....	6
	8.4 Section 86 Committees of Council	7
	8.5 Audit Committee - 12 November, 2019 Meeting	8
	8.6 Quarterly Financial Report - Quarter Ending 30 September 2019.....	8
	8.7 Draft Economic Development Strategy 2019-2024	9
9	Information Reports	9
	Nil	
10	Urgent Items	9
11	Notices of Motion.....	11
	11.1 Notice of Motion - 72 - CEO Performance and Remuneration	11
12	Delegates Reports	12
	12.1 Delegates Reports - 16 October, 2019 to 19 November, 2019.....	12
13	Confidential Items	14

**MINUTES OF GANNAWARRA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, KERANG
ON WEDNESDAY, 20 NOVEMBER 2019 AT 6:30PM**

PRESENT:	Cr Lorraine Learmonth (Mayor)	Yarran Ward
	Cr Sonia Wright	Yarran Ward
	Cr Steven Tasker	Murray Ward
	Cr Charlie Gillingham (Deputy Mayor)	Avoca Ward
	Cr Mark Arians	Patchell Ward
	Cr Jodie Basile	Patchell Ward
	Cr Brian Gibson	Patchell Ward

IN ATTENDANCE:	Tom O’Reilly	Chief Executive Officer
	Lisa Clue	Manager Governance

Gallery: 15

Media: 1

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Owners of the land and paid her respects to Elders both past and present.

2 OPENING DECLARATION

The Deputy Mayor read the Opening Declaration.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Jodie Basile

That the minutes of the Ordinary Council Meeting held on 16 October 2019 and the Special Council Meeting held on 11 November 2019 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

6 QUESTION TIME

Mr Greg Smart asked one question relating to fire hazards and snake danger on private property.

Ms Andrea Otto asked three questions relating to support provided to councillors when wording questions to be tabled at public meetings; Council advocacy for local farming communities during these difficult times; and how Council will fully engage with community when developing visions, plans and budgets in accordance with theme 1 of the new local government report 2019.

A response was provided to each question by the Mayor and/or the CEO.

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS 16 OCTOBER, 2019 TO 19 NOVEMBER, 2019

EXECUTIVE SUMMARY

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

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Brian Gibson

That Council note the records of Assembly of Councillors from 16 October, 2019 to 19 November, 2019.

CARRIED

8 BUSINESS REPORTS FOR DECISION

8.1 2020 CITIZENSHIP CEREMONY DATES

EXECUTIVE SUMMARY

To present to Council the proposed dates for Australian Citizenship Ceremonies to be held in 2020.

RESOLUTION

Moved: Cr Sonia Wright

Seconded: Cr Jodie Basile

That Council adopt the following dates for the 2020 Citizenship Ceremonies; Sunday, 26 January, Tuesday, 7 April, Tuesday, 7 July, and Tuesday, 6 October.

CARRIED

8.2 PROPOSED COUNCIL MEETING DATES AND TIMES FOR 2020

EXECUTIVE SUMMARY

The purpose of this report is to consider and adopt dates for 2020 Ordinary Meetings of Council.

January – No Meeting

February – Wednesday 19 @ 6:30pm

March – Wednesday 18 @ 6:30pm

April – Wednesday 15 @ 6:30pm

May – Wednesday 20 @ 6:30pm

June – Wednesday 24 @ 6:30pm

July – Wednesday 15 @ 6:30pm

August – Wednesday 19 @ 6:30pm

September – Wednesday 16 @ 6:30pm

October – Wednesday 21 @ 6:30pm

November – Wednesday 18 @ 6:30pm

December – Wednesday 16 @ 6:30pm

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Sonia Wright

That Council adopt the list of dates for 2020 Ordinary Meetings of Council as detailed in, and attached to this report.

CARRIED

8.3 COUNCILLOR COMMITTEE MEMBERSHIPS 2019/2020**EXECUTIVE SUMMARY**

The purpose of this report is for Council to review and adopt the proposed Committee memberships which effectively provides for Councillors to act as a Council delegate, on behalf of the Gannawarra Shire Council.

COUNCIL COMMITTEES 2019/2020	
Committee	Councillor
Loddon Mallee Waste and Resource Recovery Group (LMWRRG)	Cr Learmonth
Central Victorian Greenhouse Alliance (CVGA)	Cr Gibson
Municipal Fire Management Planning Committee (MFMPC)	Cr Tasker
Municipal Emergency Management Planning Committee (MEMPC)	Cr Gibson
Municipal Association of Victoria (MAV)	Cr Arians
Audit Committee x 2	Cr Gillingham & Cr Wright
Murray River Group of Councils (MRGC)	Mayor
Loddon Campaspe Group of Councils	Mayor

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Mark Arians

That Council adopt the list of Councillor Committee memberships and the Councillor representatives for 2019/2020 as detailed in this report.

CARRIED

8.4 SECTION 86 COMMITTEES OF COUNCIL**EXECUTIVE SUMMARY**

Under Section 86 of the *Local Government Act 1989* (the Act), Councils may establish one or more special committees and delegate to committee members certain functions, duties or powers.

This report seeks to appoint the following community members to the Community Halls, Leitchville War Memorial Swimming Pool and Quambatook Caravan Park Committees of Council and exempt those members from being required to submit a primary or ordinary return under Section 81(2A) of the Act:

Community Halls	Committee: Glenn Bottcher, Trevor Ibbs, Stuart Simms, Fiona Copland, Neil Hopkins, Jeanette Coulter, Alan Bott, Brian Fletcher, Stuart Richardson, Alan Pryor, Graham Cockroft and Gary Napier.
Leitchville War Memorial Swimming Pool	Committee: Skye Perry, Caitlin Taylor-Irvin, Michelle Gladman, Brendon Hawken, Linda Jones, Sarah Wittebrood, Bronte Gundry, Billie Hawken and Darren Hogan.
Quambatook Caravan Park	Committee: David Hosking, Robyn Hosking, Trevor Bennett, Norma Bennett, Lionel Ritchie and Jackie Ritchie.

RESOLUTION

Moved: Cr Sonia Wright

Seconded: Cr Charlie Gillingham

That Council:

1. **Appoint members of the Leitchville War Memorial Swimming Pool and Quambatook Caravan Park Committees of Council as advised to Council and summarised in this report to respective Special Committees in accordance with Section 86 of the *Local Government Act 1989* for the ensuing 12 months.**
2. **Appoint members of the Community Halls Committee of Council as advised to Council and summarised in this report for the two year period to the 2021 Annual Meeting.**
3. **Exempt members of the Community Halls, Leitchville War Memorial Swimming Pool and Quambatook Caravan Park Committees of Council from the requirement to submit primary and ordinary returns of interest in accordance with Section 81 of the *Local Government Act 1989*.**

CARRIED

8.5 AUDIT COMMITTEE - 12 NOVEMBER, 2019 MEETING**EXECUTIVE SUMMARY**

The Gannawarra Shire Council Audit Committee met on Tuesday, 12 November, 2019.

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Sonia Wright

That Council note the recommendations and outcomes of the Audit Committee meeting held on 12 November, 2019.

CARRIED

8.6 QUARTERLY FINANCIAL REPORT - QUARTER ENDING 30 SEPTEMBER 2019**EXECUTIVE SUMMARY**

At 30 September 2019 Council is anticipating that the budgeted underlying surplus of \$0.848 million will increase by \$410k to an anticipated underlying surplus of \$1,258 million.

The budgeted Operating Result of \$3.707 million surplus will increase by \$640k to an anticipated Operating Result of \$4.347 million surplus.

Council's Capital Works program is progressing with an anticipated variation in scheduled works of \$0.313 million. The adopted capital budget for 2019/2020 is \$10.877 million and it is expected to increase to \$11.190 million by 30 June 2020.

The financial position of the Council remains stable.

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That Council receive the report outlining the 2019/2020 quarterly budget review as at 30 September, 2019.

CARRIED

8.7 DRAFT ECONOMIC DEVELOPMENT STRATEGY 2019-2024

EXECUTIVE SUMMARY

The Draft Gannawarra Economic Development Strategy 2019-2024 sets out a five year vision for the Gannawarra economy whilst also providing guidance for Council and internal and external stakeholders.

The Gannawarra Economic Development Strategy 2019-2024 draws on the Council Plan 2017-2021 to capture the strategic directions of Council and community, while analysing the current economic climate to determine strategic actions aimed at maximising the economic value of the Gannawarra.

Over recent years local economic circumstances have changed considerably with issues relating to water policy and pricing, climate variability, demographic changes, agricultural volatility and the changing patterns of retail consumers. The updated strategy highlights the natural strengths of the local area and how these built and environmental assets can be better utilised to diversify and stimulate the local economy.

RESOLUTION

Moved: Cr Mark Arians

Seconded: Cr Brian Gibson

That Council adopt the Economic Development Strategy 2019-2024.

CARRIED

9 INFORMATION REPORTS

Nil

10 URGENT ITEMS

At 7.01 pm, Cr Mark Arians left the meeting.

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That Council agree to consider as urgent business the current conduct of Crs Arians and Wright.

CARRIED

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That the urgent item discussion be audio recorded.**CARRIED****EXTENSION OF SPEAKING TIME****RESOLUTION**

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That Council grant Cr Gibson an extension of three minutes to complete his address to the meeting.**CARRIED****RESOLUTION**

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That Council –

- 1. Make separate applications against Councillors Arians and Wright for the appointment of an arbiter to make findings regarding alleged contraventions of our Councillor Code of Conduct being –**
 - a. A failure to adhere to the requirement to act with integrity;**
 - b. Disrespectful treatment of Council staff;**
 - c. A breach of their undertaking to comply with the Councillor Conduct Principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor; and**
 - d. A failure to support and promote the General Councillor Conduct Principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor; and**
- 2. Direct the Mayor to provide guidance to Crs Arians and Wright to immediately cease their bullying behaviour, and failing a prompt and satisfactory response, make separate applications under section 81B(1B) of the *Local Government Act 1989* for a Councillor Conduct Panel to make a finding of serious misconduct against each Councillor.**

CARRIED

Cr Brian Gibson called for a Division

In Favour: Crs Brian Gibson, Lorraine Learmonth, Steven Tasker, Sonia Wright and Jodie Basile

Abstained: Cr Charlie Gillingham

At 7.14 pm, Cr Mark Arians returned to the meeting.

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION - 72 - CEO PERFORMANCE AND REMUNERATION

MOTION

Moved: Cr Sonia Wright

Seconded: Cr Mark Arians

That Council:

- 1. Adopt an 'Employment Matters Committee' for the management of the CEO Performance and Remuneration.**
- 2. The 'Employment Matters Committee' includes 2 independent persons having CEO or HR qualifications on the committee for annually reviewing the CEO's performance.**
- 3. The 'Employment Matters Committee' advises Council on the performance and Remuneration of the CEO.**

LOST

Cr Mark Arians called for a Division

In Favour: Crs Sonia Wright, Charlie Gillingham and Mark Arians

Against: Crs Brian Gibson, Lorraine Learmonth, Steven Tasker and Jodie Basile

12 DELEGATES REPORTS**12.1 DELEGATES REPORTS - 16 OCTOBER, 2019 TO 19 NOVEMBER, 2019**Cr Lorraine Learmonth

16 October	Seniors Festival - Bus Trip to Rex Theatre – Charlton
17 October	2019 MAV Annual Conference and Dinner – Melbourne
18 October	MAV State Council Meeting – Melbourne
22 October	Victorian Senior of the Year Awards – Melbourne
24 October	Gannawarra Shire Council Community Grants Presentation – Kerang
25 October	100 Years of Secondary Education in Kerang Celebratory Dinner – Kerang
28 October	Kerang RSL Women’s Auxiliary Meeting – Kerang
29 October	MAV North Central Regional Meeting – Bendigo Loddon Campaspe Councils Meeting – Bendigo
30 October	St Marys Primary School Cohuna Musical Production – Cohuna
31 October	Loddon Mallee Future Energy Forum – Bendigo
6 November	Opening of the Midwifery Antenatal Clinic – Cohuna CEO Performance Review – Kerang
7 November	Mental Health Carers Support Group – 10 Year Anniversary Celebration – Kerang Loddon Shire Council Special Meeting – Pyramid Hill
8 November	Campervan and Motorhome Club of Australia Solos Rally Welcome Dinner – Cohuna
11 November	Opening of the Veterans Assistance Centre – Kerang
12 November	ACCC Water Forum – Kerang
14 November	Regional Cultural Infrastructure Advisory Committee Inaugural Meeting and Regional Forum – Teleconference Seniors Advisory Group Meeting – Cohuna
15 November	Loddon Mallee Waste and Resource Recovery Meeting – Melbourne
19 November	Our Murray Street Garden Project Opening – Kerang

Cr Sonia Wright

1 November	Opening Old Butter Factory Art Gallery – Big Cohuna Festival – Cohuna
11 November	Remembrance Day Service – Cohuna Agricultural Society Special Meeting – Cohuna
12 November	Audit Committee Meeting – Kerang
18 November	Cohuna Progress Association Meeting – Cohuna

Cr Charlie Gillingham

17 October	2019 MAV Annual Conference and Dinner – Melbourne
18 October	MAV State Council Meeting – Melbourne
22 October	Kerang Lakes Community Development Group Meeting – Lake Charm
24 October	Gannawarra Shire Council Community Grants Presentation – Kerang
6 November	CEO Performance Review – Kerang
12 November	Audit Committee Meeting – Kerang

Cr Mark Arians

23 October Kerang Progress Association Meeting – Kerang
 6 November CEO Performance Review – Kerang

Cr Brian Gibson

24 October Gannawarra Shire Council Community Grants Presentation – Kerang
 1 November Walk to School Event – Kerang South Primary School
 6 November CEO Performance Review – Kerang

Cr Jodie Basile

24 October Gannawarra Shire Council Community Grants Presentation – Kerang
 6 November CEO Performance Review – Kerang

Cr Steve Tasker

11 November Remembrance Day Service
 12 November Koondrook Development Committee

This table represents attendances at Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
Ordinary Council Meeting (16 October)	✓	✓	✓	✓	✓	A	✓
Special Council Meeting (11 November)	✓	✓	✓	✓	✓	✓	✓
Council Briefing and Strategic Briefing (11 November)	P/A	P/A	A	✓	✓	✓	✓

A = Apology

P/A = Partial Attendance

At 7.22 pm, Cr Mark Arians left the meeting.

At 7.22 pm, Cr Sonia Wright left the meeting.

13 CONFIDENTIAL ITEMS

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Charlie Gillingham

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

13.1 Chief Executive Officer Performance Review

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

CARRIED

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Charlie Gillingham

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed at 7.24 pm.

The Minutes of this Meeting were confirmed at the Ordinary Meeting of the Gannawarra Shire Council held on 18 December 2019.

Cr Lorraine Learmonth - Mayor

CHAIRPERSON