



**GANNAWARRA**  
*Shire Council*

## **Council Meeting**

# **MINUTES**

**Wednesday, 21 July 2021**

**6:30pm**

**Senior Citizens Centre**

**Kerang**

**Order Of Business**

<b>1</b>	<b>Acknowledgement of Country .....</b>	<b>3</b>
<b>2</b>	<b>Opening Declaration.....</b>	<b>3</b>
<b>3</b>	<b>Apologies .....</b>	<b>3</b>
<b>4</b>	<b>Confirmation of Minutes .....</b>	<b>3</b>
<b>5</b>	<b>Declaration of Conflict of Interest .....</b>	<b>3</b>
<b>6</b>	<b>Briefing Sessions.....</b>	<b>4</b>
6.1	Records of Councillor Briefings - 9 June to 13 July 2021.....	4
<b>7</b>	<b>Business Reports for Decision .....</b>	<b>5</b>
7.1	2021 Local Government Community Satisfaction Survey - Gannawarra Shire Council results .....	5
7.2	Audit and Risk Committee - 15 June, 2021 Meeting.....	6
7.3	Council Policy Review .....	7
7.4	Delegation Update - Council to Members of Council Staff.....	8
<b>8</b>	<b>Urgent Items .....</b>	<b>8</b>
<b>9</b>	<b>Notices of Motion.....</b>	<b>8</b>
	Nil	
<b>10</b>	<b>Question Time.....</b>	<b>9</b>
<b>11</b>	<b>Delegates Reports .....</b>	<b>11</b>
11.1	Delegates Reports .....	11
<b>12</b>	<b>Confidential Items .....</b>	<b>12</b>
	Nil	

**MINUTES OF GANNAWARRA SHIRE COUNCIL  
COUNCIL MEETING  
HELD AT THE SENIOR CITIZENS CENTRE, KERANG  
ON WEDNESDAY, 21 JULY 2021 AT 6:30PM**

**PRESENT:**

Cr Charlie Gillingham (Mayor)	Avoca Ward
Cr Garner Smith (Deputy Mayor)	Yarran Ward
Cr Keith Link	Yarran Ward
Cr Ross Stanton	Murray Ward
Cr Kelvin Burt	Patchell Ward
Cr Travis Collier	Patchell Ward
Cr Jane Ogden	Patchell Ward

**IN ATTENDANCE:** Chief Executive Officer  
Manager Governance

**Gallery:** Nil

**Media:** Nil

**1 ACKNOWLEDGEMENT OF COUNTRY**

The Gannawarra Welcome to Country video was played as the Acknowledgement of Country.

**2 OPENING DECLARATION**

The Deputy Mayor read the Opening Declaration.

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF MINUTES**

**RESOLUTION**

Moved: Cr Travis Collier

Seconded: Cr Jane Ogden

**That the minutes of the Council Meeting held on 16 June 2021 be confirmed.**

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Nil

## **6 BRIEFING SESSIONS**

### **6.1 RECORDS OF COUNCILLOR BRIEFINGS - 9 JUNE TO 13 JULY 2021**

#### **EXECUTIVE SUMMARY**

This report presents to Council written records of Councillor Briefings in accordance with Clause 31 of the Gannawarra Shire Council Governance Rules.

#### **MOTION**

Moved: Cr Ross Stanton

Seconded: Cr Kelvin Burt

**That Council note the records of Councillor Briefings from 9 June to 13 July 2021.**

#### **AMENDMENT**

Moved: Cr Keith Link

**That Council:**

- 1. Note the records of Councillor Briefings from 9 June to 13 July 2021**
- 2. Note a report on investigating child care in Cohuna has not yet been completed.**

The Mayor rejected Cr Link's proposed amendment as it is not relevant to the original motion.

#### **RESOLUTION**

Moved: Cr Ross Stanton

Seconded: Cr Kelvin Burt

**That Council note the records of Councillor Briefings from 9 June to 13 July 2021.**

**CARRIED**

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 2021 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY - GANNAWARRA SHIRE COUNCIL RESULTS**

#### **EXECUTIVE SUMMARY**

Held annually, the Community Satisfaction Survey asks the opinions of local people about the place they live, work and play and provides Council with a benchmark performance rating on programs and services that it delivers.

Coordinated by Local Government Victoria (LGV) the State-wide Survey assesses the performance of councils across a range of measures and provides insight into the ways to provide improved or more efficient service delivery. The survey also provides councils with a means to fulfil some statutory reporting requirements for the Local Government Performance Reporting Framework.

Council's survey results across the individual service areas show a marked increase in satisfaction compared to 2020. Across the 18 service areas surveyed, a total of 15 showed Council's score equal to, or higher than the State-Wide average. Similarly of the 18 service areas surveyed, 14 showed Council's score was equal to, or higher than the Small Rural Council average.

#### **RESOLUTION**

Moved: Cr Jane Ogden

Seconded: Cr Travis Collier

**That Council note the results of the 2021 Community Satisfaction Survey for Gannawarra Shire Council.**

**CARRIED**

**7.2 AUDIT AND RISK COMMITTEE - 15 JUNE, 2021 MEETING****EXECUTIVE SUMMARY**

The Audit and Risk Committee (ARC) met on Tuesday, 15 June, 2021. The focus of the ARC meeting was to review the financial position of the Council through reports on the progress on the Annual Financial Statements, Quarterly Financial Report, the Proposed Budget, the Draft Revenue and Rating Plan and the Draft Financial Plan. Other issues included an internal audit review and various risk management reports.

**RESOLUTION**

Moved: Cr Garner Smith

Seconded: Cr Ross Stanton

**That Council:**

- 1. Receive and note the summary of the discussions of the Audit and Risk Committee;**
- 2. Change the date of the next Audit and Risk Committee meeting from 31 August 2021 to 7 September 2021.**

**CARRIED**

### **7.3 COUNCIL POLICY REVIEW**

#### **EXECUTIVE SUMMARY**

Council officers undertake regular reviews of Council policies to ensure compliance with relevant legislation and that they are reflective of current practices. This report addresses the following policies which have recently been reviewed:

- Policy No. 003 – Risk Management
- Policy No. 037 – Sport and Recreation Assistance and Grants
- Policy No. 058 – Bus Routes - Certificates
- Policy No. 060 – Waste Management Services, Bins – Provision and Replacement

#### **RESOLUTION**

Moved: Cr Ross Stanton

Seconded: Cr Jane Ogden

#### **That Council:**

- 1. Endorse the following reviewed policies:**
  - **Policy No. 003 – Risk Management**
  - **Policy No. 058 – Bus Routes - Certificates**
  - **Policy No. 060 – Waste Management Services, Bins – Provision and Replacement**
- 2. Repeal Policy No. 037 – Sport and Recreation Assistance and Grants.**

**CARRIED**

## 7.4 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 1989 Act), the *Local Government Act 2020* (the 2020 Act) as well as a range of other Acts. Legislation referred to in the attached instrument of delegation provides 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, regulations and Council's organisational structure.

This report addresses delegations to members of Council staff.

### RESOLUTION

Moved: Cr Jane Ogden

Seconded: Cr Travis Collier

**That Council in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves 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 that 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 URGENT ITEMS

Nil

## 9 NOTICES OF MOTION

Nil

**10 QUESTION TIME**

Author	Question	Response
Mr Kyeran Ellery	<p>Nondies Cohuna Cricket Club (formally Nondies) obtained a Gannawarra Shire grant and contributed their own money towards plans and research into a changing room and facility at the second oval in Cohuna for all users, this was completed and For Construction drawings completed only for it to be halted because the need for a mastepplan for the entire recreation reserve which leads to the question, can there be an explanation why a crazy figure of \$100,000 in the budget for a master plan rather than wasting grant/community clubs money and time and putting \$100,000 going towards actual infrastructure?</p>	<p>A number of projects have been funded in recent times in and around the Recreation Reserve in Cohuna including:</p> <ul style="list-style-type: none"> <li>○ New Cricket Nets</li> <li>○ Scoreboard</li> <li>○ New entry and ticket box</li> <li>○ Morton Garner Pavilion renewal</li> <li>○ Female Friendly Change rooms</li> </ul> <p>In addition to this Council has recently completed works at nearby Apex Park and state government has invested in the new fish ladder development.</p> <p>As we move forward it is important to ensure that all clubs and recreation users have input in to the development of the precinct. A master plan including the area from the pool to the second oval and connecting walking tracks will ensure that projects are prioritised and that clear direction can be shown to funding bodies such as Regional Development Victoria, Sport and Recreation Victoria and Cricket Victoria.</p> <p>The work completed so far through the initial research and planning will not be wasted, as due to this project being identified in both the Sport and Recreation Strategy and Council's Strategic Project documents it ensures that Officers will continue to work with the club to have the project incorporated into the Master Plan and be considered for future funding opportunities. The inclusion of the project in the master plan will ensure that other reserve user groups are aware of the project, its importance and prioritisation.</p>

Author	Question	Response
	<p>The operational services figure of \$3,758,000 (on page 32 of the 2021/22 budget) is a large amount in the budget some will you provide an in-depth and itemized summary of what this money has been used for the 2020/21 budget and its proposed use in the 2021/22 budget?</p>	<p>The \$3.7 m of Operational Services figure included in the Annual Budget 2021/2022 comprises of hundreds of general ledger budget accounts covering a broad range of Operational areas such as waste collection and recycling, landfill, transfer stations, roadside weeds program, animal pound operations, footpath maintenance, royalties and licence fees, tree maintenance, pool expenses, roadside maintenance, recreation reserve facility expenses, street lighting etc.</p> <p>In addition the budget expenditure costs are also dissected across service level areas on pages 7 – 14 of the document.</p> <p>In order to analyse what the money was used for in 2020/2021, interested parties should be directed to the audited annual financial statements which will not be completed until September 2021. These accounts will detail the amounts spent and an explanation for any substantial variance.</p> <p>In addition, Councillors and the Audit and Risk Committee have been provided further detail on this matter.</p>
Mrs D	<p>Under Victorian law, is it legal for Local Government Councils to provide sex based/targeted services and facilities separately to gender identity based/targeted services and facilities? If not, why not? For example, can we legally put signs on a set of public toilets declaring that one is for biological males (including males with an intersex condition), one is for biological females (including biological females with an intersex condition) and one is for people with transgender identities (of any biological sex)? If not, why not?</p>	<p>Both the Federal Sex Discrimination Act 1984 as amended by the Sexual Orientation Gender Identity and Intersex Status Amendment Act 2013 and Victorian Equal Opportunity Act 2010 Anti-Discrimination Legislation prohibit discrimination on the basis of sex, gender, identity or intersex status.</p> <p>Under these laws it is discriminatory to require a person who is transgender to use a toilet that does not align with their gender identity. Section 8 of the Victorian Charter of Human Rights and Responsibilities Act 2006 reiterates the right of all Victorian's to equality and non-discrimination ensuring everyone has the same rights and benefits and the same level of respect and dignity. Similarly the Gender Equality Act 2020</p>

Author	Question	Response
		<p>which is Victorian Legislation, highlights the need to readdress disadvantage, address the stigma, stereotyping prejudice and violence against persons of different genders and to enhance social participation by persons of different genders.</p> <p>Access to public toilets supports social participation and inclusion for all, regardless of sex, gender, gender identity or abilities; and as a result infrastructure plays a critical role in the delivery of inclusive environments. Whilst Council's strategies do not directly identify all gender accessible toilet facilities, these will be considered in future design and review of public toilets and Council facilities across the Gannawarra.</p>

## 11 DELEGATES REPORTS

### 11.1 DELEGATES REPORTS

Association	Appointed Council Delegate
Central Victorian Greenhouse Alliance	Cr Stanton
Community Halls Community Asset Committee	Cr Burt
Loddon Campaspe Group of Councils	Mayor
Loddon Mallee Waste and Resource Recovery Group (LMWRRG) Forum	Cr Ogden
Municipal Association of Victoria	Cr Collier
Municipal Fire Management Planning Committee (MFMPC)	Cr Link
Murray River Group of Councils (MRGC)	Mayor
Rail Freight Alliance	Cr Stanton
Rural Councils Victoria	Cr Smith

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

Councillors gave verbal updates on attendance at meetings to which they are the appointed delegate.

**12 CONFIDENTIAL ITEMS**

Nil

**The Meeting closed at 7:11pm.**

**The Minutes of this Meeting were confirmed at the Meeting of the Gannawarra Shire Council held on 18 August 2021.**

**Mayor Charlie Gillingham**

**CHAIRPERSON**