



GANNAWARRA
Shire Council

Council Meeting

MINUTES

Wednesday, 19 October 2022

10:03am

Virtual Meeting via ZOOM

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**MINUTES OF GANNAWARRA SHIRE COUNCIL
COUNCIL MEETING
HELD VIA ZOOM
ON WEDNESDAY, 19 OCTOBER 2022 AT 10:03AM**

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**
 Acting Manager Governance

The Mayor opened the meeting thanking the volunteers and members of our local communities as we continue with the current flood event.

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

MOTION

Moved: Cr Kelvin Burt

Seconded: Cr Travis Collier

That the minutes of the Council Meeting held on 21 September 2022 be confirmed.

AMENDMENT

Moved: Cr Keith Link

Seconded: Cr Garner Smith

That the following words be deleted from the Minutes:

At 10:29am Cr Link received a warning from the Chair Mr Gillingham for disrespectful comments.

The Amendment lapsed.

AMENDMENT

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That the Minutes of the September Meeting held on September 21, 2022 be confirmed subject to the following alterations:

10:29am – Cr Link received a warning from the Chair, Mayor Gillingham for disrespectful comments.

Be changed to 10:29am – Cr Link received a warning from the Chair, Mayor Gillingham for what he was about to say about the CEO.

The Chair, Mayor Gillingham adjourned the Meeting at 10:10am to receive advice on Cr Smith's amendment.

The Meeting resumed at 10:12am.

AMENDMENT

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That the Minutes of the September Meeting held on September 21, 2022 be confirmed subject to the following alterations:

10:29am – Cr Link received a warning from the Chair, Mayor Gillingham for disrespectful comments.

Be changed to 10:29am – Cr Link received a warning from the Chair, Mayor Gillingham for what he was about to say about the CEO.

LOST

Cr Smith called for a Division

In Favour: Crs Smith, Link and Burt

Against: Crs Ogden, Gillingham, Stanton and Collier

MOTION

Moved: Cr Keith Link

Seconded: Cr Garner Smith

A Motion of no confidence in the Mayor.

The Mayor noted that there would be no discussion on the above Motion.

Cr Keith Link left the meeting at 10:18am.

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Travis Collier

That the minutes of the Council Meeting held on 21 September 2022 be confirmed.

CARRIED

Cr Keith Link returned to the meeting at 10:19am.

5 DECLARATION OF CONFLICT OF INTEREST

Cr Ross Stanton declared a General Conflict of Interest in relation to Items 7.8 and 7.9.

Cr Travis Collier declared a General Conflict of Interest in relation to Item 7.7.

6 BRIEFING SESSIONS

6.1 RECORDS OF COUNCILLOR BRIEFINGS - 14 SEPTEMBER TO 11 OCTOBER 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 Ross Stanton

Seconded: Cr Travis Collier

That Council note the records of Councillor Briefings from 14 September to 11 October 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 Council document which has recently been reviewed:

- Preventing Family Violence Statement of Commitment

RESOLUTION

Moved: Cr Ross Stanton

Seconded: Cr Jane Ogden

That Council endorse the reviewed Council document, Preventing Family Violence Statement of Commitment.

CARRIED

7.2 AUDIT AND RISK COMMITTEE - 6 SEPTEMBER, 2022 MEETING

EXECUTIVE SUMMARY

The Audit and Risk Committee (ARC) met on Tuesday, 6 September 2022. The focus of the ARC meeting was to review the draft Financial Statements and the draft Performance Statement. Other reports related to governance, compliance and risk management matters.

RESOLUTION

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That Council receive and note the summary of the discussions of the Audit and Risk Committee meeting held 6 September 2022.

CARRIED

7.3 PETITION - FLYING THE RAINBOW FLAG

EXECUTIVE SUMMARY

A petition calling for the rainbow flag to be flown on the International Day against Homophobia, Biphobia, Intersex discrimination and Transphobia (IDAHOBIT) each year has been received by Council.

As per clause 104 of the Governance Rules, a petition or joint letter presented to Council must lay on the table until the next meeting of the Council and no motion, other than to receive the petition or joint letter may be accepted by the Chairperson, unless the Council agrees to deal with it earlier.

RESOLUTION

Moved: Cr Travis Collier

Seconded: Cr Jane Ogden

That Council receive the petition calling for the rainbow flag to be flown on the International Day against Homophobia, Biphobia, Intersex discrimination and Transphobia.

The Mayor sought clarification from the Acting Chief Executive Officer of the parties who presented the petition to Council.

The Acting Chief Executive Officer confirmed that the petition was presented by the Rainbow Local Government Team.

AMENDMENT

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That Council receive the petition calling for the rainbow flag to be flown on the International Day against Homophobia, Biphobia, Intersex discrimination and Transphobia and inform the proponents that we do not fly the rainbow flag on IDAHOBIT Day.

LOST

RESOLUTION

Moved: Cr Travis Collier

Seconded: Cr Jane Ogden

That Council receive the petition calling for the rainbow flag to be flown on the International Day against Homophobia, Biphobia, Intersex discrimination and Transphobia.

CARRIED

7.4 MAYORAL ELECTION

EXECUTIVE SUMMARY

In accordance with the *Local Government Act 2020* (the Act), at a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor, on a day that is as close to the end of the current Mayor's term as is reasonably practicable.

The current Mayor and Deputy Mayor were elected on 8 November 2021.

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Travis Collier

That Council hold an Unscheduled Council Meeting on Monday 7 November 2022 commencing at 9.00am at the Kerang Senior Citizens Centre for the purpose of holding a Mayoral Election.

CARRIED

7.5 ANNUAL REPORT 2022

EXECUTIVE SUMMARY

The Gannawarra Shire Council 2022 Annual Report, covering the period from 1 July 2021 to 30 June 2022, has been prepared in accordance with the requirements of the *Local Government Act 2020* (the Act). In accordance with section 98 of the Act, the Annual Report contains a report on the operations of Council; the audited Financial Statements and audited Performance Statement.

RESOLUTION

Moved: Cr Jane Ogden

Seconded: Cr Kelvin Burt

That Council:

- 1. Receives the Gannawarra Shire Council Annual Report 2022;**
- 2. Ensures a copy of the Gannawarra Shire Council Annual Report 2022 is available on Council's website.**

CARRIED

7.6 MELBOURNE CUP DAY PUBLIC HOLIDAY FUTURE OPTIONS

EXECUTIVE SUMMARY

At the August 2022 Council meeting, Council considered a request from the Kerang & District Agricultural Society Inc to alter the Melbourne Cup Day Public Holiday in 2022 to support the Kerang Show. The *Public Holidays Act 1993* (the Act) provides non-metropolitan Council's an opportunity to change the Melbourne Cup Day Public Holiday to an alternate day or two half days, but due to the timing of the request, the change was not possible.

Section 8A of the *Public Holidays Act 1993* allows Council to request a substitute holiday for Melbourne Cup Day.

Council also requested a report with options be presented to the October Council Meeting. Considering the various options available and no recent consultation has been undertaken, it has been recommended Council undertake some municipal wide community engagement to assist in determining a future option.

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Ross Stanton

That Council:

- 1. Undertake a community consultation process across the municipality to gauge the level of interest in changing the Melbourne Cup Day Public Holiday in 2023 for the Kerang Show;**
- 2. Consider various models including full day or part day public holiday alterations as part of the future consultation process;**
- 3. Officers present a future report to Council by April 2023 on the outcomes of the engagement process and recommendations for the future public holiday.**

CARRIED

Cr Travis Collier declared a General Conflict of Interest in relation to the next item on the Agenda and left the meeting at 10:53am.

7.7 2022 COMMUNITY GRANTS PROGRAM - COMMUNITY SUPPORT GRANTS**EXECUTIVE SUMMARY**

The 2022 Community Grants Program saw 27 applications received across the three available categories (Community Support, Community Events and Major Community Projects), totalling \$477,544.76.

An assessment process has been undertaken for each grant category, with independent assessments undertaken from a cross-departmental panel, taking into consideration the responses to the essential criteria of each category. From this, Council officers have developed the attached recommendations for funding that are within Council's Annual Budget for the program.

This report is presented to Council for endorsement of the recommendations for funding of 8 Community Support projects.

RESOLUTION

Moved: Cr Jane Ogden

Seconded: Cr Kelvin Burt

That Council endorse the allocation of the 2022 Council Community Grants – Support category, totalling \$33,980.

CARRIED

Cr Travis Collier returned to the meeting at 10:55am.

Cr Ross Stanton declared General Conflicts of Interest in relation to the next two items on the Agenda and left the meeting at 10:55am.

7.8 2022 COMMUNITY GRANTS PROGRAM - COMMUNITY EVENT GRANTS

EXECUTIVE SUMMARY

The 2022 Community Grants Program saw 27 applications received across the three available categories (Community Support, Community Events and Major Community Projects), totalling \$477,544.76

An assessment process has been undertaken for each grant category, with independent assessments undertaken from a cross-departmental panel, taking into consideration the responses to the essential criteria of each category. From this, Council officers have developed the attached recommendations for funding that are within Council's Annual Budget for the program.

This report is presented to Council for endorsement of the recommendations for funding of eight Community Event projects.

RESOLUTION

Moved: Cr Garner Smith

Seconded: Cr Jane Ogden

That Council endorse the allocation of the 2022 Council Community Grants – Event category, totalling \$26,114.50.

CARRIED

7.9 2022 COMMUNITY GRANTS PROGRAM - MAJOR COMMUNITY PROJECT FUND

EXECUTIVE SUMMARY

The 2022 Community Grants Program saw 27 applications received across the three available categories (Community Support, Community Events and Major Community Projects), totalling \$477,544.76.

An assessment process has been undertaken for each grant category, with independent assessments undertaken from a cross-departmental panel, taking into consideration the responses to the essential criteria of each category. From this, Council officers have developed the attached recommendations for funding that are within Council's Annual Budget for the program.

This report is presented to Council for endorsement of the recommendations for funding of five Major Community projects.

RESOLUTION

Moved: Cr Jane Ogden

Seconded: Cr Travis Collier

That Council endorse the allocation of the 2022 Major Community Projects Grants category, totalling \$256,850.50.

CARRIED

The Council Meeting experienced technical difficulties and was adjourned at 11:02am, resuming at 11:06am.

Cr Ross Stanton returned to the meeting at 11:09am.

7.10 DRAFT GANNAWARRA AQUATIC STRATEGY

EXECUTIVE SUMMARY

Since September 2020, Council has been developing the Gannawarra Aquatic Strategy with consultancy firm Otium Planning Group. Council endorsed a draft Aquatic Strategy at its December 2021 Council Meeting and committed to undertake additional consultation in 2022. With the second stage engagement process undertaken, the Draft Strategy has been revised, and Council's endorsement to seek community feedback on the revised draft Aquatic Strategy document is to be sought.

RESOLUTION

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That this matter lay on the table until 2023 and that Council continue to discuss and refine the draft aquatic strategy.

CARRIED

7.11 DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN

EXECUTIVE SUMMARY

The *Domestic Animal Act 1994* (the Act) requires Council to prepare and implement a Domestic Animal Management Plan (DAMP) every four years.

The Plan must set out a method for evaluating whether the animal management services provided by Council are adequate to give effect to requirements of the Act and the Domestic Animal Regulations 2015.

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Ross Stanton

That Council adopt the Domestic Animal Management Plan 2022-2025 and provide a copy of the plan to the Secretary of the Department of Jobs, Precincts and Regions.

CARRIED

7.12 DRAFT CLIMATE CHANGE STRATEGY**EXECUTIVE SUMMARY**

The Draft Gannawarra Shire Council Climate Change Adaptation and Mitigation Strategy has been developed in partnership with consultants from Ironbark Sustainability, internal stakeholders, community representation and Councillors. The purpose of the Strategy is to provide Council with a strategic framework for mitigating and adapting to climate change.

RESOLUTION

Moved: Cr Ross Stanton

Seconded: Cr Jane Ogden

That Council endorse the Draft Gannawarra Shire Council Climate Change Adaptation and Mitigation Strategy for community consultation in line with Council's Community Engagement Policy.

CARRIED

7.13 EXECUTIVE SEARCH CONSULTANT RESCISSION MOTION NO. 7**EXECUTIVE SUMMARY**

Council has determined that it will appoint an Executive Search Consultant (ESC) to recruit a new Chief Executive Officer (CEO). Council established key steps with the process to appoint an ESC and this included second stage interviews in person. Following the first round interviews a Notice of Rescission has been received to not conduct the second stage interviews.

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Garner Smith

That the resolution that was passed on 31 August 2022 titled Procurement Quotations – CEO Executive Search part 4 which stated “Conduct second stage interviews in person” be rescinded.

CARRIED

7.14 EXECUTIVE SEARCH CONSULTANT APPOINTMENT PROCESS**EXECUTIVE SUMMARY**

Council has determined the need to engage an Executive Search Consultant (ESC) to recruit a new CEO and to engage a Probity Advisor (PA) to oversee the evaluation process to appoint an ESC.

RESOLUTION

Moved: Cr Garner Smith

Seconded: Cr Ross Stanton

That Council appoint Davidson Search and Advisory as the Executive Search Consultant to recruit a new Chief Executive Officer.

CARRIED

8 URGENT BUSINESS

Nil

9 NOTICES OF MOTION

Nil

10 QUESTION TIME

Author	Question	Response
Andrea	Will Council fly the rainbow flag on the International Day Against Homophobia, Biphobia, Intersex discrimination and Transphobia?	This matter was received as a petition and dealt with at Item 73.3 in this Agenda.
	Has Council received a petition to fly the rainbow flag and will it be presented to the Council meeting today?	Yes, Council has received a petition and dealt with the matter at Item 7.3 in this Agenda.

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
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 11:46am.

The Minutes of this Meeting were confirmed at the Meeting of the Gannawarra Shire Council held on 16 November 2022.

Mayor Charlie Gillingham

CHAIRPERSON