

## **SPECIAL MEETING OF COUNCIL**

**Notice** is hereby given of a  
Special Meeting of Council, Statutory and Annual Appointments Meeting  
to be held in the Council Chamber, 15 Stead Street, Ballan  
on Monday 26 November 2018  
commencing at 6.00 p.m.

<b>Members:</b>	Cr. Paul Tatchell	Central Moorabool Ward
	Cr. Jarrod Bingham	East Moorabool Ward
	Cr. Tonia Dudzik	East Moorabool Ward
	Cr. David Edwards	East Moorabool Ward
	Cr. John Keogh	East Moorabool Ward
	Cr. Tom Sullivan	West Moorabool Ward
	Cr. Pat Toohey	Woodlands Ward
<b>Officers:</b>	Mr. Derek Madden	Chief Executive Officer
	Mr. Phil Jeffrey	General Manager Infrastructure
	Mr. Satwinder Sandhu	General Manager Growth and Development
	Mr. Danny Colgan	General Manager Social and Organisational Development

***Derek Madden***  
***Chief Executive Officer***

## AGENDA

<b>1.</b>	<b>OPENING OF MEETING .....</b>	<b>"...3</b>
1.1	<i>Acting Chairperson .....</i>	<i>È.. 3</i>
1.2	<i>Council Prayer .....</i>	<i>È. 3</i>
<b>2.</b>	<b>ACKNOWLEDGEMENT TO COUNTRY .....</b>	<b>"...3</b>
<b>3.</b>	<b>RECORDING OF MEETING.....</b>	<b>"...3</b>
<b>4.</b>	<b>PRESENT .....</b>	<b>"'...3</b>
<b>5.</b>	<b>APOLOGIES .....</b>	<b>".....3</b>
<b>6.</b>	<b>BUSINESS.....</b>	<b>"...4</b>
6.1	<i>Moorabool Shire Council Statutory and Annual Appointments .....</i>	<i>È 4</i>
6.1.1	<i>Chief Executive Officer's Report - Statutory and Annual Appointments Process .....</i>	<i>È 4</i>
6.1.2	<i>Former Mayor's Report.....</i>	<i>È 6</i>
6.1.3	<i>Vote of Thanks to the outgoing Mayor.....</i>	<i>È7</i>
6.1.4	<i>Determining the Term of the office of Mayor (Section 71 (2) - Local Government Act 1989; Part 15.2(b) - Meeting Procedure Local Law No.9)..</i>	<i>È8</i>
6.1.5	<i>Election of Mayor (Section 71, Local Government Act 1989; Part 15 - Meeting Procedure Local Law No.9) .....</i>	<i>È. 9</i>
6.1.6	<i>Determination to Elect a Deputy Mayor .....</i>	<i>È 10</i>
6.1.7	<i>Election of a Deputy Mayor.....</i>	<i>È. 12</i>
6.1.8	<i>Mayor and Councillor Allowances.....</i>	<i>È13</i>
6.1.9	<i>Special Committees of the Council (Section 86 Local Government Act FJ) JDA S86 Delegated Committees of the Council.....</i>	<i>È 15</i>
6.1.10	<i>Advisory Committees of the Council.....</i>	<i>È 19</i>
6.1.11	<i>Council Appointments to Working Groups, Industry Bodies and Forums ..</i>	<i>È23</i>
6.1.12	<i>Moorabool Shire Council Meeting Framework.....</i>	<i>È25</i>
<b>7.</b>	<b>FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL.....</b>	<b>"'..... '\$</b>
<b>8.</b>	<b>MEETING CLOSURE .....</b>	<b>"'..... '%</b>

## **1. OPENING OF MEETING**

### **1.1 Acting Chairperson**

Pursuant to the provisions of section 72 of the *Local Government Act 1989* and Part 15, Clause 15.3 of the *Meeting Procedure Local Law, Local Law No.9*, the Chief Executive Officer shall act as Chairperson until the election of Mayor is concluded.

### **1.2 Council Prayer**

Almighty God be with us as we work for the people of the Shire of Moorabool.  
Grant us wisdom that we may care for the Shire as true stewards of your creation.  
May we be aware of the great responsibilities placed upon us.  
Help us to be just in all our dealings and may our work prosper for the good of all.  
Amen.

## **2. ACKNOWLEDGEMENT TO COUNTRY**

We respectfully acknowledge the traditional owners of this land, their spirits and ancestors.

## **3. RECORDING OF MEETING**

In accordance with Moorabool Shire Council's Meeting Procedure Local Law, the Council will be recording this meeting. The following organisations have been granted permission to make an audio recording also:

- The Moorabool News; and
- The Star Weekly

## **4. PRESENT**

## **5. APOLOGIES**

## 6. BUSINESS

### 6.1 Moorabool Shire Council Statutory and Annual Appointments

#### 6.1.1 Chief Executive Officer's Report - Statutory and Annual Appointments Process

The Council has established as practice the holding of a Special Meeting each year following the anniversary of the conduct of a General Election. This Special Meeting, called the Statutory and Annual Appointments meeting, considers a number of statutory matters including:

- Election of Mayor for the forthcoming year.
- Election of Deputy Mayor for the forthcoming year (if determined).
- Councillor and Mayoral allowances.
- Council and Committee Meeting structure.
- Appointments to Section 86 (S86) Committees and Advisory Committees.
- Determination of Councillor/officer representation on various working groups and external committees to assist Council advocacy.

The provisions of the *Local Government Act* 1989, section 71(2) provides Council with an option to resolve to elect a Mayor for a term of 1 or 2 years. A reference to the term of Office of the Mayor is presented in Item 6.1.4 of this agenda. The term of the Office of the Mayor expires at 6.00am on the day of election of the Mayor.

The election of a Deputy Mayor is optional; it is not specifically provided for within the *Local Government Act* 1989. Under Part 15, Clause 15.2(e) of the Moorabool Shire Council Meeting Procedure Local Law No.9, Council may determine to elect a Deputy Mayor and this provision is presented for Council's consideration under Item 6.1.6 of this Agenda.

Pursuant to the provisions of section 72 of the *Local Government Act* 1989 and Part 15, Clause 15.3 of the Meeting Procedure Local Law, Local Law No.9, the Chief Executive Officer shall act as Chairperson until the following matters are determined:

- a) the receipt of nominations for the election of Mayor;
- b) the election of the Mayor.

Following the election, the Mayor shall assume the Chair to deal with the remaining matters before the Meeting.

It is generally accepted that the Council annually reviews the Council and Committee meeting structure in order to ensure that the interests of good governance, facilitated by sound decision making promoted within an appropriate framework of Council meetings, can best be served. Such considerations form part of the business to be considered at this Special Meeting.

A number of Special Committees constituted within the legislative provisions of Section 86 of the *Local Government Act* 1989, as well as Advisory Committees, complete the framework of governance within Moorabool Shire Council. Consideration by Council of the appointment of these Committees will also occur in the business of the Meeting.

In order for Moorabool Shire Council to pursue its role of advocacy and represent the interests of the community, Council seeks to be represented on a variety of committees and organisations which are established not only within Moorabool Shire, but more broadly within the region and also within industry representative associations. Involvement in these areas provides the Council with a broader perspective in undertaking its policy deliberation role. Consideration of such Council representative appointments will be determined at the Meeting.

**Recommendation:**

**That the Chief Executive Officer's Report - Statutory and Annual Appointments Process be received.**

### **6.1.2 Former Mayor's Report**

The former Mayor, Cr. Paul Tatchell, will present his report on the November 2017 to November 2018 Mayoralty term.

#### **Recommendation:**

**That the former Mayor's Report for the Mayoralty term of November 2017 to November 2018 be received.**

### **6.1.3 Vote of Thanks to the outgoing Mayor**

Prior to calling for nominations for the position of Mayor, the Acting Chairperson will call upon any Councillors who wish to express appreciation to the outgoing Mayor for his term in Office.

#### **6.1.4 Determining the Term of the office of Mayor (Section 71 (2) - Local Government Act 1989; Part 15.2(b) - Meeting Procedure Local Law No.9)**

As set out in Council's Meeting Procedure Local Law No. 9 in Part 15.2 (b), before nominations for the office of Mayor are invited by the Chief Executive Officer, the Council must resolve if the term of the office of Mayor is to be for one (1) or two (2) years.

This option is available to the Council under the *Local Government Act* 1989, section 71 that says (inter alia) the following:

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected:
  - (a) after the fourth Saturday in October but not later than 30 November in each year; or
  - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
  - (b) as soon as possible after any vacancy in the office of Mayor occurs.

If the Council resolves to elect the Mayor for a one year term, the office of the Mayor shall expire at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2019 but not later than 30 November 2019.

If the Council resolves to elect the Mayor for a two year term, the office of the Mayor shall expire at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2020 but not later than 30 November 2020.

The Chief Executive Officer, acting as Chairperson, shall call for a determination of the term of office for the Mayor.

#### **Recommendation:**

**That pursuant to the provisions of section 71 of the *Local Government Act* 1989, the Council resolves that the term of office for the Mayor of Moorabool Shire Council will be 1 year(s) with that term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2019 but not later than 30 November 2019.**



### **6.1.5 Election of Mayor (Section 71, *Local Government Act 1989*; Part 15 - Meeting Procedure Local Law No.9)**

An election for the position of Mayor shall be conducted at the meeting.

The *Local Government Act 1989*, section 71 says (inter alia) the following:

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected:
  - (a) after the fourth Saturday in October but not later than 30 November in each year;  
or
  - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
  - (b) as soon as possible after any vacancy in the office of Mayor occurs.

It is noted that the Council's Policy No. G008 – Councillors and Members of Council Committees Expense Entitlements & Resources Policy includes the provision of a fully maintained motor vehicle at the current standard and upon the current conditions, together with communication equipment to facilitate effective performance of a Councillor in the office of Mayor.

The Chief Executive Officer, acting as Chairperson, shall conduct the election for the office of Mayor of Moorabool Shire Council for the term of office as resolved by the Council in the Agenda item 6.1.4. and shall call for nominations.

**Cr. \_\_\_\_\_ nominates Cr. \_\_\_\_\_**

**Pursuant to the provisions of section 71 of the *Local Government Act 1989*, Cr. \_\_\_\_\_ has been declared as the Mayor of Moorabool Shire Council for the term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2019 but not later than 30 November 2019.**

Following the election the Mayor will be assisted in being robed as a symbol of taking up the robes of office. The Mayor shall then assume the Chair to deal with the remaining business of the Meeting.

#### **Statement by newly elected Mayor:**

It is customary for the newly elected Mayor to make a short statement of thanks in response to the Councillors' confidence and an indication of aspirations for the term in office.

### 6.1.6 Determination to Elect a Deputy Mayor

The election of a Deputy Mayor, whilst not specifically provided for within the *Local Government Act* 1989, is provided for under Part 15 – Clause 15.2(e) of the Moorabool Shire Council Meeting Procedure Local Law No.9 if the Council so determines.

In accordance with the Deputy Mayor Position Guidelines, adopted by Council on Wednesday 4 October 2017 at the Ordinary Meeting of Council, the position of Deputy Mayor supports the Mayoral role. The Deputy Mayor holds office for the same term of office as held by the Mayor.

Where the Mayor will knowingly be unable to fulfil their duties as Mayor, he/she is responsible for making arrangements with the Deputy Mayor as appropriate and as applicable and in line with the following statement on the role of the Deputy Mayor:

#### *Role of the Deputy Mayor*

- To act in accordance the *Local Government Act* 1989 i.e. chairing Council meetings in the Mayor's absence, noting that a vote must be taken to elect an acting Chairperson.
- Attend social and other engagements at the request of the Mayor.
- Act as Council's official spokesperson in the Mayor's absence.
- Lead Council deputations when requested by the Mayor.
- Chair public meetings when requested by the Mayor.
- Preside at Citizenship Ceremonies in the Mayor's absence, in accordance with Section 27 of the *Australian Citizenship Act* (2007).
- Assist the Mayor generally in the carrying out of his/her duties as requested by the Mayor from time to time.

With the following provisions:

- Council s.86 Delegated Committees  
The Chairperson elected by the committee presides at the meeting. The Council is represented by its appointed representative(s) to that Committee.
- Advisory Committees  
The Chairperson elected by the committee presides at the meeting. The Council is represented by its appointed representative(s) to that Committee.
- Working Groups, Industry Bodies and Forums – with representatives appointed by the Council  
The Council is represented by its appointed representative(s) to that organisation.
- Discretion of the Mayor

Notwithstanding the role of the Deputy Mayor as set out above, the Mayor will have regard to local sensitivities and to particular circumstances, and may request that a local Ward Councillor represent Council at events or meetings, including those called at short notice.

Remuneration for the Deputy Mayor remains at the level of which is available to a Councillor.

The Council should now resolve whether it will or it won't make an appointment to the office of Deputy Mayor and if it does so, the term of office will be for the same term of office as held by the Mayor.

**Recommendation:**

**That Council elects a Deputy Mayor for a term of 1 year with that term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2019 but not later than 30 November 2019.**

### 6.1.7 Election of a Deputy Mayor

*This Agenda item is included if the Council resolves in item 6.1.6 above to make an appointment to the office of Deputy Mayor.*

The election of the Deputy Mayor will be chaired by the newly elected Mayor in accordance with Part 15 – Clause 15.2(e) of the Moorabool Shire Council Meeting Procedure Local Law No.9.

The Mayor shall conduct the election for the office of Deputy Mayor of Moorabool Shire Council for the term of office as resolved by the Council in the Agenda item 6.1.4. and shall call for nominations.

**Cr. \_\_\_\_\_ nominates Cr. \_\_\_\_\_**

**Pursuant to the provisions of Part 15.2 (e) of Meeting Procedure Local Law No. 9, Cr. \_\_\_\_\_ has been declared as the Deputy Mayor of Moorabool Shire Council for the term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2019 but not later than 30 November 2019.**

That in the absence of the Mayor, the Deputy Mayor shall perform the functions of Mayor in an acting capacity in accordance with the Local Government Act 1989, Council's Meeting Procedure Local Law No.9. and the Deputy Mayor Position Guidelines (October 2017).

### 6.1.8 Mayor and Councillor Allowances

At the Ordinary Meeting of Wednesday 4 April 2018, Council resolved to adopt the following annual Councillor and Mayoral Allowances under Category 2 in the Schedule to the Order in Council, applicable until the next general election of Council subject to any changes by any Order in Council notice as published in any future government gazette:

- Councillor annual allowance - \$24,730 per annum
- Mayoral annual allowance - \$76,521 per annum
- in addition to the Councillor and Mayoral allowance the equivalent of the superannuation guarantee contribution (SGC) (currently 9.5%)

The allowance for Mayor and Councillors may be adjusted accordingly with any increase, as determined by Council as a result of the annual automatic adjustment announced by the Minister for Local Government, and back paid to the effective date of the adjustment set out on the Victoria Government Gazette.

As gazetted in the Victorian Government Gazette dated Monday 29 October 2018 (No. S 514), pursuant to section 73(B)(4)(a) of the *Local Government Act* 1989, the Minister has given notice that an adjustment factor of 2.0% has been applied to Mayoral and Councillor Allowances.

Moorabool Shire Council is categorised as Category 2 which will see the new limit adjusted in accordance with the adjustment factor as follows:

- Councillors: \$25,225 per annum
- Mayor: up to \$78,051 per annum

The new adjusted limits take effect on 1 December 2018.

Mayor and Councillor Allowances will be paid during the ensuing year from Thursday 29 November 2018 to the Statutory and Annual Appointments Meeting in 2019 with the adjustments as gazetted made after December 1, 2018. The manner of payment of allowances will not exceed more than one month in advance.

### **Councillor Support**

The following provisions, as set out in the Councillors and Members of Council Committees Expense Entitlements & Resources Policy, are determined to assist Councillors in their municipal duties that include:

#### **Resources/facilities**

- Administrative support for the Mayor
- Office for Mayor
- Vehicle for Mayor
- Computer – desktop or laptop
- Mobile phone and landline
- Stationery
- Access to fax/copier
- Website development as part of Council website

**Reimbursement**

- Travel – including reimbursement of public transport costs
- Phone – reimbursement of relevant call costs
- Internet
- Child care/family care

**Recommendation:**

**That the Mayor and Councillor Allowances report be received.**

### **6.1.9 Special Committees of the Council (Section 86 *Local Government Act 1989*) - S86 Delegated Committees of the Council**

Council may establish one or more special committees of the Council, which may be comprised of Councillors and other persons as members. These Committees have been established by Council under section 86 of the *Local Government Act 1989*.

These committees are established to assist Council with executing specific functions or duties. By instrument of delegation, Council may delegate to the committees such functions and powers of the Council that it deems appropriate, utilising provisions of the *Local Government Act 1989*. The Council cannot delegate certain powers as specifically indicated in section 86(4) of the Act.

#### **Special Committees of Council**

##### **(i) Development Assessment Committee**

The Development Assessment Committee is a Delegated Committee established under section 86 of the *Local Government Act 1989* to act as a delegate of Council in determining planning applications made under the *Planning and Environment Act 1987* in line with the Terms of Reference and Protocol for Calling in Planning Applications.

The Committee also provides advice to Council on trends, issues and other matters relating to planning or development that have become apparent or arisen through the Committee's assessment of applications under the Act.

The Council representatives in 2017/18 on this Committee were Cr. Bingham, Cr. Dudzik, Cr. Keogh, Cr. Tatchell, Cr. Toohey and Cr. Edwards.

Cr. Toohey announced his resignation from the Development Assessment Committee at the Ordinary Meeting of Council of February 2018. Cr. Edwards was appointed to the Committee at the March 2018 Ordinary Meeting of Council.

##### **(ii) Moorabool Growth Management Committee**

During 2017/18 Council resolved to abolish the following section 86 Delegated Committees of Council:

###### **(i) Urban Growth Strategy Committee**

The Urban Growth Strategy Committee was abolished at the Ordinary Meeting of Council on Wednesday 6 June 2018.

###### **(ii) Rural Growth Strategy Committee**

The Rural Growth Strategy Committee was abolished at the Ordinary Meeting of Council on Wednesday 6 June 2018.

On Wednesday 6 June 2018, Council resolved to consolidate the Urban and Rural Growth Strategy Committees to form the Moorabool Growth Management Committee.

The Moorabool Growth Management Committee will guide urban and rural growth planning within all settlements and related infrastructure across the Shire in accordance with Moorabool 2041.

All Councillors were representatives in 2017/18 on this Committee.

**(iii) Hall and Recreation Reserve Committees of Management**

Committees of Management act as an agent of Council (not as an independent entity) in managing the Council assets entrusted in the Committee's care by:

- Undertaking the management of the Facilities on Council's behalf;
- Undertaking improvements to the Facilities subject to the Council's approval;
- Ensuring the Facilities are available for public use;
- Collecting rentals and charges from the users of the Facilities for casual hire;
- Expending funds on maintaining and improving the Facilities for the better use and enjoyment by the community and public; and
- Consulting and collaborating with Council on all major works and capital works development to ensure compliance with legislative requirements.

The 2017/18 representatives for each committee are listed below:

Hall and Recreation Reserve Committees of Management and	Council Representative 2017/18
Bacchus Marsh Hall Committee of Management	Cr. Bingham
Bacchus Marsh Racecourse and Recreation Reserve Committee of Management	Cr. Bingham
Bungaree Public Hall Committee of Management	Community Members
Dunnstown Recreation Reserve Committee of Management	Community Members
Elaine Recreation Reserve Committee of Management	Community Members
Gordon Public Hall Committee of Management Inc.	Community Members
Greendale Recreation Reserves Committee of Management	Cr. Toohey
Lal Lal Soldiers' Memorial Hall Committee of Management	Community Members
Maddingley Park Committee of Management	Community Members
Millbrook Community Centre	Community Members
Navigators Community Centre	Community Members
Wallace Recreation Reserve	Community Members
Wallace Public Hall	Community Members

**(iv) Blacksmith's Cottage and Forge Committee of Management**

Blacksmith's Cottage and Forge Committee of Management manages the operations of the Blacksmith's Cottage and Forge in Bacchus Marsh with responsibility to:

- manage and promote the facilities within the approvals given by Council;
- recommend to Council policies aimed at promoting the use of the facilities for the benefit of the community;
- promote the facilities as a tourist attraction in Bacchus Marsh in liaison with other groups;
- explore and recommend options for future development of the facilities;
- prepare submission to Council for any capital or major works that the advisory committee considers desirable.

The 2017/18 representative for this Committee was Cr. Edwards.



**Recommendation:**

1. That pursuant to section 86 of the *Local Government Act 1989*, the Council retains the following Special Committees of the Council – S86 Delegated Committees of the Council to assist the Council in performing its functions and duties in the manner as currently prescribed and as provided for in the Instruments of Delegation authorised by Council;
  - Development Assessment Committee
  - Moorabool Growth Management Committee
  - Bacchus Marsh Public Hall Committee of Management
  - Bacchus Marsh Racecourse and Recreation Reserve Committee of Management
  - Bungaree Public Hall Committee of Management
  - Dunnstown Recreation Reserve Committee of Management
  - Elaine Recreation Reserve Committee of Management
  - Gordon Public Hall Committee of Management Inc.
  - Greendale Recreation Reserve Committee of Management
  - Lal Lal Soldiers' Memorial Hall Committee of Management
  - Maddingley Park Committee of Management
  - Millbrook Community Centre
  - Navigators Community Centre
  - Wallace Recreation Reserve
  - Wallace Public Hall
  - Blacksmith's Cottage and Forge Committee of Management
2. That Council maintains the current membership structure of these committees.
3. That Council appoints representatives for its Special Section 86 Committees as set out below:

<b>S86 Delegated Committees of the Council</b>	<b>Council Representative 2018/19</b>
<b>Development Assessment Committee</b>	
<b>Moorabool Growth Management Committee</b>	
<b>Bacchus Marsh Public Hall Committee of Management</b>	
<b>Bacchus Marsh Racecourse and Recreation Reserve Committee of Management</b>	
<b>Bungaree Public Hall Committee of Management</b>	
<b>Dunnstown Recreation Reserve Committee of Management</b>	
<b>Elaine Recreation Reserve Committee of Management</b>	
<b>Gordon Public Hall Committee of Management Inc.</b>	

<b>Greendale Recreation Reserve Committee of Management</b>	
<b>Lal Lal Soldiers' Memorial Hall Committee of Management</b>	
<b>Maddingley Park Committee of Management</b>	
<b>Millbrook Community Centre</b>	
<b>Navigators Community Centre</b>	
<b>Wallace Recreation Reserve</b>	
<b>Wallace Public Hall</b>	
<b>Blacksmith's Cottage and Forge Committee of Management</b>	

4. That Council notify the Committees of the reappointment arrangements.
5. That a further report be presented to Council after consultation with community members pertaining to the current membership of the following Committees of Management:
  - Bungaree Public Hall Committee of Management;
  - Wallace Public Hall Committee of Management;
  - Navigators Community Centre Committee of Management; and
  - Millbrook Community Centre Committee of Management.

### **6.1.10 Advisory Committees of the Council**

In addition to the Special Committees of Council with delegated authority that are established under the *Local Government Act 1989* (section 86), Council has the ability to create a committee by resolution as an Advisory Committee.

The following Committees currently have no specific delegated powers to act on behalf of Council or commit Council to any expenditure unless resolved explicitly by Council following recommendation from the Committee. Their function provides substantial expertise to the Council's planning by way of advisory recommendations.

The performance of specified statutory obligations of the Council are not placed upon these Committees. However, Council has the legislative ability to delegate authority and amend the operations and/or charter of individual Committees should circumstances warrant.

The following Advisory Committees have been established by Council.

#### **Advisory Committees of the Council**

##### **(i) Audit and Risk Committee**

The Audit and Risk Committee is an independent Advisory Committee to Council. The primary role of the Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Audit and Risk Committee is established to assist the coordination of relevant activities of management, the internal audit function and the external auditor, in order to facilitate achieving overall organisational objectives in an efficient and effective manner.

The 2017/18 representatives for this committee were Cr. Dudzik and Cr. Tatchell.

##### **(ii) Bacchus Marsh District Trails Advisory Committee**

The District Trails Advisory Committee comprises interested community members to advise Council on the development and integration of the community trails in the Bacchus Marsh district.

The 2017/18 representative for this committee was Cr. Bingham.

##### **(iii) Bacchus Marsh Leisure Centre Joint Use Management Agreement Advisory Committee**

The 2017/18 representative for this committee was Cr. Edwards.

##### **(iv) Economic Development Taskforce Advisory Committee**

The Economic Development Taskforce Advisory Committee was established in April 2018. The role of the Committee is to provide an oversight of economic development objectives and to provide advice on the development, promotion and implementation of strategies and initiatives. This includes the identification and development of investment opportunities.

All Councillors are representatives on this Committee.

**(v) Heritage Advisory Committee**

The Heritage Advisory Committee was established to advise Council on the conservation, promotion and education of heritage matters within the Shire.

The 2017/18 representative for this committee was Cr. Tatchell.

**(vi) Lal Lal Falls Reserve Advisory Committee of Management**

The Lal Lal Falls Reserve Advisory Committee was created to provide advice on the development and management of this significant natural reserve.

The 2017/18 representative for this committee was Cr. Sullivan.

**(vii) Masons Lane Recreation Reserve Advisory Group**

Council staff work in partnership with the user groups of Masons Lane Recreation Reserve to manage ongoing operations at the reserve.

**(viii) Moorabool Health and Wellbeing Advisory Committee**

The Moorabool Health and Wellbeing Advisory Committee comprises community members to assist in the development of Council's Health and Wellbeing Strategy and Plan.

The following organisations and groups are nominated for the 2018/2019 term:

- Djerriwarrh Health Services
- Department of Justice – Grampians Region
- Victoria Police – Bacchus Marsh
- Central Highlands Primary Care Partnership
- Women's Health Grampians
- Darley Neighbourhood House and Early Learning Centre
- Ballan and District Community House and Adult Education Centre
- Highlands Local Learning and Employment Network
- Sports Central
- Department of Health and Human Services
- North West Melbourne Primary Health Network

The 2017/18 representatives for this committee were Cr. Dudzik and Cr. Tatchell.

**(ix) Moorabool Landcare Advisory Committee**

The Landcare Committee comprises members of the community with land care experience or interest to advise Council on matters of land care policy, planning and development.

As a result of the adoption of the Moorabool Sustainable Environment Strategy by Council in April 2017, which has established a broader policy and operational scope for Council, it is proposed for the Moorabool Landcare Advisory Committee (MLAC) to be renamed to Moorabool Environment and Sustainability Advisory Committee (MESAC). This name better reflects the range of matters being considered by the Committee.

The 2017/18 representative for this committee was Cr. Keogh.

**(x) Positive Ageing Advisory Committee**

The Positive Ageing Advisory Committee was established by Council on Wednesday 7 November 2018.

This Committee will provide an opportunity for informed discussion on issues impacting upon older members of the Shire, and increase community awareness of the particular needs and aspirations of older members of the community through collaboration and consultation.

At the time of publishing this Special Meeting of Council Agenda, nominations for membership of the Positive Ageing Advisory Committee were being sought in accordance with Council’s resolution.

**Recommendation:**

1. That Council retains the following Advisory Committees of the Council to assist the Council in performing its functions and duties in the manner as currently prescribed and as provided for in the terms of reference authorised by Council:

- Audit and Risk Committee
- Bacchus Marsh District Trails Advisory Committee
- Bacchus Marsh Leisure Centre Joint Use Management Agreement Advisory Committee
- Economic Development Taskforce Advisory Committee
- Heritage Advisory Committee
- Lal Lal Falls Reserve Advisory Committee of Management
- Masons Lane Recreation Reserve Advisory Group
- Moorabool Health and Wellbeing Advisory Committee
- Positive Ageing Advisory Committee

2. That Council approves for the Moorabool Landcare Advisory Committee (MLAC) to be renamed to the Moorabool Environment and Sustainability Advisory Committee (MESAC).

3. That Council appoints representatives for its Advisory Committees as set out below:

Advisory Committees of the Council	Council Representative 2018/19
Audit and Risk Committee	
Bacchus Marsh District Trails Advisory Committee	
Bacchus Marsh Leisure Centre Joint Use Management Agreement Advisory Committee	
Economic Development Taskforce Advisory Committee	
Heritage Advisory Committee	
Lal Lal Falls Reserve Advisory Committee of Management	

<b>Moorabool Health and Wellbeing Advisory Committee</b>	
<b>Moorabool Landcare Advisory Committee</b> <i>(pending resolution to change name to Moorabool Environment and Sustainability Advisory Committee)</i>	
<b>Positive Ageing Advisory Committee</b>	<b>Nominations to be confirmed</b>

4. That Council notify the committees of the reappointment arrangements.

### 6.1.11 Council Appointments to Working Groups, Industry Bodies and Forums

In order for Moorabool Shire Council to pursue its role of advocacy and represent the interests of the community, Council seeks to be represented on a variety of committees and organisations which are established not only within Moorabool Shire, but more broadly within the region and also within industry representative associations. Involvement in these areas provides the Council with a broader perspective in undertaking its policy deliberation role.

The 2017/18 representatives for each working group, industry bodies and forums are listed below:

<b>Working Groups, Industry Bodies and Forums</b>	<b>Council Representative 2017/18</b>
Central Highlands Local Learning and Employment Network (CHLLEN)	Cr. Bingham
Local Government Waste Forum – Grampians Central West Waste and Resource Recovery Region	Cr. Sullivan, Cr. Keogh (Proxy) GM Infrastructure
MAV Strategic Environment Advisory Group (SEAG)	Cr. Sullivan
MAV Emergency Management Committee	EM Manager
MAV Defined Benefit Superannuation Taskforce ( <i>No longer in operation</i> )	Cr. Sullivan
MAV Financial Assistance Grants and Rate Capping Taskforce ( <i>No longer in operation</i> )	Cr. Sullivan
(MAV) Municipal Association of Victoria	Cr. Sullivan
Bacchus Marsh Aerodrome Management Committee	Cr. Keogh
Ballarat Rail Action Committee	Cr. Edwards, CEO
Central Highlands Community Road Safety Council	GM Infrastructure
Central Highlands Councils Victoria – ( <i>Previously known as Mayors and CEOs' Forum</i> )	Mayor / CEO
CCMA SMO – Corangamite Catchment Management Authority Salinity Management Overlay Development Steering Committee	GM Growth & Development
Concerned Councils for the Moorabool River Flows and Environment	Cr. Toohey
Grow West Implementation Committee	Cr. Keogh, Coordinator Environmental Planning
Municipal Emergency Management Planning Committee (MEMPC)	Cr. Keogh
Municipal Fire Management Planning Committee (MFMPC)	Cr. Keogh
National Timber Councils Task Force	Cr. Sullivan
Peri Urban Councils	Cr. Edwards, Cr. Keogh (Proxy) Chief Executive Officer

Rural Councils Victoria	Cr. Toohey
Timber Towns	Cr. Sullivan
Victorian Local Governance Association (VLGA)	Cr. Edwards
Western Highway Action Committee	Cr. Keogh GM Infrastructure

**Recommendation:**

1. That Council endorses its participation on the following Working Groups, Industry Bodies and Forums and appoints its representatives as detailed below:

<b>Working Groups, Industry Bodies and Forums</b>	<b>Council Representative 2018/19</b>
Central Highlands Local Learning and Employment Network (CHLLEN)	
Local Government Waste Forum – Grampians Central West Waste and Resource Recovery Region	
MAV Strategic Environment Advisory Group (SEAG)	
MAV Emergency Management Committee	
(MAV) Municipal Association of Victoria	
Bacchus Marsh Aerodrome Management Committee	
Ballarat Rail Action Committee	
Central Highlands Community Road Safety Council	
Central Highlands Councils Victoria	
CCMA SMO – Corangamite Catchment Management Authority Salinity Management Overlay Development Steering Committee	
Concerned Councils for the Moorabool River Flows and Environment	
Grow West Implementation Committee	
Municipal Emergency Management Planning Committee (MEMPC)	
Municipal Fire Management Planning Committee (MFMP)	
National Timber Councils Task Force	
Peri Urban Councils	
Rural Councils Victoria	
Timber Towns	
Victorian Local Governance Association (VLGA)	
Western Highway Action Committee	

2. That Council notify these Working Groups, Industry Bodies and Forums of the reappointment arrangements.



## **6.1.12 Moorabool Shire Council Meeting Framework**

### **Introduction**

In order that the functions of the Council in fulfilling its policy determination, leadership and strategic planning roles can be successfully undertaken, the conduct of the business of the Council requires a flexible approach with respect to its meeting framework.

It is the generally accepted view of good governance that the decision-making processes of the Council should be open to public scrutiny and conducted in a transparent manner which enables input by the community.

The conduct of meetings of Council should enable Councillors to best inform themselves in regard to matters for decision, engaging a process that appears comprehensive, democratic and professional to the community the Council serves.

In addition, the Council's Meeting Framework should endeavour to make efficient use of both Councillors' and Council officer's time. In this regard, the primary activity of the elected Council is to make decisions on policy matters and set strategic direction. The primary function of the organisation and its resources is then to implement such policy and strategic direction, providing accountability reporting back to the Council and the community. Sufficient scope needs to exist for community consultation which acts as a guide to the decision-making processes of the elected Council.

### **Moorabool Shire Council Meeting Framework**

The following framework has been developed to provide for the efficient and effective conduct of the business of Council, in a manner which enables a transparent and interactive decision making process involving Moorabool Shire Council and the community, leading to effective decision making protocols.

### **Ordinary Meetings of Council**

One Ordinary Meeting of Council be held each calendar month, on the first Wednesday, commencing at 6.00pm with meetings to be held in the Council Chambers Ballan, as indicated in the attached schedule.

The Ordinary Meeting of Council generally considers matters listed under the services areas of Governance, Infrastructure, Community Services and Growth and Development relating to service delivery policy and statutory obligations in addition to statutory planning and strategic land use planning. Notwithstanding, if matters of a more general nature require some urgency, the arrangements will facilitate incorporation within the agenda of the meeting for decision in order to meet pressing timelines.

### **Council Section 86 Delegated Committees and Advisory Committees**

A schedule for the following Council committee meetings is attached:

- Development Assessment Committee (DAC) (S86 Delegated)
- Moorabool Growth Management Committee (S86 Delegated)
- Audit and Risk Advisory Committee (Advisory)

## **Assembly of Councillors**

In instances where discussion or interaction between Councillors and Council officers is required on policy or strategic matters, an Assembly of Councillors shall be convened pursuant to the provisions of the *Local Government Act 1989*.

Such Assemblies of Councillors may, insofar as practicably possible, be convened on the first and third Wednesdays of the month. Assemblies will be scheduled to align with the Delegated Committees of Council meetings. All Assemblies will be scheduled to a specific time allocation. Any briefing not able to be concluded within the allocated time shall be held over to the next available date and time according to schedules.

### **Recommendation:**

- 1. That in order to undertake considerations and decisions for the good governance of the Moorabool Shire, the Council determines the following meeting framework to be convened and undertaken in accordance with the provisions of the *Local Government Act 1989* and the Moorabool Shire Council Meeting Procedure Local Law No. 9:**

- a. **Ordinary Council Meetings to be held on the first Wednesday of each calendar month, commencing at 6.00pm, with meetings to be held in Ballan.**
- b. **S86 Development Assessment Committee (DAC) meetings to be held on the third Wednesday of each calendar month, commencing at 5.00pm with the meetings to be held at the Darley Civic and Community Hub.**
- c. **Audit and Risk Advisory Committee meetings to be held on the second Wednesday of each calendar month, commencing at 9.00am with the meetings to be held at the Lerderderg Library, Bacchus Marsh.**
- d. **Special meetings of the Council or the DAC may be held at other locations across the Shire as determined by the Mayor and CEO having regard to the nature of the Agenda and spread of development applications.**
- e. **Assembly of Councillors shall be convened pursuant to the provisions of the *Local Government Act 1989* in instances where discussion or interaction between Councillors and Council officers is required on Policy or Strategic Matters.**

**Such Assemblies of Councillors may, insofar as practicably possible, be convened on the first and third Wednesdays of the month. Assemblies will be scheduled to align with the Delegated Committees of Council meetings.**

- 2. That the Council provides public notice, as required by the *Local Government Act 1989*, indicating the time, date and venue for convening Ordinary Meetings of Council and Council Committee Meetings, which shall be open to the public.**

# Attachment - Item 6.1.12

## Moorabool Shire Council DRAFT Meetings of Council 2019

OMC, S86 and Advisory Committee Dates

Date	Venue	Time
<b>6 February, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
13 February, 2019	Audit & Risk Committee (Advisory) – Bacchus Marsh	9.00am
20 February, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>6 March, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
13 March, 2019	Moorabool Growth Committee	
20 March, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>3 April, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
17 April, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>1 May, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
15 May, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
8 May, 2019	Audit & Risk Committee (Advisory) – Bacchus Marsh	9.00am
<b>5 June, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
12 June, 2019	Moorabool Growth Committee	
19 June, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>3 July, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
17 July, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>7 August, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
14 August, 2019	Audit & Risk Committee (Advisory) – Bacchus Marsh	9.00am
21 August, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm

<b>4 September, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
11 September, 2019	Moorabool Growth Committee	
18 September, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>2 October, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
16 October, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>6 November, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
13 November, 2019	Audit & Risk Committee (Advisory) – Bacchus Marsh	9.00am
20 November, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm
<b>4 December, 2019</b>	<b>Ordinary Meeting of Council – Ballan</b>	<b>6.00pm</b>
11 December, 2018	Moorabool Growth Committee	
18 December, 2019	Development Assessment Committee (S86 Delegated) – Darley	5.00pm

**7. FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION  
OF COUNCIL**

**8. MEETING CLOSURE**