



GANNAWARRA
Shire Council

Council Meeting

MINUTES

Wednesday, 21 August 2024

6:00 PM

Kerang Senior Citizen Community Rooms

Kerang

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**MINUTES OF GANNAWARRA SHIRE COUNCIL
COUNCIL MEETING
HELD AT THE KERANG SENIOR CITIZEN COMMUNITY ROOMS, KERANG
ON WEDNESDAY, 21 AUGUST 2024 AT 6:00 PM**

PRESENT:

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

IN ATTENDANCE: Chief Executive Officer
Director Corporate Services

Gallery: 1

Media: 0

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 17 July 2024 be confirmed.

CARRIED

5 DECLARATION OF CONFLICT OF INTEREST

Nil

6 BRIEFING SESSIONS

6.1 RECORDS OF COUNCILLOR BRIEFINGS - 10 JULY 2024 TO 6 AUGUST 2024

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 Kelvin Burt

Seconded: Cr Charlie Gillingham

That Council note the records of Councillor Briefings 10 July 2024 to 6 August 2024.

CARRIED

7 BUSINESS REPORTS FOR DECISION

7.1 WINNING AND STOCKPILING OF SANDSTONE G09-2024

EXECUTIVE SUMMARY

The purpose of this report is to approve and appoint Allstone Quarries Pty Ltd as the successful tenderer for contract G09-2024 for the Winning and Stockpiling of Sandstone at Coughlan's Pits. Tenders were called for this purpose to support road maintenance and construction, in compliance with Council's Road Management Plan and Council Plan 2024-2028. Five compliant tender submissions were received.

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Travis Collier

That Council:

- 1. Award contract G09-2024 for the Winning and Stockpiling of Sandstone to Allstone Quarries Pty Ltd for a contract term of three years, with the option of two one-year extensions, for a total contract period of up to five years; and**
- 2. Note the contract includes a "rise and fall" provision to be calculated at the commencement of each financial year.**

CARRIED

7.2 SUPPLY OF ROAD MAKING MATERIALS G10-2024

EXECUTIVE SUMMARY

Allstone Quarries Pty Ltd, E.B. Mawsons submission provides the greater number of materials required for the tender, Tenderer C only provided fine sand and gravel.

The report seeks approval from Council to award Contract G010-2024 to Allstone Quarries Pty Ltd, E.B. Mawsons the supply and or delivery of road making materials.

Tenders were called for the Supply of Road Making Materials for the purpose of road maintenance and construction. This enables Council staff to comply with Council's Road Management Plan and the Council Plan 2024 - 2028. Three Tender Submissions were received. Two submissions were compliant with the majority of Tender Specification. The third submission covered fine sand and gravel only was not conforming. The Contract is based on a schedule of rates.

Table 1 – Summary of Tender Submissions

Supply of Road Making Materials						
Tenderer	Specification Conformance	Tender Price	Capacity to Supply	Available resources	OHS Compliance	
	Yes/No	Yes/No	Yes/No	Yes/no	Yes/No	
Allstone Quarries Pty Ltd	Yes	Yes	Yes	Yes	Yes	Yes
EB Mawsons	Yes	Yes	Yes	Yes	Yes	Yes
Tenderer C	No	No	No	No	No	No

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Travis Collier

That Council award contract G010-2024 Supply of Road Making Materials to Allstone Quarries Pty Ltd, EB Mawsons, for a contract term of three years with the option of two one-year extensions up to a total contract period of five years subject to rise and fall provisions.

CARRIED

7.3 AWARDING OF TENDER G08-2024 ROAD RESEAL PROGRAM**EXECUTIVE SUMMARY**

Council officers have completed a tender and evaluation process and recommend awarding the tender for the Road Resealing Program to Primal Surfacing Pty Ltd. The Road Resealing Program ensures the sealed road network is maintained to an appropriate standard for the community.

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Kelvin Burt

That Council:

- 1. Award tender G08-2024 for the Road Resealing Program to Primal Surfacing Pty Ltd, trading as Primal, for a three-year period with the option of two one-year extensions at the tendered schedule of rates; and**
- 2. Note the contract is subject to rise and fall with works carried out annually within Council's Capital Works Budget.**

CARRIED

7.4 G11-2024 - PROVISION OF PROJECT MANAGEMENT SERVICES 2024-27 – PANEL**EXECUTIVE SUMMARY**

To seek approval from Council to appoint all received tenders for G11-2024 Provision of Project Management Services 2024-27 – Panel for a period of three years subject to rise and fall.

RECOMMENDATION**That Council**

1. **Appoint the panel of consultants as shown in Table 1 at the rates submitted for a period of three years, subject to rise and fall, for G11-2024 Provision of Project Management Services.**
2. **Authorise the Chief Executive Officer to execute the documents required to finalise the panel of contractors.**

ALTERNATE MOTION

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That Council agree that 7.4 – G-11-2024 – Provision of Project Management Services 2024-2027 – Panel lay on the table, and will not be further discussed at this meeting but will be re-considered at the Council meeting scheduled to be held on 18 September, 2024.

LOST

DIVISION

In Favour: Crs Garner Smith and Keith Link

Against: Crs Charlie Gillingham, Ross Stanton, Kelvin Burt, Travis Collier and Jane Ogden

RESOLUTION

Moved: Cr Travis Collier

Seconded: Cr Jane Ogden

That Council

1. **Appoint the panel of consultants as shown in Table 1 at the rates submitted for a period of three years, subject to rise and fall, for G11-2024 Provision of Project Management Services.**
2. **Authorise the Chief Executive Officer to execute the documents required to finalise the panel of contractors.**
3. **That Council be presented with quarterly reports detailing the operations of the Project Management Services' Panel**

CARRIED

DIVISION

In Favour: Crs Charlie Gillingham, Ross Stanton, Kelvin Burt, Travis Collier and Jane Ogden

Against: Crs Keith Link and Garner Smith

7.5 VARIATION TO CONTRACT G01-2024**EXECUTIVE SUMMARY**

This report informs Council of the budgets and further cost implications for Council and seeks approval of a variation of the contract for the design and construction of Apex Park Road and Kervins Road bridge replacements to include the replacement of McLean Road bridge.

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Kelvin Burt

That Council

- 1. Approve a variation to contract G01-2024 Design and Construct for Apex Park Road and Kervins Road Bridge Replacements with Murray Constructions Pty Ltd for the design and construction of the replacement of McLean Road Bridge for the additional amount of \$453,355 excluding GST, not subject to rise and fall.**
- 2. Allocate funding of \$500,000 from Council's Roads to Recovery funding budget to allow completion of the McLean Road bridge replacement.**

CARRIED

7.6 NEW COUNCIL POLICY 149 - PUBLIC STREET LIGHTING

EXECUTIVE SUMMARY

The Council Policy 149 – Public Street Lighting is proposed to govern the design, installation, and management of public street lighting within the Gannawarra Shire. As the Council officers review and develop Council policies to maintain compliance with relevant legislation and to ensure that they are reflective of current practice.

RESOLUTION

Moved: Cr Charlie Gillingham

Seconded: Cr Kelvin Burt

That Council:

- 1. Adopt Policy No. 149 – Public Street Lighting**
- 2. Adopt the accompanying Public Street Lighting Procedure**

CARRIED

7.7 COUNCIL POLICY NO. 150 - FAIR ACCESS POLICY AND ACTION PLAN

EXECUTIVE SUMMARY

The Fair Access Policy is to respond to the Victorian Government's Fair Access Policy Roadmap, which seeks to address known barriers experienced by women, girls and people of all cultures and socio-economic demographics in accessing and using community sports infrastructure.

Sport is a highly visible and valued feature of Gannawarra Shire's culture and identity. The sport and recreation sector provides opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, whilst also supporting the physical and mental wellbeing of all Victorians.

RESOLUTION

Moved: Cr Jane Ogden

Seconded: Cr Travis Collier

That Council:

- 1. Adopt Policy No. 150 – Fair Access Policy**
- 2. Adopt the accompanying Fair Access Action Plan**

CARRIED

7.8 CHRISTMAS OFFICE CLOSURE 2024

EXECUTIVE SUMMARY

Gannawarra Shire Council has historically closed its offices over the Christmas/New Year holiday period. It is proposed that Council close its main administration offices, libraries, Gannawarra Shire Children's Centre administration and Works Depot from 2pm on Tuesday 24 December 2024 and re-open on Thursday 2 January 2025.

RESOLUTION

Moved: Cr Kelvin Burt

Seconded: Cr Jane Ogden

That Council

- 1. Approve the closure of Council offices to the public over the Christmas/New Year period from 2pm on Tuesday 24 December 2024 through to and including Wednesday 1 January 2025, with business resuming as usual on Thursday 2 January 2025.**
- 2. Give notice of the amended office hours by publishing the details in the local newspaper, on Council's website and on social media.**

CARRIED

7.9 MURRAY DARLING BASIN PLAN REPORT

EXECUTIVE SUMMARY

The Murray River Group of Councils (MRGC) is a cluster of 6 Victorian Councils that stretches along the length of the Murray River from Moira Shire Council to the Rural City of Mildura and covers much of the Victorian irrigation districts fed via the Murray Darling Basin.

The MRGC has consistently supported the Basin Plan since it was developed, recognising that nationally co-ordinated water policy is necessary to rebalance the allocation of water resources in the Basin.

The 2023 legislative amendments, the “Restoring Our Rivers” Act, which MRGC campaigned against, has fundamentally altered the Basin Plan and its implementation. The legislation provides extended timelines for water recovery, until December 2027, for the contracting of water recovery and Sustainable Diversion Limit Adjustment Mechanism (SDLAM) projects as well as allowing for alternative SDLAM project proposals. It also enables the Commonwealth to use voluntary water purchase or “buy backs” to recover the 450GL where previously this was to be achieved through efficiency measures. The legislation further removed the socio-economic test requirements for buy backs meaning this is not a factor in considering the impact of the purchase on community or agricultural sustainability.

Although the legislation acknowledges that there will be negative socio-economic impacts from buy backs and commits to providing community adjustment funding to affected areas, the impacts are significantly and consistently understated or dismissed.

The new legislation means that considerable additional water will now be transferred to environmental water holders. Much of this will come from northern Victoria and significant volumes are likely to be recovered through buy backs. The first tranche of buy backs have commenced by open tender on 15 July and will seek to recover 70GL.

MRGC water advocacy has always centred on communities and focused on the socio-economic impact of the Basin Plan. MRGC has actively campaigned against open market buy backs due to the economic and social harm they have caused to our communities.

Of particular concern is the “Swiss cheese” effect of open tender buy backs. Previous water purchase programs led to water being purchased from ad hoc locations. Ultimately this left irrigation districts with a substantially intact geographic footprint and significantly reduced deliveries, meaning the same or similar overall infrastructure and operating costs are borne by fewer irrigators, increasing costs and farm risk for the remaining irrigators.

Further buy backs will have the same effect, further exacerbating the problem.

In response to the Commonwealth legislation, the Victorian Government has developed a Prospectus: “Planning Our Basin Future Together” (the Prospectus) which sets out a strategic, catchment-based methodology for water recovery that looks to increase environmental benefits and reduce socio-economic impacts on communities. This approach is more complex, costly and time consuming than open market buy backs and relies on working with Victorian communities to develop catchment specific plans. However, this approach will deliver a better outcome for the Australian people.

At the National General Assembly of Local Government on 4 July 2024, the following motion was passed:

This National General Assembly calls on the Australian Government to enhance the Murray Darling Basin Plan's implementation with a focus on the economic and social welfare of local communities. This entails revising water allocation policies to ensure equitable access and support for the agricultural sector, alongside community engagement initiatives to foster local input and trust in water management decisions, rejecting open market buy backs and putting communities at the heart of any water recovery plans. It further calls on the Australian Government to revise the proposed compensation package for communities which is grossly inadequate.

Despite this call from the local governments of Australia, the Minister for Environment and Water, Tanya Plibersek almost immediately announced the first open tender to purchase 70 gigalitres of water from our southern connected basin.

RECOMMENDATION

That Council endorses the Murray River Group of Council's (MRGC) water advocacy position, specifically that the MRGC:

- 1. Maintains its strong opposition to open tender voluntary water purchase programs (buy backs) in the southern connected basin due to the long term social and economic damage such programs do to our communities;**
- 2. Stresses that the Federal Government has grossly underestimated the detrimental socio-economic realities of open market water buy backs;**
- 3. Notes the Victorian Government's draft response to the Federal Government's 'Restoring Our Rivers' Act, titled "Planning Our Basin Future Together: A prospectus to safeguard Victoria's environments and communities in the Murray-Darling Basin";**
- 4. Endorses the four principles for water recovery contained within the prospectus as a better option for delivering the amended Basin Plan targets as opposed to open market water buy backs, as follows:**
 - Principle 1 - Demonstrated environmental benefits in and for Victoria**
 - Principle 2 - Minimised impact on water availability for towns, industries and agricultural production**
 - Principle 3 - Proactive structural change to support a sustainable future for irrigators and communities**
 - Principle 4 - Support progress towards Traditional Owner self-determination in water access and management;**
- 5. Supports the completion of the Victorian Murray Floodplain Restoration Projects (VMFRP) to deliver environmental outcomes to critical wetlands in the MRGC region; and**
- 6. Stresses the need to mitigate the socio-economic impacts on communities as a result of further water recovery through identification of strategic local economic investments in areas from where water is recovered.**

ALTERNATE MOTION

Moved: Cr Garner Smith

Seconded: Cr Keith Link

That Council agree that 7.9 – Murray Darling Basin Plan Report lay on the table, and will not be further discussed at this meeting but will be re-considered at the Council meeting scheduled to be held on 18 September, 2024. Council also requests a presentation from an appropriate officer at DEECA on Planning our Basin future together.

LOST

RESOLUTION

Moved: Cr Ross Stanton

Seconded: Cr Jane Ogden

That Council endorses the Murray River Group of Council's (MRGC) water advocacy position, specifically that the MRGC:

- 1. Maintains its strong opposition to open tender voluntary water purchase programs (buy backs) in the southern connected basin due to the long term social and economic damage such programs do to our communities;**
- 2. Stresses that the Federal Government has grossly underestimated the detrimental socio-economic realities of open market water buy backs;**
- 3. Notes the Victorian Government's draft response to the Federal Government's 'Restoring Our Rivers' Act, titled "Planning Our Basin Future Together: A prospectus to safeguard Victoria's environments and communities in the Murray-Darling Basin";**
- 4. Endorses the four principles for water recovery contained within the prospectus as a better option for delivering the amended Basin Plan targets as opposed to open market water buy backs, as follows:**
 - Principle 1 - Demonstrated environmental benefits in and for Victoria**
 - Principle 2 - Minimised impact on water availability for towns, industries and agricultural production**
 - Principle 3 - Proactive structural change to support a sustainable future for irrigators and communities**
 - Principle 4 - Support progress towards Traditional Owner self-determination in water access and management;**
- 5. Supports the completion of the Victorian Murray Floodplain Restoration Projects (VMFRP) to deliver environmental outcomes to critical wetlands in the MRGC region; and**
- 6. Stresses the need to mitigate the socio-economic impacts on communities as a result of further water recovery through identification of strategic local economic investments in areas from where water is recovered.**

CARRIED

8 URGENT BUSINESS

Nil

9 NOTICES OF MOTION

Nil

10 QUESTION TIME

Name	Andrea
Address	Koroop
QUESTION:	
<p>We are almost at the end of a Local government election cycle and contained in the 2020 Local Government Act is a requirement for deliberative democracy. I am curious to understand how the Gannawarra Shire has embedded deliberative engagement practices into community consultation, highlighting outcomes from the ground up that involve community in shaping the outcomes.</p>	
ANSWER:	
<p>Council has embraced the International Association for Public Participation (IAP2) spectrum which has been embedded in Council’s Community Engagement Strategy and Policy. Council staff will utilise different methods at different stages depending on the purpose of the engagement activity identified within the IAP2 spectrum. Examples include; Advisory Groups, Workshops, Online engagement tools, Attending forums/meetings, Project Control Groups, Listening Posts, Surveys (physical and online), Ideas boards and various other mediums. A recent example of the Kerang Recreation Corridor Master plan saw various engagement tools used, such as listening posts in Victoria Square, meetings with key stakeholders and surveys that enabled the whole community to provide input.</p>	

Name	Andrea
Address	Koroop
QUESTION:	
<p>Embedded in the 2020 Local Government Act is a requirement that involves community in shaping the Council plan, Councils Vision, Asset plan and Health and Wellbeing plan. Can you please provide an overview of how this is going particularly given a lack of funding from the state government.</p>	
ANSWER:	
<p>As part of the development of the 2021-2025 Council Plan, Community Vision and Municipal Health and Wellbeing Plan, the voice of the community was included and shaped these strategic documents. A comprehensive engagement process was undertaken which included the new Councillors. This process will again be embraced in the development of the 2025-2029 Council Plan and Municipal Health and Wellbeing plan and a revision of the Community Vision.</p>	

11 DELEGATES REPORTS

11.1 DELEGATES REPORTS

COUNCILLOR COMMITTEES 2024	
COMMITTEE	COUNCILLOR
Murray River Group of Councils (MRGC)	Cr Ross Stanton, Mayor
Loddon Campaspe Group of Councils	Cr Ross Stanton, Mayor
Community Halls Community Asset Committee	Cr Kelvin Burt
Municipal Association of Victoria (MAV)	Cr Travis Collier
Municipal Fire Management Planning Committee (MFMPC)	Cr Keith Link
Municipal Emergency Management Planning Committee (MEMPC)	Cr Keith Link
Transport Committee Role including Rail Freight Alliance and Road Transport	Cr Keith Link
Central Victorian Greenhouse Alliance (CVGA)	Cr Jane Ogden
Audit and Risk Committee (x 2)	Cr Charlie Gillingham Cr Garner Smith
Rural Councils Victoria	Cr Garner Smith
Timber Towns Victoria	Cr Garner Smith

12 CONFIDENTIAL ITEMS

Nil

The Meeting closed at 7:34pm.

The Minutes of this Meeting were confirmed at the Meeting of the Gannawarra Shire Council held on 16 September 2024.

Mayor Ross Stanton
CHAIRPERSON