



GANNAWARRA
Shire Council

Council Meeting

MINUTES

Wednesday, 24 June 2020

6:30pm

Northern District Community Health

Kerang

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**MINUTES OF GANNAWARRA SHIRE COUNCIL
COUNCIL MEETING
HELD AT NORTHERN DISTRICT COMMUNITY HEALTH, KERANG
ON WEDNESDAY, 24 JUNE 2020 AT 6:30PM**

PRESENT:	Cr Lorraine Learmonth (Mayor)	Yarran Ward
	Cr Andrew Gibbs	Yarran Ward
	Cr Steven Tasker	Murray Ward
	Cr Charlie Gillingham (Deputy Mayor)	Avoca Ward
	Cr Jodie Basile	Patchell Ward
	Cr Brian Gibson	Patchell Ward
	Cr Jenny Fawcett	Patchell Ward

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

Gallery: Nil

Media: Nil

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Owners of the land and paid her respects to Elders past, present and emerging and acknowledged Elders from other communities who may be meeting with us today

2 OPENING DECLARATION

The Deputy Mayor read the Opening Declaration.

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Charlie Gillingham

That the minutes of the Council Meetings held on 20 May 2020 and 9 June 2020 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Councillor Gibbs declared a Conflict of Interest in relation to Item 7.5.

6 ASSEMBLY OF COUNCILLORS

6.1 ASSEMBLY OF COUNCILLORS 13 MAY TO 16 JUNE, 2020

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 Jenny Fawcett

That Council note the records of Assemblies of Councillors from 13 May to 16 June, 2020.

CARRIED

7 BUSINESS REPORTS FOR DECISION

7.1 COUNCIL DELEGATION TO THE CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY

Gannawarra Shire Council has functions and duties which it must perform and powers which it may exercise, pursuant to both the *Local Government Act 1989* and the *Local Government Act 2020* (the 2020 Act), as well as a range of other Acts and Regulations. Section 11(1)(b) of the 2020 Act allows for a Council to delegate certain powers, duties or functions to the Chief Executive Officer.

Delegations eliminate the need for all functions and duties to be dealt with by Council resolution.

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

This report addresses a review of delegations to the Chief Executive Officer following proclamation of relevant sections of the 2020 Act on 1 May 2020.

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Charlie Gillingham

That Council, in the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), resolves that:

- 1. There be delegated to the person holding the position, or 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 instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED

S5 Instrument of Delegation to Chief Executive Officer

Gannawarra Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (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 24 June 2020
- 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.

THE COMMON SEAL of the GANNAWARRA SHIRE COUNCIL)
 was hereunto affixed in accordance with Governance)
 Local Law 2018)
 on the _____ day of _____ 2020.)

_____ 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 or making an expenditure exceeding the value of \$999,999
 - 4.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 4.3 election of a Mayor or Deputy Mayor;
 - 4.4 granting of a reasonable request for leave under section 35 of the Act;
 - 4.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 4.6 approval or amendment of the Council Plan;
 - 4.7 adoption or amendment of any policy that Council is required to adopt under the Act;
 - 4.8 adoption or amendment of the Governance Rules;
 - 4.9 appointment of the chair or the members to a delegated committee;
 - 4.10 making, amending or revoking a local law;
 - 4.11 approval of the Budget or Revised Budget;
 - 4.12 borrowing money;
 - 4.13 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges; or
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 strategy adopted 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 s 11(2)(a)-(n) (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.

7.2 COUNCIL POLICY REVIEW

EXECUTIVE SUMMARY

Council officers undertake regular reviews of Council policies to ensure they are up to date and reflective of current practices and on occasion identify the need to repeal a policy. This report addresses recently reviewed Policy No. 120 – Community Care Services.

RESOLUTION

Moved: Cr Jodie Basile

Seconded: Cr Charlie Gillingham

That Council repeal Policy No. 120 – Community Care Services.

CARRIED

7.3 AUDIT COMMITTEE - 10 JUNE, 2020 MEETING

EXECUTIVE SUMMARY

The Gannawarra Shire Council Audit Committee met on Wednesday, 10 June, 2020.

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Charlie Gillingham

That Council note the recommendations and outcomes of the Audit Committee meeting held on 10 June, 2020.

CARRIED

7.4 ADOPTION OF THE PROPOSED 2020/2021 BUDGET

EXECUTIVE SUMMARY

Council has prepared the Proposed Annual Budget 2020/2021 in accordance with Section 127 of the *Local Government Act 1989* (the Act). In addition, Section 223 of the Act gives a person the right to make a submission on a Proposed Annual Budget. Council must, if requested as part of that submission, provide the person with the opportunity to be heard in support of the submission. 16 submissions were received and five submitters requested to be heard by Council in support of their submission. The submitters were heard at Council's meeting on 9 June, 2020.

MOTION

Moved: Cr Charlie Gillingham

Seconded: Cr Brian Gibson

That Council, having advertised the Proposed Annual Budget 2020/2021 and having considered

all submissions received in respect of such Budget, resolves;

- 1. To adopt as presented the Gannawarra Shire Council Annual Budget 2020/2021 for the purpose of Section 127 of the Local Government Act 1989, with the following adjustment:**
 - 1.1 Grants Capital – Additional grant revenue from:-**
 - Federal Department Infrastructure, Transport and Regional Development for a fully funded Local Roads Community Infrastructure Program \$1.318 million and is allocated to the Kerang Streetscape Stage 2 project; and
 - State Government Department of Environment, Land, Water and Planning for a fully funded Information Technology enhancement project to facilitate remote governance and community engagement \$100K;
 - 1.2 Grants Capital – confirmed State grant revenue for the following projects from:-**
 - Department of Jobs, Precincts and Regions for the Koondrook All Abilities Playground \$390,000;
 - Regional Development Victoria for the multi-year Cohuna Central Business District and Waterfront Plan project \$1.7 million (with \$847,000 in 2020/2021); and
 - Regional Development Victoria for the Kerang Industrial Estate project \$900,000.
 - 1.3 Grants Capital - multi-year projects that are already funded with the income to be received in 2020/2021 rather than 2019/2020 for the Appin South Bridge \$109,500 and Quambatook Levee \$31,700;**
 - 1.4 Capital Works – projects that are already funded with this component of the works to be completed in 2020/2021 rather than 2019/2020 for:-**
 - Appin South Bridge \$405,500;
 - Drought Communities Programme Stage 1 \$61,000;
 - Quambatook Levee \$32,000;
 - Gannawarra Arts Trail \$50,000; and
 - Southern Levee acquisition \$80,000;
 - 1.5 Capital Works – Information Technology network enhancements to ensure that the service meets the increased demands for more diverse and flexible working arrangements brought about by COVID-19 requirements \$50,000;**
 - 1.6 Capital Works – Climate Adaptation projects to:-**
 - Upgrade street lights from high pressure sodium to light emitting diode lighting \$150,000. The funding to be sourced from the Kerang Streetscape Stage 2 project, which is now fully grant funded;
 - Implement Car Charging facilities. The project is grant dependant \$110,000;
 - 1.7 Operating Expenditure – projects that are already funded with an approved extension for the works to be completed in 2020/2021 due to COVID-19 restrictions for the Drought Communities Stage 1 Program \$168,000;**
 - 1.8 Operating Expenditure – expenditure to ensure compliance with COVID-19 requirements \$230,000 for:-**
 - Building configuration adjustments to comply with COVID-19 standards for workplace social distancing and density limits \$90,000;

- **Project works coordination expenditure to deliver the expanded and funded works program \$90,000; and**
 - **Information Technology data upgrade to ensure that the service meets the increased demands for more diverse, decentralised and flexible working arrangements \$50,000;**
- 1.9 Operating Expenditure – project works to implement the action plans from the Community Engagement Strategy \$20,000.**

2. That \$13,176,000 be declared as the amount which Council intends to raise by general rates (or annual service charge later described in this resolution), which amount is calculated as follows:

General Rates	\$10,582,000
Municipal Charge	\$638,000
Waste & Recyclables Collection	\$1,956,000

- 3. That a General Rate be declared for the period commencing on 1 July, 2020 and concluding on 30 June, 2021.**
- 4. That it be further declared that, subject to paragraph 5 of this Part, the General Rate be raised by the application of a uniform rate.**
- 5. That a percentage of 0.6329% be specified as the percentage of the uniform rate (which percentage may be alternatively expressed as 0.006329 cents in the \$).**
- 6. That it be confirmed that the General Rate for all rateable land within the municipal district be determined by multiplying the Capital Improved Value of each rateable land by that percentage (so that the amount payable be 0.006329 cents in the \$ of the Capital Improved Value).**
- 7. That it be recorded that Council considers that a differential rate will provide equitable distribution of the rate burden across all levels of the community.**
- 7.1 That a differential rate be declared for that rateable land having the characteristics specified below which will form the criteria for the differential rate so declared:**
- 7.1.1 Dryland Farm Rate to apply to all properties which satisfy the meaning of ‘farm land’ as defined in the Valuation of Land Act 1960 and which are not in declared irrigation districts.**
 - 7.1.2 Irrigation District Farm Rate to apply to all properties which satisfy the meaning of ‘farm land’ as defined in the Valuation of Land Act 1960 and which are greater than 10HA in declared irrigation districts.**
 - 7.1.3 Commercial/Industrial land to all properties used primarily for**

commercial/industrial purposes.

- 7.2 That the differential rate be determined by multiplying the Capital Improved Value of the rateable land categorised in 7.1 by the percentage indicated on the following table:**

Dryland Farm	0.4314%
Irrigation District Farm	0.5343%
Commercial/Industrial	0.6507%
Cultural and Recreational	0.3165%

- 7.3 It be further recorded that the objectives of the differential rate is to provide equitable distribution of the rate burden across all levels of the community.**
- 8. That an annual service charge be declared for the period commencing on 1 July, 2020 and concluding on 30 June, 2021;**
- 8.1 That the annual service charge be declared for the collection and disposal of domestic refuse within the municipal district and the collection, transportation and receival charge for recyclable materials;**
- 8.2 That the annual service charge be the sum of \$512 per 240 litre domestic garbage bin and 240 litre recycling service and \$357 per 120 litre domestic garbage bin and 240 litre recycling service for each rateable property (or part) in respect of which an annual service charge may be levied within the Shire and where a service is available and \$512 per 240 litre domestic garbage bin and 240 litre recycling service and \$357 per 120 litre domestic garbage bin and 240 litre recycling service for each residential property (or part) in respect of which an annual service charge may be levied for properties within the townships of Kerang, Cohuna, Leitchville, Koondrook, Quambatook, Murrabit, Mystic Park and Lalbert; and**
- 8.3 That the following criteria be the criteria which forms the basis of the annual service charge so declared:**
- 8.4 That the annual service charge apply to each rateable residential property other than vacant land within the townships listed above and other properties by agreement and that where more than one bin is required, the charge be based on the above charges multiplied by the number of bins.**
- 8.5 That the annual service charge be the sum of \$56 per 240 litre domestic green waste bin for each rateable property (or part) in respect of which an annual service charge may be levied within the Shire where the service is provided.**
- 9. That an annual municipal charge be declared for the period commencing 1 July, 2020 and concluding on 30 June, 2021;**

- 9.1 That the annual municipal charge be declared for the provision of Council administrative support services within the Shire of Gannawarra;
 - 9.2 That the annual municipal charge be the sum of \$100 for each property in respect of which an annual municipal charge may be levied; and
 - 9.3 That the following criteria be the criteria which forms the basis of the annual municipal charge so declared - that the annual municipal charge apply to each rateable property within the Shire of Gannawarra.
10. That the rates and charges must be paid:
- 10.1 In full by 15 February, 2021; or
 - 10.2 By four equal instalments by the following dates: 30 September, 2020, 30 November, 2020, 1 March, 2021 and 31 May, 2021.
11. That in accordance with Section 172 of the Local Government Act 1989, the rate of interest which is payable on the rates and charges which have not been paid on or before the dates specified is currently set at 10% per annum from the date the rates and charges are declared.
12. In accordance with Section 4(4) of the Cultural and Recreational Lands Act 1963, that the rate for all rateable properties within the municipal district that meet the definition of cultural and recreation land be determined by multiplying the Capital Improved Value of each rateable land by 50% of the general rate percentage so that the amount payable be 0.003165 cents in the \$ of the Capital Improved Value.
13. The Director Corporate Services of Council be authorised to levy and recover the general rates and annual service charges described earlier in this resolution in accordance with the Local Government Act 1989.
14. That Council adopts the Capital Works Plan for 2020/2021.
15. That Council adopt a rate increase for the 2020/2021 financial year of 1%, and that all financials within the recommendation to be amended accordingly.

AMENDMENT

Moved: Cr Andrew Gibbs
Seconded: Cr Charlie Gillingham

That expenditure across all Council operating costs be reduced by a net 3%.

LOST

AMENDMENT

Moved: Cr Jodie Basile

Seconded: Cr Charlie Gillingham

That the Gannawarra Shire Council adopt a rate increase for the 2020/2021 financial year of 1.5%, and that all financials within the recommendation to be amended accordingly.

CARRIED

The Amendment became part of the Motion.

RESOLUTION

That Council, having advertised the Proposed Annual Budget 2020/2021 and having considered all submissions received in respect of such Budget, resolves;

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- arrangements brought about by COVID-19 requirements \$50,000;
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6. That it be confirmed that the General Rate for all rateable land within the municipal district be determined by multiplying the Capital Improved Value of each rateable land by that percentage (so that the amount payable be 0.006329 cents in the \$ of the Capital Improved Value).

7. That it be recorded that Council considers that a differential rate will provide equitable distribution of the rate burden across all levels of the community.

7.1 That a differential rate be declared for that rateable land having the characteristics specified below which will form the criteria for the differential rate so declared:

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7.1.2 Irrigation District Farm Rate to apply to all properties which satisfy the meaning of ‘farm land’ as defined in the Valuation of Land Act 1960 and which are greater than 10HA in declared irrigation districts.

7.1.3 Commercial/Industrial land to all properties used primarily for commercial/industrial purposes.

7.2 That the differential rate be determined by multiplying the Capital Improved Value of the rateable land categorised in 7.1 by the percentage indicated on the following table:

Dryland Farm	0.4314%
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8.2 That the annual service charge be the sum of \$512 per 240 litre domestic garbage bin and 240 litre recycling service and \$357 per 120 litre domestic garbage bin and 240 litre recycling service for each rateable property (or part) in respect of which an annual service charge may be levied within the Shire and where a service is available and \$512 per 240 litre domestic garbage bin and 240 litre recycling service and \$357 per 120 litre domestic garbage bin and 240 litre recycling service for each residential property (or part) in respect of which an annual service charge may be levied for properties within the townships of Kerang, Cohuna, Leitchville, Koondrook, Quambatook, Murrabit, Mystic Park and Lalbert; and

- 8.3 That the following criteria be the criteria which forms the basis of the annual service charge so declared:**
- 8.4 That the annual service charge apply to each rateable residential property other than vacant land within the townships listed above and other properties by agreement and that where more than one bin is required, the charge be based on the above charges multiplied by the number of bins.**
- 8.5 That the annual service charge be the sum of \$56 per 240 litre domestic green waste bin for each rateable property (or part) in respect of which an annual service charge may be levied within the Shire where the service is provided.**
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 - 9.1 That the annual municipal charge be declared for the provision of Council administrative support services within the Shire of Gannawarra;**
 - 9.2 That the annual municipal charge be the sum of \$100 for each property in respect of which an annual municipal charge may be levied; and**
 - 9.3 That the following criteria be the criteria which forms the basis of the annual municipal charge so declared - that the annual municipal charge apply to each rateable property within the Shire of Gannawarra.**
- 10. That the rates and charges must be paid:**
 - 10.1 In full by 15 February, 2021; or**
 - 10.2 By four equal instalments by the following dates: 30 September, 2020, 30 November, 2020, 1 March, 2021 and 31 May, 2021.**
- 11. That in accordance with Section 172 of the Local Government Act 1989, the rate of interest which is payable on the rates and charges which have not been paid on or before the dates specified is currently set at 10% per annum from the date the rates and charges are declared.**
- 12. In accordance with Section 4(4) of the Cultural and Recreational Lands Act 1963, that the rate for all rateable properties within the municipal district that meet the definition of cultural and recreation land be determined by multiplying the Capital Improved Value of each rateable land by 50% of the general rate percentage so that the amount payable be 0.003165 cents in the \$ of the Capital Improved Value.**
- 13. The Director Corporate Services of Council be authorised to levy and recover the general rates and annual service charges described earlier in this resolution in accordance with the Local Government Act 1989.**
- 14. That Council adopts the Capital Works Plan for 2020/2021.**
- 15. That Council adopt a rate increase for the 2020/2021 financial year of 1.5%, and that all**

financials within the recommendation to be amended accordingly.

CARRIED

Cr Andrew Gibbs declared an indirect interest in Item 7.5 as Chairman of the Cohuna Aviation club and left the Chamber at 7:03pm.

7.5 COHUNA AERODROME - LICENCE

EXECUTIVE SUMMARY

Council operates two aerodromes within close proximity to each other within the towns of Kerang and Cohuna. These two aerodromes provide access 24 hours a day, seven days a week to recreational users and emergency services as required.

Both airfields currently provide limited service and neither airfield has any regular public transport use. Whilst both airfields are operated by Council, Kerang Airfield is a registered aerodrome with the Civil Aviation Safety Authority (CASA) and Cohuna is classified as an Aeroplane Landing Area or ALA (unregulated strip).

The Cohuna ALA is situated on land owned by Coliban Water, licenced to Council for the purpose of operating an airfield. The Kerang airfield is located on land owned by Council.

At the November 2019 Briefing Session Councillors sought further information as to the operating costs associated with both the Cohuna ALA and Kerang Aerodromes. Councillors also requested officers undertake further research into the rationale in operating two aerodromes and what options might be available for further consideration in the interest of all Gannawarra ratepayers.

The term of the Cohuna Airfield Licence is from 1 January 2019 until 31 December for a term of 5 years. The Licensee (Council) may cease occupying the land by surrendering the licence by way of giving one months' notice in writing to Coliban Water.

Surrendering the Cohuna Airfield Licence would avoid the direct costs of operating and maintaining the aerodrome now and into the future which cumulatively, would result in significant savings for Gannawarra ratepayers. The cost to Council to operate and maintain the Cohuna ALA for the 2018-2019 financial year was \$37,105, with the cost accumulating to approximately \$400,000 over a 10 year period of the Council's Long Term Financial Plan (LTFP).

MOTION

Moved: Cr Brian Gibson

Seconded: Cr Jodie Basile

That Council:

- 1. Endorse the CEO to surrender the Cohuna Airfield Licence back to the landowner being Coliban Water.**
- 2. Work with community groups to ensure the viability of the Cohuna Airport into the future.**

FORMAL MOTION

Moved: Cr Charlie Gillingham

That the Motion now before the meeting be adjourned until Council's August meeting so that Council staff can conduct a detailed and comprehensive report following a thorough consultation process with all key stakeholders around the future operations of the Cohuna Airport.

LOST

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Jodie Basile

That Council:

- 1. Endorse the CEO to surrender the Cohuna Airfield Licence back to the landowner being Coliban Water.**
- 2. Work with community groups to ensure the viability of the Cohuna Airport into the future.**

CARRIED

Cr Brian Gibson called for a Division.

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

Against: Crs Charlie Gillingham and Jenny Fawcett

Cr Andrew Gibbs returned to the Chambers at 7:21pm.

7.6 KANGAROO LAKE PROPOSED ROAD DISCONTINUANCE

EXECUTIVE SUMMARY

Council was approached by the Department of Environment, Land, Water and Planning (DELWP) after a consultation process in respect of the disposal of surplus government property. DELWP has proposed to sell the land (subject site plan: L6-11868) shown below to the owner of the adjoining property (Allotment 31D-Section 4: 31D~4\PP2120).



RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Jodie Basile

That Council resolve to:

1. Give public notice of its intention to discontinue the unused government road reserve known as L6-11868 adjacent to Mystic Park East Road, in accordance with section 206 of the *Local Government Act 1989*.
2. Invite submissions on the proposal to discontinue the unused government road reserve in accordance with section 207A of the *Local Government Act 1989*.
3. Consider all submissions in accordance with Section 223 of the *Local Government Act 1989*, at the August 2020 Ordinary meeting of Council.

CARRIED

7.7 APPLICATION FOR PLANNING PERMIT P20.013 - NOTICE OF DECISION TO APPROVE

EXECUTIVE SUMMARY

This report is being prepared to determine a planning application for the development of two dwellings on one lot at 16 McCann Crescent, Kerang.

The application was advertised to surrounding properties owners and occupiers as well as an onsite sign being placed on the development site and one written objection was received.

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

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Jenny Fawcett

That Council approve Planning Application P20.013 for the development of two dwellings on one lot in accordance with the endorsed plan and issue a Notice of Decision to Grant a Permit at Lot 36, PS074068, 16 McCann Crescent, Kerang subject to the following conditions:

1. General Requirement

The layout of the site and the size of the proposed buildings and works as detailed with the application and as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

2. Environmental Health Department

The proposed development must connect to Lower Murray Water's reticulated sewerage system.

3. Vehicle Crossing

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

4. Drainage

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

5. Landscaping

The landscaping works must be completed in accordance with the endorsed plan within six months of the dwellings being completed and then maintained to the satisfaction of the Responsible Authority.

6. Screening and Fencing

Prior to the initial occupancy of the development, all required privacy screening devices and fencing shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority.

7. Direct Light

External lighting must be provided with suitable baffles and located so that no direct light is emitted outside the site to the satisfaction of the Responsible Authority to prevent adverse effect on adjoining land.

8. Lower Murray Water

The holder of this permit or authorised agent must consult with and meet the requirements and terms of Lower Murray Water in regard to water supply and sewage disposal services and/or any other services provided by the Corporation, including any costs associated with providing such services

Note: Lower Murray Water requires that the holder of this permit be advised that the Owners Corporation is responsible for the maintenance and proper working order of the common sanitary drain serving the allotments.

URBAN WATER SUPPLY:

- The land is located inside the Corporation's Urban Water District.
- A new customer contributions charge for water is payable for the additional dwelling.
- A 25mm water tapping with two 20mm water meters are required to be installed to service the development.

SEWERAGE:

- The land is located inside the Corporation's Sewerage District.
- A new customer contributions charge for sewer is payable for the additional dwelling.
- The land has an existing sewer connection point which is required to be renewed back to the oblique junction on the LMW sewer main.

GENERAL:

- The subdivider is required to pay the Urban Subdivision Processing Fee.

9. Permit Expiry

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

- a) The development is not started within two years of the date of this permit; and
- b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an extension may be submitted to the Responsible Authority for an extension to the times referred to in this condition.

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

NOTE 2: ALL BUILDING WORKS MUST COMPLY WITH THE VICTORIAN BUILDING REGULATIONS.

NOTE 3: PRIOR TO CONSTRUCTION WORKS COMMENCING ON THE SUBJECT LAND AN ASSET PROTECTION PERMIT MUST BE OBTAINED FROM COUNCIL.

CARRIED

8 INFORMATION REPORTS

Nil

9 URGENT ITEMS

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That Council agree to consider as urgent business the statements about Gannawarra Shire Council made by member Peter Walsh in the Victorian State Parliament on Thursday 18th June 2020.

CARRIED

RESOLUTION

Moved: Cr Brian Gibson

Seconded: Cr Steven Tasker

That Council, in response to Member Walsh's request for the Victorian Premier to institute a Commission of Inquiry into the Gannawarra Shire Council:

- 1. Write to the Vitorian Premier and provide documentary evidence confirming the following:**
 - **That WorkSafe has completed an investigation into allegations of unacceptable workplace behaviours and concluded that Council has appropriate policies and practices in place and provides appropriate redress for Councillors to pursue such matters.**
 - **Advise that the Local Government Inspectorate (LGI) has concluded its investigations into a number of complaints about the CEO and concluded there were no offences under the Local Government Act 1989. Further the LGI's investigations confirmed they did not identify any complaints that would have required the CEO to notify Council and noted that the CEO had assessed two complaints made against the Mayor as frivolous and vexatious.**
 - **In response to Member Walsh's concerns about the Cohuna Waterfront projects being in jeopardy, inform the Premier of the recent completion of the 1st Stage of the Cohuna Waterfront Project, the recent Council Media Release advising of another \$1.7M for further significant works on the Cohuna Waterfront and also provide a copy of the recent letter Council received from the Cohuna Progress Association praising Council and staff for the Cohuna Waterfront works completed.**
 - **Provide evidence to the Premier to dismiss Member Walsh's incorrect assertion that the CEO received a 20% salary increase.**
 - **Provide a copy to the Premier of the information provided by the independent Workplace Relations Human Resource consultant that conducted the CEO's review; noting this highly experienced Local Government Human Resource**

consultant was so alarmed at what she considered intimidation and bullying of the CEO by former Councillors, that she formally lodged her concerns with the Mayor and Deputy Mayor and offered to participate in any legal proceedings that may arise against these former Councillors.

- Inform the Premier that given the ongoing allegations of bullying and harassment of Councillors and staff by former Councillors, Council moved and adopted a motion at its December 2019 meeting to commence proceedings under its Councillor Code of Conduct; and also instigate a Councillor Conduct Panel to make a finding of serious misconduct against these two former Councillors for their bullying behaviour. And further advise that upon the commencement of these proceedings both Councillors resigned with these motions unable to be actioned and are currently outstanding.
- In regard to the Cohuna Aerodrome inform the Premier of Member Walsh’s conflict of interest given he is the former Chair of Cohuna Aviation Club.
- In light of the inaccurate statements made by Member Walsh which are construed as derogatory, respectfully urge the Victorian Premier to seek a retraction and apology by Member Walsh to set the parliamentary and public record straight and redress the reputational damage, duress and indignity his statements have caused to the Gannawarra Shire Council, Councillors, CEO and staff.

CARRIED

Cr Brian Gibson called for a Division.

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

Against: Cr Andrew Gibbs

Abstained: Cr Charlie Gillingham and Cr Jenny Fawcett

10 NOTICES OF MOTION

Nil

11 DELEGATES REPORTS

11.1 DELEGATES REPORTS

Association	Appointed Council Delegate
Central Victorian Greenhouse Alliance	Cr Brian Gibson
Loddon Campaspe Group of Councils	Mayor
Loddon Mallee Waste and Resource Recovery Group (LMWRRG)	Cr Lorraine Learmonth
Municipal Association of Victoria	Cr Brian Gibson
Municipal Emergency Management Planning Committee	Cr Brian Gibson

(MEMPC)	
Municipal Fire Management Planning Committee (MFMPC)	Cr Steve Tasker
Murray River Group of Councils (MRGC)	Mayor

NB: * Audit Committee - no delegate report is required as the Audit Committee formally reports back separately to Council in accord with the Audit Committee Charter.

Councillors provided verbal updated on pertinent matters arisit from Council's membership on each associaiton.

12 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 66(2)(a) of the Local Government Act 2020:

12.1 CEO Contract - Exercise of Option to Extend

This matter is considered to be confidential under Section 3(1) of the Local Government Act 2020, 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 personal information.

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 7:55pm.

The Minutes of this Meeting were confirmed at the Ordinary Meeting of the Gannawarra Shire Council held on 15 July 2020.

**Mayor Lorraine Learmonth
CHAIRPERSON**