



**GANNAWARRA**  
*Shire Council*

## **Council Meeting**

# **MINUTES**

**Wednesday, 20 April 2022**

**6:30pm**

**Virtual Meeting via ZOOM**

**Order Of Business**

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**MINUTES OF GANNAWARRA SHIRE COUNCIL  
COUNCIL MEETING  
HELD VIA ZOOM  
ON WEDNESDAY, 20 APRIL 2022 AT 6:30PM**

**PRESENT:**

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

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

**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 Kelvin Burt

**That the minutes of the Council Meeting held on 16 March 2022 be confirmed.**

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Nil

## **6 BRIEFING SESSIONS**

### **6.1 RECORDS OF COUNCILLOR BRIEFINGS - 9 MARCH TO 12 APRIL 2022**

#### **EXECUTIVE SUMMARY**

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

#### **RESOLUTION**

Moved: Cr Jane Ogden

Seconded: Cr Ross Stanton

**That Council note the records of Councillor Briefings from 9 March to 12 April 2022.**

**CARRIED**

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 AUDIT AND RISK COMMITTEE INDEPENDENT MEMBER REMUNERATION**

#### **EXECUTIVE SUMMARY**

Gannawarra Shire Council's Audit and Risk Committee (ARC) Charter provides that the remuneration paid to each independent member be reviewed and set annually by the Council.

It is recommended that 1.75% increase be applied to the ARC annual sitting fees for 2022/2023.

#### **RESOLUTION**

Moved: Cr Garner Smith

Seconded: Cr Travis Collier

**That the 2022/2023 Audit and Risk Committee annual sitting fee be \$1,770 for the Chair and \$1,265 for the other Independent Members.**

**CARRIED**

## **7.2 AUDIT AND RISK COMMITTEE - INDEPENDENT MEMBER REAPPOINTMENT**

### **EXECUTIVE SUMMARY**

Independent Audit Committee member Brad Tarr's term on the Audit and Risk Committee (ARC) expired on 27 June 2021. Brad has remained in his role between June and now and has sought reappointment for a further three year term, with commencement backdated to 27 June 2021 in accordance with the current ARC Charter.

### **MOTION**

Moved: Cr Jane Ogden

Seconded: Cr Ross Stanton

**That Council reappoint Brad Tarr to the position of Independent Member of Gannawarra Shire Council's Audit and Risk Committee with his term to expire on 27 June 2024.**

### **AMENDMENT**

Moved: Cr Garner Smith

Seconded: Cr Keith Link

**That Council reappoint Brad Tarr to the position of Independent Member of Gannawarra Shire Council's Audit and Risk Committee with his term to expire on 27 June 2022. That Council immediately initiate the normal recruitment process for the third independent person on the Audit and Risk Committee regarding the position expiring on 27 June 2022.**

**LOST**

### **RESOLUTION**

Moved: Cr Jane Ogden

Seconded: Cr Ross Stanton

**That Council reappoint Brad Tarr to the position of Independent Member of Gannawarra Shire Council's Audit and Risk Committee with his term to expire on 27 June 2024.**

**CARRIED**

**7.3 PROPOSED SCHEDULE OF FEES AND CHARGES 2022/2023****EXECUTIVE SUMMARY**

Each year Council reviews the level of fees and charges that are applied across Gannawarra Shire Council for the provision of services, with a view to achieving a balance between affordability, encouraging greater usage, cost recovery and raising sufficient revenue to support the delivery of services.

The Schedule of Fees and Charges is to be included in Council's Annual Budget document.

In accordance with best practice financial management, Council Officers have conducted a comprehensive review of the Schedule of Fees and Charges to ensure the achievement of the above criteria.

**RESOLUTION**

Moved: Cr Jane Ogden

Seconded: Cr Travis Collier

**That Council:**

- 1. Adopt the Schedule of Fees and Charges 2022/2023 effective from 1 July 2022.**
- 2. Publish the Schedule of Fees and Charges on Council's website.**

**CARRIED**

## **7.4 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. 065 – Trees
- Policy No. 121 – Smoke Free Zones
- Policy No. 123 – Roadsides, Parks and Reserves Trading
- Policy No. 124 – Asset Protection
- Policy No. 126 – Council Future Use Investments

### **RESOLUTION**

Moved: Cr Ross Stanton

Seconded: Cr Jane Ogden

**That Council endorse the following reviewed policies:**

- **Policy No. 065 – Trees**
- **Policy No 121 – Smoke Free Zones**
- **Policy No. 123 – Roadsides, Parks and Reserves Trading**
- **Policy No. 124 – Asset Protection**
- **Policy No. 126 – Council Future Use Investments**

**CARRIED**

## 7.5 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 and regulations. 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 Ross Stanton

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**



## 7.6 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.

### MOTION

### RESOLUTION

Moved: Cr Garner Smith

Seconded: Cr Keith Link

**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.**
- 5. This Delegation will expire after 3 months.**

**CARRIED**

**8 URGENT BUSINESS**

Nil

**9 NOTICES OF MOTION**

Nil

**10 QUESTION TIME**

Nil

**11 DELEGATES REPORTS****11.1 DELEGATES REPORTS**

<b>Association</b>	<b>Appointed Council Delegate</b>
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
Timber Towns 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 there are the appointed delegate.

**12 CONFIDENTIAL ITEMS**

Nil

**The Meeting closed at 7:23pm.**

**The Minutes of this Meeting were confirmed at the Meeting of the Gannawarra Shire Council held on 18 May 2022.**

**Mayor Charlie Gillingham**

**CHAIR**