

Council Meeting Agenda

Wednesday 21 October 2020 at 6.00pm
Held online and livestreamed at mrsc.vic.gov.au

Public Question Time:

In accordance with section 4.5 of Council's Election Period (Caretaker) Policy adopted on 26 August 2020, public question time is suspended during the election period.

Recording of Council Meetings:

The recording of Council Meetings, either visually or by sound, or the taking of photographs in Council Meetings is not permitted without first obtaining the consent of Council or the Chairperson.

Attachments:

All attachments are available for viewing or downloading from Council's website, mrsc.vic.gov.au

TABLE OF CONTENTS

Page 1 of 1

ITEM	SUBJECT	PAGE NO.
1.	Recording and Live Streaming of this Council Meeting	1
2.	Present	1
3.	Apologies	1
4.	Declaration of Conflicts of Interest	2
5.	Mayor's Report	2
6.	Petitions	2
7.	Adoption of Minutes	3
8.	Record of Assemblies of Councillors	3
9.	Deputations and Presentations to Council	6
10.	Director Planning and Environment Reports	
	PE.1 Update of Municipal Emergency Management Plan and Municipal Fire Management Plan	7
11.	Acting Chief Executive Officer Reports	
	CX.1 Hanging Rock Project Control Group report	14
	CX.2 Council Meeting arrangements	17
12.	Acting Director Corporate and Community Reports	
	CC.1 Appointment of an Acting Chief Executive Officer and related matters	20
	CC.2 Engagement of recruitment professional to assist with the recruitment of a permanent Chief Executive Officer	21
13.	Director Assets and Operations Reports	22
14.	Notices of Motion	22
15.	Urgent or Other Business	22
16.	Confidential Reports	22

ACKNOWLEDGEMENT OF COUNTRY

To start the official proceedings I would like to acknowledge that Macedon Ranges Shire Council is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Country whose ancestors and their descendants are the traditional owners of this Country. We acknowledge that they have been custodians for many centuries and continue to perform age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING

Please note that this meeting is being recorded and streamed live on the internet in accordance with Council's *Live Streaming and Publishing Recording of Meetings Policy*, which can be viewed on Council's website.

The recording will be bookmarked, archived and made available on Council's website 48 hours after the meeting.

This meeting is being held online and Councillors are attending via electronic means.

The meeting will be conducted in accordance with Council's adopted Governance Rules, noting that as indicated in some parts of the agenda, procedures have been slightly modified to ensure the meeting remains compliant but can run effectively in the online environment.

As this meeting is being held online there will be no one present in the public gallery.

I also remind everyone that local government decision making, unlike state and federal government, does not afford the benefit of parliamentary privilege and hence no protection is afforded to Councillors and Council officers for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

Thank you

2. PRESENT

3. APOLOGIES

4. DECLARATION OF CONFLICT OF INTERESTS

Councillors' attention is drawn to Division 1A Sections 76-81 of the Local Government Act 1989 regarding interests.

Councillors are reminded that:

1. Disclosures of Conflicts of Interest must be declared immediately before the consideration of the item Section 79 (2) (a) (i); and
2. They should classify the type of interest that has given rise to the conflict of interest, and describe the nature of the interest Section 79 (2) (b) (c).

Online meeting: *The Mayor will call on each Councillor by name to declare whether or not they hold a conflict of interest in relation to any agenda items.*

5. MAYOR'S REPORT

This item in each Council Notice Paper offers an opportunity for the Mayor to provide a brief report on recent Council activities and initiatives of a shire wide nature.

Councillor reports on any meetings they have attended as a Councillor delegate are provided at Councillor Briefings or via email communications. Any matters requiring Council deliberation/decision are considered by Council via a report to a Council Meeting.

Online meeting: *The Mayor will provide the Mayor's Report prior to the meeting to enable the report to be published as part of the agenda papers. The report will not be presented verbally, however the Mayor may highlight key points from the report or any significant matters since the release of the agenda.*

Recommendation:

That Council note that due to the election period, the Mayor, Cr Pearce, has elected not to present a Mayor's Report for this meeting.

6. PETITIONS

Pursuant to Council's adopted Governance Rules, a Councillor may present a petition or joint letter to the Council. A petition or joint letter tabled at a Council Meeting may be dealt with as follows:

- (i) a motion may be proposed to accept the petition or joint letter and that it lay on the table until the next Scheduled Council Meeting or a future meeting specified by the Council (at which a report on the matter will be presented);
- (ii) a motion may be proposed to accept and note the petition or joint letter and resolve to deal with it earlier or refer it to another process.

A Councillor presenting a petition or joint letter will be responsible for ensuring that they are familiar with the contents and purpose of the petition or joint letter and that it is not derogatory or defamatory.

Online meeting: A Councillor seeking to table a petition for an online meeting will do so by providing an electronic copy of the petition to the Coordinator Governance by 12.00pm on the day of the meeting. The first page of the petition must be signed by the Councillor as required by the adopted Governance Rules. During the meeting, the Mayor will call on a Council officer to confirm receipt of any petitions tabled by Councillors via this process. Following confirmation, the Mayor will call on the relevant Councillor to present the petition.

7. ADOPTION OF MINUTES

Any Councillor whether in attendance or not at the subject meeting can move and second the adoption of the minutes, however accepted practice is that Councillors who were in attendance moved and second these motions.

Council Meeting: Wednesday 16 September 2020

Recommendation:

That the minutes of the meeting of the Macedon Ranges Shire Council held on Wednesday 16 September 2020 as circulated be confirmed.

8. RECORD OF ASSEMBLIES OF COUNCILLORS – OCTOBER 2020

1. Summary / Purpose

The purpose of this report is to provide the record of any assembly of Councillors, which has been held since the last Council Meeting, so that it can be recorded in the minutes of the formal Council Meeting.

2. Policy Context

Section 80A of the *Local Government Act 1989* (the Act) requires the record of any assembly of Councillors to be reported to the next practicable Council Meeting and recorded in the minutes of that meeting.

3. Background Information

The Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or the exercise of a Council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the Councillors (5) and a member of Council staff; or

2. Is an Advisory Committee of the Council where one or more Councillors are present.

Note: Advisory Committee means any committee established by the Council, other than a special committee, that provides advice to (a) the Council, or (b) a special committee, or (c) a member of Council staff who has been delegated a power, duty or function of the Council under Section 98 of the Act.

Note: Only matters that are the subject of discussion and consideration at an assembly will be listed. Incidental updates and information on matters will not be recorded.

This requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declarations of conflict of interest.

4. Report

Outlined below are the details of assemblies of Councillors held since the last meeting.

1.	Date / Time	Type of Assembly
	16 September 2020 9.00am – 12.00pm	Councillor Briefing
	Venue	<i>Meeting conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Gayfer, Pearce, Radnedge, Twaits, West
	Present – Officers	John Hausler, Shane Walden, Angela Hughes, Sarah Noel, Brian Glendenning, Lauren Reader, Leanne Manton, Nathan Upson, Jacquelyn Laurent Goeman, Rob Ball, Leanne Khan, Fiona Alexander, Michelle Wyatt
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Suicide and Sudden Death Recovery Committee • Rural Land Use Strategy • Update on Holgates • Council Meeting Agenda Review <ul style="list-style-type: none"> - Minutes of meetings of 26 August 2020 and 9 September 2020 - Planning Scheme Amendment C126 - Submissions - Application to amend DP/2020/1 – 110-112 Willowbank Road, Gisborne - Annual Environment Report 2019/20 - Exploration Licence application EL007260 - Contracts to be awarded as at 16 September 2020 and related matters - Draft Community Engagement Policy - Speed limits and wildlife trauma • Australia Day Award Categories and Event

	<p>Format</p> <ul style="list-style-type: none"> Street trading for cafes and hospitality businesses as part of COVID-19 response
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Nil</p> <p>Did they leave the assembly? N/A</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the assembly? N/A</p>

2.	Date / Time	Type of Assembly
	23 September 2020 9.00am – 10.20am	Councillor Briefing
	Venue	<i>Meeting conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Gayfer, Pearce, Radnedge, Twaits, West
	Present – Officers	John Hausler, Shane Walden, Angela Hughes, Sarah Noel, Lauren Reader, Leanne Manton, Stephen Rowley, Christo Crafford
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> 2019/20 Annual Report Planning Matters <ul style="list-style-type: none"> PLN/2019/432 – 1 Somerville Lane, Riddells Creek PLN/2018/154C – 69-71 High Street, Woodend
	Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Nil</p> <p>Did they leave the assembly? N/A</p>
	Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the assembly? N/A</p>

3.	Date / Time	Type of Assembly
	7 October 2020 9.00am – 11.20am	Councillor Briefing
	Venue	<i>Meeting conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Gayfer, Pearce, Radnedge, Twaits, West
	Present – Officers	John Hausler, Shane Walden, Angela Hughes, Sarah Noel, Nathan Upson, Leanne Manton, Rhassel Mhasho, Rob Ball, Michelle Wyatt, Jack Wiltshire, Stephen Rowley
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Municipal Emergency Management Plan • Municipal Fire Management Plan • EV charging stations • Sustainable subdivisions • Planning matters: <ul style="list-style-type: none"> - PLN/2015/204 – 2-4 Davy Street, Woodend - PLN/2019/573 – Edgecombe Road, Kyneton • Council agenda review <ul style="list-style-type: none"> - Annual Report 2019/20 - Council meeting arrangements
	Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Nil</p> <p>Did they leave the assembly? N/A</p>
	Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the assembly? N/A</p>

Officer Recommendation:

That Council endorse the record of assemblies of Councillors as outlined in this report.

9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL

In accordance with section 4.5 of Council’s Election Period (Caretaker) Policy adopted on 26 August 2020, public question time is suspended during the election period.

PE.1	UPDATE OF MUNICIPAL EMERGENCY MANAGEMENT PLAN AND MUNICIPAL FIRE MANAGEMENT PLAN
Officers	Angela Hughes – Director Planning and Environment Rhassel Mhasho – Manager Regulatory Compliance
Council Plan Relationship	Promote Health and Wellbeing: We will deliver positive health and wellbeing in our community by proactively supporting community safety
Attachments	1. Municipal Emergency Management Plan 2. Municipal Fire Management Plan

Purpose and Overview

The purpose of this report is to outline the review and update of the 2017 Municipal Emergency Management Plan (MEMP) and the Municipal Fire Management Plan (MFMP), and to recommend the adoption of the 2020 update of these plans. Council is required by legislation to review and update these plans every three years.

Recommendation

That Council:

- 1. Adopt the revised Municipal Emergency Management Plan (MEMP) and Municipal Fire Management Plan (MFMP)**
- 2. Distribute the updated MEMP and MFMP to appropriate agencies**
- 3. Place the MEMP and MFMP on Council's website excluding all personal contact details.**
- 4. Thank the Municipal Emergency Management Planning Committee and the Municipal Fire Management Planning Committee (as a sub-committee of the aforementioned committee) for their work on these plans over the past three years.**

Background

Councils play a role in Victoria's emergency management systems, and have responsibilities under current legislation. Councils have specialised local knowledge about the environmental and demographic features that may assist in planning for, and to prevent, emergencies, as well as in recovery.

MEMP

Under the Emergency Management Act 1986 and 2013, Council is required to:

- have a MEMP
- establish a Municipal Emergency Management Planning Committee (MEMPC) involving local stakeholder organisations to develop the plan
- maintain the plan
- allow the audit of the plan.

The purpose of the MEMP is to:

- develop a risk analysis and treatment process
- identify municipal resources to be used in emergency response and recovery
- develop a resilience and vulnerability profile (of the community)
- Implement the MEMP process.

The MEMP is required to be independently audited every three years to ensure that it meets legislative requirements. The Victorian State Emergency Services (VICSES) are the body responsible for this. This year, VICSES have advised that they will undertake this audit on 6 November 2020.

It is this three yearly audit of the MEMP that requires its review and update, prior to this occurring. This is undertaken with the assistance of the Municipal Emergency Management Planning Committee (MEMPC).

The MEMPC is convened and chaired by Council and has representation from emergency agencies like Victoria Police, Council officers as well as delegated Councillors. The MEMPC typically meets thrice a year.

The current MEMP (2017 MEMP) was adopted by Council at its Ordinary Council Meeting on 27 September 2017. At this meeting, it was resolved:

That Council:

- 1. Adopts the revised Municipal Emergency Management Plan;***
- 2. Distributes the revised Municipal Emergency Management Plan to appropriate agencies as per the distribution list; and***
- 3. Places the Municipal Emergency Management Plan on Council's website excluding all personal contact details.***

This 2017 MEMP identifies three Sub-Committees that had been established under the MEMPC. These are:

- Municipal Fire Management Planning Committee
- Municipal Prevention of Violence against Woman in Emergencies
- Municipal Recovery Committee

Page 27 of the 2017 MEMP refers to “various” sub-plans having been developed to complement it, with a list of these provided in Appendix B. It is unclear if this is an exhaustive list. Notably, there are no sub-plans currently attached to the 2017 MEMP.

A sub-plan forms part of the MEMP under which it is prepared and must correlate to emergency management. Not all MEMPs have sub-plan/s, however where they do exist, they provide more specific information that either vary from or contextualise the MEMP that they sit under. As a sub-plan forms part of MEMP, it is subject to the same legislative process as a MEMP, including requirements around its preparation, compliance, approval, and regular audit by VICSES.

It is acknowledged that the work of the MEMPC Sub-Committees, in years gone by, has been important, timely and forward thinking in the topics that they have explored. The fact that there are no recorded sub-plans covering the matters considered by these Sub-Committees does not diminish the work that was undertaken.

Council will need to consider in future how they may consider and address these issues going forward if they do not form part of the MEMP.

Municipal Fire Management Plan (MFMP)

Under the Country Fire Authority Act 1958 (CFA Act), Council is also required to develop a Municipal Fire Management Plan (MFMP) every three years. This plan is also required by the CFA at such intervals.

The purpose of the MFMP is to describe how authorities, local government, fire agencies and other relevant organisations will work together to effectively anticipate, respond to and recover from fire events affecting the Macedon Ranges.

It is developed co-operatively by the Municipal Fire Management Planning Committee (MFMPC), which is a subcommittee of the MEMPC. The MFMPC is responsible for providing a strategic and integrated approach to fire management within the Shire.

It is complemented by the Municipal Fire Management Planning Committee (MFMPC), which is a subcommittee of the MEMPC. The MFMPC is responsible for providing a strategic and integrated approach to fire management within the Shire.

In preparing this report, a search of Council's records was undertaken in relation to the MFMP. This search revealed that in August 2012, Council approved a MFMP for the period 2012 to 2016. This MFMP was successfully audited by the CFA on 9 June 2015.

In May 2016, Council through the MFMPC received correspondence from the then Emergency Management Commissioner, Craig Lapsley, that new Ministerial Planning Guidelines were being developed (in relation to MEMPs and MFMPs) as part of the proposed Emergency Management Legislation Amendment (Planning) Bill 2016. These guidelines were anticipated to change the requirements for preparation of a MFMP. The Commissioner advised that the MFMP should be reviewed and updated to ensure its currency and compliance with legislation; but that a comprehensive review should not occur until the new guidelines were finalised. At that time, this was expected to occur in late 2017. However, at the time of report writing, the guidelines were only expected to be released on 1 December 2020).

Following this, in June 2016, the MFMPC undertook a review and update of the plan. They approved the MFMP 2016-2017 at their meeting in August 2016. However, officers did not bring this updated MFMP to a Council Meeting for adoption. At the time, officers made the decision not to do this on the basis that substantial changes were not required to be made to the plan.

In August 2018, the Ministerial Planning Guidelines had still not been finalised. It is understood that the Loddon Mallee Regional Strategic Fire Management Planning Committee wrote to the Emergency Management Commissioner seeking an update as to when the Guidelines would be finalised. A response received later in the same year did not provide a timeframe.

It is understood that it was the intention of the MFMPC to review and update the MFMP if the Guidelines had not been received by early 2019. While Council's records show that a draft MFMP was prepared for the 2019-2022 period, this did not eventuate into an adopted plan by either the MFMPC or Council.

Given this, the 2016-2017 MFMP appears to be Council's last adopted Plan. While out of date, this Plan is robust and has held Council and the community in good stead in the intervening years. The MFMPC meets regularly, keeps abreast of changes of officers and contact details, and discusses matters relevant to the municipality and region.

Changes to relevant legislation from 1 December 2020

The Emergency Management Legislation Amendment Act 2018 (EMLA Act) was passed through Parliament in August 2018. It seeks to address known and documented risks in emergency management planning by establishing an integrated, comprehensive and coordinated framework for emergency management planning. The new municipal emergency management planning arrangements will take effect on 1 December 2020. Until then, existing arrangements continue to apply.

A significant change resulting from the EMLA Act is, the *transfer* of responsibility for preparation of the MEMP *from Council* to multi-government agencies, who will be represented by the MEMPC. The MEMPC that currently exists will be disbanded and replaced by a 'new model' MEMPC. The EMLA Act specifies the core membership of the 'new model' MEMPC as follows:

- Council (as chair and convenor of meetings)
- Victoria Police
- Country Fire Authority and/or Fire Rescue Victoria (to be established by 1 December 2020)
- Ambulance Victoria
- VICSES
- Australian Red Cross
- Department of Health and Human Services
- At least one additional recovery representative
- One community representative
- One other representative (for example, industry)

Notably Councillor representation will no longer be required.

The EMLA Act specifies that while Council will continue to convene and chair MEMPC meetings, they are not responsible for the work of the Committee. This is to address feedback that emergency management planning should be done on a state and regional level, with municipal plans complimenting and being consistent with what is happening in the region.

From 1 December 2020, the Director Planning and Environment will convene and chair MEMPC meetings.

From this date, each current municipal plan will continue as a transitional measure until its next natural review period (for MRSC, this will be October/November 2023), at which point the plan will be prepared under the new framework.

The State Government have not yet released guidelines about what this new framework will look like. These are expected to be released on 1 December 2020.

Context

The basic science behind emergency management has not changed and nor have the legislative provisions; although it is noted that these will shortly change. Despite this, Council must review the current MEMP and MFMP against the existing legislative framework.

Council has received advice that the MEMP and MFMP should be updated under the current legislation, despite the future legislation changes that will take effect on 1 December 2020. The future legislative changes include transitional provisions that mean that when the MEMP and MFMP are next reviewed and updated (in 2023) that this will occur under the requirements of the legislation that applies at the time. Until then, the 'old format' MEMP and MFMP – which officers are recommending Council's adoption of – will remain in force.

2020 MEMP

The updated 2020 MEMP (Attachment 1) has been reviewed by the current MEMPC and is approved by them, subject to minor changes. As a result, the 2020 MEMP has been updated as follows:

- a review of roles and responsibilities has been completed
- contact directories updated
- MEMP updated for clarity and to reflect current legislation and practice

Following the MEMPC's approval of the Plan, Council officers made further minor changes to the MEMP to update Council officer position names and contact details. These changes do not change the substance of the MEMP. Some of these changes will be redacted in the version of the Plan attached to this report as they contain personal details.

2020 MFMP

The updated MFMP (Attachment 2) was reviewed by the MFMP and MEMPC, and has been approved by them subject to minor changes.

Following this approval, Council officers made minor changes to the MEMP to update Council officer position names and contact details. These changes do not change the substance of the MEMP. Some of these changes will be redacted in the version of the Plan attached to this report as they contain personal details.

From 1 December 2020, this plan will be absorbed into the MEMP. When the MEMP is next reviewed (in 2023), a separate MFMP will not be required. Rather the MFMP content will be included in the MEMP.

Consultation and Engagement

As the MEMP and MFMP are operational documents, consultation is not required under Council's Community Consultation Policy.

However, the MEMPC and MFMP which comprise members from other government organisations and community members have reviewed these updated plans and provided their support.

Strategic Alignment

The MEMP documents the prevention of, response to and recovery from emergencies within the Macedon Ranges Shire, and directly addresses Council Plan Priority 1. Promote Health and Wellbeing: We will deliver positive health and wellbeing in our community by proactively supporting community safety.

Implications

There are no Financial, Resource, Information Technology and Asset Management Implications and Risks related to the adoption of the MEMP.

Policy and Legislative Implications and Risks

The Macedon Ranges Shire Council Municipal Emergency Management Plan (MEMP) has been produced pursuant to Section 20(1) of the Emergency Management Act 1986 (the Act) and is consistent with the Emergency Management Act 2013.

Sustainability Implications and Risks (Social and Environmental)

There are no social and/or environmental issues that may be impacted by this report, there are no remedial actions being proposed.

Charter of Human Rights Implications and Risks

This proposal does not have any direct or indirect human rights implications.

Officer Declaration of Conflict of Interest

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Statement regarding the Election Period

The Acting Chief Executive Officer has reviewed this report and is of the view that a decision taken on the matters raised in the report would not constitute a prohibited decision under section 69(2) of the *Local Government Act 2020* and would not be inconsistent with section 4 of Council's Election Period (Caretaker) Policy.

Conclusion

Council is meeting its obligations under the EM Act and CFA Act to review and update the MEMP and MFMP, which was adopted by Council on 27 September 2017.

These plans will hold the Shire in good stead to deal with any emergencies that may occur within the Shire and reinforce the strong, multi-agency commitment to emergency management.

CX.1	HANGING ROCK PROJECT CONTROL GROUP REPORT
Officer	John Hausler, Acting Chief Executive Officer
Council Plan Relationship	Deliver strong and reliable government
Attachments	Hanging Rock Strategic Plan Update, September 2020

Purpose and Overview

To provide an update to Council on the Hanging Rock Project Control Group, consistent with Council's resolution to receive reports provided by the group at the next available Council Meeting.

Recommendation

That Council receive this report as being an update from the Hanging Rock Project Control Group.

Background

At the Ordinary Council Meeting of 24 July 2019 it was resolved:

That Council:

- 1. Resolve to formally wind up the Hanging Rock Strategic Advisory Committee following the adoption of the Hanging Rock Strategic Plan 2018;***
- 2. Note that the Hanging Rock Interim Control Board (HRIPCB) led by the Department of Environment, Land, Water and Planning (DELWP) is progressing with the development of a 'Joint Management with Traditional Owners' governance model;***
- 3. Note that the Hanging Rock Interim Control Board has commenced development of a Communications Plan that will provide regular updates to the community on the progress of the implementation of the Hanging Rock Strategic Plan 2018; and***
- 4. Write to the Department of Environment, Land, Water and Planning to request that opportunities for former HRSAC members are considered when planning for the development of a new governance model and implementation of the Hanging Rock Strategic Plan 2018 more broadly.***
- 5. Request the Hanging Rock Interim Project Control Board provide Council with a quarterly report on their deliberations and progress, including who has been present at the meetings, how many meetings have been held, and what topics were discussed, that will be tabled and noted at the next available council meeting.***

Context

Below is an update on the Hanging Rock Project Control Group:

- Eleven meetings have been held to date
- Meetings have been held on:
 - 8 March 2019
 - 13 June 2019
 - 4 September 2019
 - 5 December 2019
 - 6 February 2020
 - 17 March 2020
 - 7 May 2020
 - 2 July 2020
 - 6 August 2020
 - 15 September 2020
 - 30 September 2020

It should be noted that the meetings scheduled for 2 April 2020 and 2 June 2020 were cancelled due to various impacts of the COVID-19 environment.

Both Council and DELWP have dedicated webpages indicating that both state and local governments are working together to safeguard the Hanging Rock precinct as a popular local and tourist destination. The previous Hanging Rock Update, May 2020 was presented to the Ordinary Council Meeting on 27 May 2020.

The latest community Hanging Rock Strategic Plan Update, September 2020 (attached) was released on 4 September 2020 and provides an overview of the following:

- Ministerial Advisory Group appointed
- Consultants hired to review and update of Environmental Management Plan (EMP)
- Conservation Management Plan (CMP) update

Community updates will be provided quarterly and presented to Council upon receipt.

Consultation and Engagement

No consultation or engagement was required in the preparation of this report.

Strategic Alignment

This report is aligned with the Council Plan priority of 'deliver strong and reliable government'.

Implications

Financial, Resource, Information Technology and Asset Management

Implications and Risks

There are no resource, IT or asset management implications as a result of this report.

Policy and Legislative Implications and Risks

There are no policy and legislative implications and risks associated with Council noting this report.

Sustainability Implications and Risks (Social and Environmental)

This report is provided for Council's information only and therefore there are no social or environmental issues that may be impacted by the outcome of this report.

Charter of Human Rights Implications and Risks

There are no direct or indirect human rights implications.

Officer Declaration of Conflict of Interest

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Statement regarding the Election Period

The Acting Chief Executive Officer has reviewed this report and is of the view that a decision taken on the matters raised in the report would not constitute a prohibited decision under section 69(2) of the *Local Government Act 2020* and would not be inconsistent with section 4 of Council's Election Period (Caretaker) Policy

Conclusion

This report is for noting by Council.

CX.2	COUNCIL MEETING ARRANGEMENTS
Officer	Lauren Reader, Coordinator Governance
Council Plan Relationship	Deliver strong and reliable government
Attachments	Nil

Purpose and Overview

This report seeks to amend Council's adopted 2020 meeting schedule to accommodate a change of date for the Council Meeting to be held to elect a Mayor and Deputy Mayor, and to amend the meeting start time for the Council Meeting scheduled for 25 November 2020.

Recommendation

That Council amend the meeting schedule adopted by Council at the meeting on 26 August 2020 as follows:

- a. reschedule the Council Meeting to elect the Mayor and Deputy Mayor, currently scheduled to be held on 6pm Wednesday 25 November 2020, to be held at 6pm Monday 23 November 2020.**
- b. reschedule the Council Meeting currently scheduled to commence at 6.30pm on Wednesday 25 November 2020, so that the meeting commences at 6pm that day.**

Background

Council first considered and adopted its 2020 meeting schedule at its meeting on 20 November 2019. That meeting schedule was developed in preparation for the 2020 Council election. That schedule was last amended at the meeting of Council on 26 August 2020.

Council's general election will be held on 24 October 2020 by postal ballot. Council works closely with the Victorian Electoral Commission (VEC) to assist in the delivery of the election. Under the original service agreement with the VEC, the final date for the declaration of all election results by the VEC was 6 November 2020. Council's adopted meeting schedule was determined in light of that date.

Due to the COVID-19 pandemic, the VEC advised all councils that the final possible date for the declaration of election results has been extended by a week, that is, to 13 November 2020. As such, Council at its meeting on 26 August 2020 resolved to:

- “... 4. Amend the Council meeting schedule adopted by Council at the Special Council Meeting of 20 November 2019 as follows:***
- a. reschedule the Special Council Meeting to elect the Mayor and Deputy Mayor, currently scheduled to be held at 6pm on 18 November 2020, to be held at 6pm 25 November 2020; and***

- b. reschedule the Ordinary Council Meeting currently scheduled to be held at 6pm on 25 November 2020, to commence at 6.30pm that day...”***

Context

Following further consideration by officers, it is recommended that a further amendment be made to the adopted meeting schedule to allow the meeting to elect the Mayor and Deputy Mayor, currently scheduled to commence at 6pm on Wednesday 25 November 2020 to take place at 6pm on Monday 23 November 2020. That will allow the election of the Mayor and Deputy, to take place prior to the meeting currently scheduled to commence at 6.30pm on Wednesday 25 November 2020. The agenda for that first meeting will only comprise the Election of Mayor and Deputy Mayor.

A separate meeting date also allows:

- the new Council to focus solely on the appointment of a Mayor and Deputy Mayor;
- officers time to work with the newly elected Mayor and assist them to prepare for the agenda items that are to be considered at the meeting currently scheduled for 6.30pm on 25 November; and
- the new Council an opportunity to become familiar with meeting protocols.

Additionally, it is anticipated there will be a higher than normal volume of reports to be considered at the meeting currently scheduled to commence at 6.30pm on 25 November 2020 following the conclusion of the election period (22 September – 24 October), and it recommended that the meeting commence at 6pm that day.

For these reasons, officers are of the view that it is important to hold the two meetings on separate dates to provide sufficient time and support to Council following the 2020 general election.

Consultation and Engagement

The revised meeting dates will be made available via council’s website and members of the public will be able to view, as the meeting is livestreamed.

Strategic Alignment

The proposal aligns with Council’s strategic priority to deliver strong and reliable government.

Implications

Financial, Resource, Information Technology and Asset Management

Implications and Risks

The proposal does not raise any financial, resource, information technology or asset management implications or risks.

Policy and Legislative Implications and Risks

These arrangements are consistent with the requirements of the Local Government Act 2020.

Sustainability Implications and Risks (Social and Environmental)

The proposal does not raise any social or environmental implications or risks.

Charter of Human Rights Implications and Risks

The proposal does not raise any implications or risks under the Charter of Human Rights.

Officer Declaration of Conflict of Interest

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Statement regarding the Election Period

The Acting Chief Executive Officer has reviewed this report and is of the view that a decision taken on the matters raised in the report would not constitute a prohibited decision under section 69(2) of the *Local Government Act 2020* and would not be inconsistent with section 4 of Council's Election Period (Caretaker) Policy.

Conclusion

Officers recommend that the 2020 meeting schedule be amended to allow for the Council Meeting to elect the Mayor and Deputy Mayor to be held on Monday 23 November 2020 at 6pm and that the Council Meeting scheduled for 6.30pm Wednesday 25 November 2020 be amended to commence at 6pm.

CC.1	APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER AND RELATED MATTERS
Officer	Sarah Noel, Acting Director Corporate and Community
Council Plan Relationship	Deliver strong and reliable government
Attachments	Nil

Purpose and Overview

To recommend the appointment of an Acting Chief Executive Officer whilst the recruitment for the permanent position of Chief Executive Officer is undertaken (following the notice given by Ms Margot Stork to resign from her position as Chief Executive Officer and subsequently the cessation of acting arrangements effective 21 October 2020), and related matters.

Recommendation

That Council, in accordance with Section 66(2)(a) of the *Local Government Act 2020*, close the meeting to consider a report on the appointment of an Acting Chief Executive Officer for Macedon Ranges Shire Council, pursuant to Section 94 of the *Local Government Act 1989* in circumstances where that report includes consideration of confidential information.

For the purposes of Section 66(5) of the *Local Government Act 2020*, that confidential information includes personal information about persons who may be appointed to the position of Acting Chief Executive Officer, which if disclosed in an open meeting of the Council would result in unreasonable disclosure of personal information about those persons.

Statement regarding the Election Period

The Acting Chief Executive Officer has declared a conflict of interest in this matter and delegated the matter to the Acting Director Corporate and Community. The Acting Director Corporate and Community has reviewed this report and is of the view that a decision taken on the matters raised in the report would not constitute a prohibited decision under section 69(2) of the *Local Government Act 2020* and would not be inconsistent with section 4 of Council's Election Period (Caretaker) Policy.

CC.2	ENGAGEMENT OF RECRUITMENT PROFESSIONAL TO ASSIST WITH THE RECRUITMENT OF A PERMANENT CHIEF EXECUTIVE OFFICER
Officer	Sarah Noel, Acting Director Corporate and Community
Council Plan Relationship	Deliver strong and reliable government
Attachments	Nil

Purpose and Overview

To recommend the engagement of a recruitment professional to assist with the recruitment of a permanent Chief Executive Officer.

Recommendation

That Council, in accordance with Section 66(2)(a) of the *Local Government Act 2020*, close the meeting to consider a report on the engagement of a recruitment professional to assist with the appointment of a permanent Chief Executive Officer for Macedon Ranges Shire Council, pursuant to Section 94 of the *Local Government Act 1989* in circumstances where that report includes consideration of confidential information.

For the purposes of Section 66(5) of the *Local Government Act 2020*, that confidential information includes private commercial information, being information provided by a business, commercial or financial undertaking that if disclosed in an open meeting of Council would unreasonably expose the business, commercial or financial undertaking to disadvantage. This comprises commercial information provided by individual companies, including their rates and methodologies to undertake recruitment services.

Statement regarding the Election Period

The Acting Chief Executive Officer has declared a conflict of interest in this matter and delegated the matter to the Acting Director Corporate and Community. The Acting Director Corporate and Community has reviewed this report and is of the view that a decision taken on the matters raised in the report would not constitute a prohibited decision under section 69(2) of the *Local Government Act 2020* and would not be inconsistent with section 4 of Council's Election Period (Caretaker) Policy.

13. DIRECTOR ASSETS AND OPERATIONS REPORTS

Nil

14. NOTICES OF MOTION

Nil

15. URGENT AND OTHER BUSINESS

In accordance with Council's adopted Governance Rules, business which has not been listed on the Agenda may only be raised as urgent or other business by resolution agreed by Council.

16. CONFIDENTIAL REPORTS

16.1 Appointment of an Acting Chief Executive Officer and related matters

16.2 Engagement of recruitment professional to assist with the recruitment of a permanent Chief Executive Officer