



**GANNAWARRA**  
*Shire Council*

## **Council Meeting**

# **MINUTES**

**Wednesday, 20 July 2022**

**10:00am**

**Virtual Meeting via ZOOM**

**Order Of Business**

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**MINUTES OF GANNAWARRA SHIRE COUNCIL  
COUNCIL MEETING  
HELD VIA ZOOM  
ON WEDNESDAY, 20 JULY 2022 AT 10:00AM**

**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:** Acting Chief Executive Officer  
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 meetings held on 15 June 2022 and 29 June 2022 be confirmed.**

**CARRIED**

**5 DECLARATION OF CONFLICT OF INTEREST**

Nil

## **6 BRIEFING SESSIONS**

### **6.1 RECORDS OF COUNCILLOR BRIEFINGS - 10 JUNE TO 12 JULY 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 Keith Link

**That Council note the records of Councillor Briefings from 10 June to 12 July 2022.**

**CARRIED**

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 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. 132 – Child Safe
- Policy No. 134 – Fixed Assets – Recognition and Valuation
- Policy No. 135 – Private Works
- Policy No. 136 – CCTV Camera Network
- Policy No. 137 – Abuse and Neglect
- Policy No. 138 – Asbestos Management

#### **RESOLUTION**

Moved: Cr Jane Ogden

Seconded: Cr Kelvin Burt

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

- **Policy No. 132 – Child Safe**
- **Policy No. 134 – Fixed Assets – Recognition and Valuation**
- **Policy No. 135 – Private Works**
- **Policy No. 136 – CCTV Camera Network**
- **Policy No. 137 – Abuse and Neglect**
- **Policy No. 138 – Asbestos Management**

**CARRIED**

## 7.2 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.

The Instrument of Delegation to the Chief Executive Officer was last reviewed in April, 2022 and remains in force until it expires on 20 July 2022, in accordance with a 20 April 2022 Council resolution.

This report addresses a review of delegations to the Chief Executive Officer.

### RESOLUTION

Moved: Cr Jane Ogden

Seconded: Cr Ross Stanton

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

### 7.3 GOVERNANCE RULES REVIEW

#### EXECUTIVE SUMMARY

In March 2022, the making of the *Regulatory Legislation Amendment (Reform) Act 2022* resulted in changes to the *Local Government Act 2020* (the Act) to provide for attendance and participation in Council meetings and delegated committees by electronic means of communication.

The changes, due to commence on 2 September 2022, require additions and amendments to Council's Governance Rules.

Amendments to Council's Governance Rules have been drafted based on Good Practice Guideline MGPG-3: Virtual Meetings, issued by the Minister for Local Government on 10 June 2022.

#### RESOLUTION

Moved: Cr Ross Stanton

Seconded: Cr Travis Collier

#### That Council:

1. **Endorses the amendments proposed to Council's Governance Rules as attached to this report for community engagement; and**
2. **Receives a report at the August 2022 Council meeting to consider proposed final reviewed Governance Rules.**

**CARRIED**

### 7.4 ENERGY EFFICIENCY ADVOCACY

#### EXECUTIVE SUMMARY

Victorian Greenhouse Alliance has requested Council to sign a joint statement from Climate Emergency Australia (CEA), advocating for stronger energy performance standards in new homes. This advocacy, if actioned, will cut the cost of living, improve health and wellbeing outcomes, and reduce carbon emissions.

#### RESOLUTION

Moved: Cr Ross Stanton

Seconded: Cr Jane Ogden

**That Council be a signatory to the Climate Emergency Australia 'Joint Statement: Australian Councils call for stronger energy performance standards for new homes to cut cost of living and improve health and well-being'.**

**CARRIED**

Cr Smith called for a Division

In Favour: Crs Gillingham, Ogden, Collier and Stanton

Against: Crs Burt, Link and Smith

## **7.5 2022 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY - GANNAWARRA SHIRE COUNCIL RESULTS**

### **EXECUTIVE SUMMARY**

Held annually, the optional State-wide Community Satisfaction Survey (CSS) asks the opinions of local people about the place they live, work and play and provides participating Council's with an insight into how they are performing.

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.

With reference to the "At a Glance" summary on Page 5 of the attached report, it shows that on both a State-Wide and Group comparison basis, the areas where the Council' performance is significantly higher by the widest margin include; Elderly Support Services, Appearance of Public Spaces, Waste Management and Family Support Services. Contrasting to that, the areas where Council performance is significantly lower are in Lobbying, Community Decisions, and Consultation and Engagement.

### **RESOLUTION**

Moved: Cr Jane Ogden

Seconded: Cr Travis Collier

**That Council note the results of the 2022 Community Satisfaction Survey for Gannawarra Shire Council.**

**CARRIED**

## **7.6 COHUNA RECREATION RESERVE MASTERPLAN**

### **EXECUTIVE SUMMARY**

The Cohuna Recreation Reserve Masterplan has been under development since July 2021, with a number of community consultation sessions with key users that enabled a co-design process to occur. After a recent community feedback process on the draft Masterplan which saw 31 responses, some minor amendments have been made with the inclusion of a small playground. The document is now presented for Council adoption.

### **RESOLUTION**

Moved: Cr Garner Smith

Seconded: Cr Keith Link

**That Council adopt the Cohuna Recreation Reserve Masterplan**

**CARRIED**



**7.7 AQUATICS FACILITIES REPORT - NOTICE OF MOTION 80****EXECUTIVE SUMMARY**

The report highlights the known structural condition of pools shells within the Gannawarra Shire highlighting the broad challenge with future proofing aquatic infrastructure across the municipality.

**RESOLUTION**

Moved: Cr Garner Smith

Seconded: Cr Ross Stanton

**That Council note the report on Aquatic facilities as outlined in Notice of Motion 80.**

**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 they are the appointed delegate.

## **12 CONFIDENTIAL ITEMS**

### **RESOLUTION**

Moved: Cr Ross Stanton

Seconded: Cr Kelvin Burt

**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**

**This matter is considered to be confidential as defined by section 3(1) of the 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 personal information.**

**CARRIED**

### **RESOLUTION**

Moved: Cr Kelvin Burt

Seconded: Cr Keith Link

**That Council:**

- 1. Give notice to Mr Tom O'Reilly that Council does not wish to reappoint him as Chief Executive Officer at the conclusion of his current contract.**
- 2. Commence and manage a Chief Executive Officer recruitment process in accordance with Council Policy No. 145 – CEO Employment and Remuneration.**
- 3. Resolves that this Council decision is not confidential pursuant to section 3(1) of the Local Government Act 2020.**

**CARRIED**

Cr Gillingham called for a Division

In Favour: Crs Ogden, Link, Smith and Burt

Against: Crs Gillingham, Stanton and Collier

**RESOLUTION**

Moved: Cr Keith Link

Seconded: Cr Travis Collier

**That Council moves out of Closed Council into Open Council.**

**CARRIED**

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**The Meeting closed at 11:26am.**

**The Minutes of this Meeting were confirmed at the Meeting of the Gannawarra Shire Council held on 17 August 2022.**

**Mayor Charlie Gillingham**

**CHAIR**