

# Council Meeting Agenda

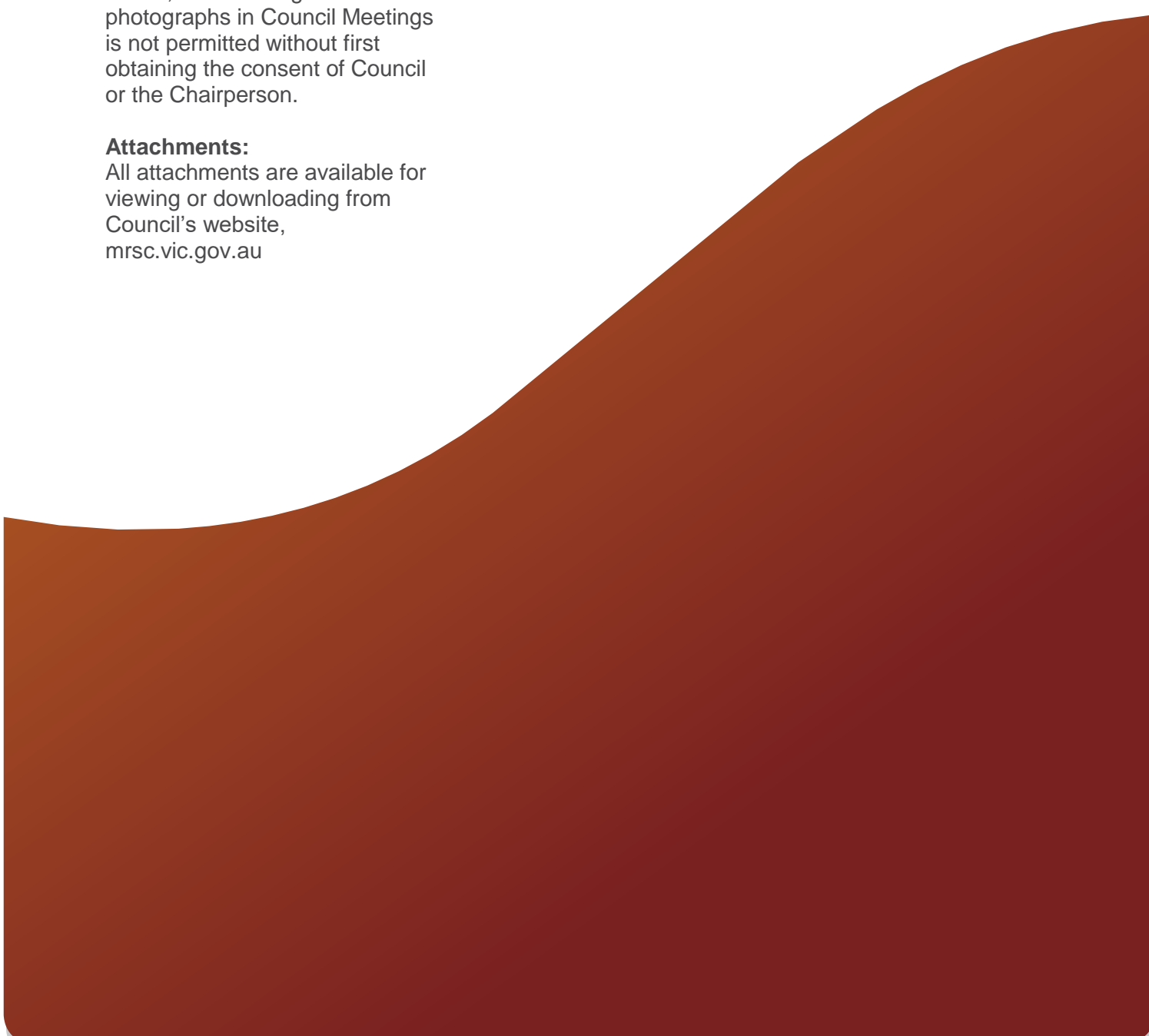
**Wednesday 25 November 2020 at 6.00pm**  
**Gisborne Administration Centre**  
**40 Robertson Street, Gisborne**

**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](http://mrsc.vic.gov.au)



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## **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.

While Councillors are attending this meeting in person, in line with current directions by the Chief Health Officer, face-to-face Council Meetings are not to be held with members of the public in attendance. As such, there is no one present in the public gallery this evening. We welcome those of you watching from home.

Please note that face masks are required to be worn by those in attendance, but may be removed when a Councillor is speaking, as it is possible for masks to be removed for live broadcasting purposes.

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 2 Sections 126-131 of the *Local Government Act 2020* and Part 5, Rule 48 of Council's Governance Rules regarding conflicts of interest.

Councillors are reminded that conflicts of interest must be disclosed in the manner required by Council's Governance Rules. The Councillor must make a full disclosure of the interest by either advising:

- the Council at the meeting immediately before the matter is considered at the meeting; or
- the CEO in writing before the meeting;

and

- whether the interest is a general conflict of interest or a material conflict of interest; and
- the nature of the interest

(If a Councillor advised the CEO in writing before the meeting, the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting)

#### **5. MAYOR'S REPORT**

This item in each agenda 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.

##### **Recommendation:**

**That the Mayor's report be received.**

#### **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.

## **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 21 October 2020

### **Recommendation:**

**That the minutes of the meeting of the Macedon Ranges Shire Council held on Wednesday 21 October 2020 as circulated be confirmed.**

## **8. RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF – NOVEMBER 2020**

### **1. Summary / Purpose**

The purpose of this report is to provide the record of meetings of Councillors and Council staff, which have been held since the last Council Meeting, so that they can be recorded in the minutes of a scheduled Council Meeting.

### **2. Policy Context**

Rule 31(a) of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councillors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting.

### **3. Background Information**

Rule 31(b) specifies the meetings for which a written record will be kept and reported to the next practicable Council Meeting are as follows:

- (i) an advisory committee of the Council, if at least one Councillor is present; or
- (ii) a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be –
  - (i) the subject of a decision of the Council; or
  - (ii) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee but does not include a meeting of the Council, a delegated committee of the Council, a meeting of the audit and risk committee, a club, association, peak body, political party or other organisation.

Rule 31(c) provides that the written record of meetings must include:

- (i) the names of attending Councillors, staff members and other persons;
- (ii) a short title of the matters discussed; and
- (iii) any conflicts of interest disclosed by Councillors or Council staff and whether they temporarily left the meeting whilst the subject matter of their disclosed conflict of interest was discussed.

Note: Only matters that are the subject of discussion and consideration at a meeting 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 meetings of Councillors and Council staff held since the last meeting.

1.	Date / Time	Type of Meeting
	21 October 2020 9.00am – 10.05am	Councillor Briefing
	Venue	<i>Meeting conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Pearce, Radnedge, Twaits, West
	Present – Officers	John Hausler, Shane Walden, Angela Hughes, Sarah Noel, Kate Young, Lauren Reader, Leanne Manton, Stephen Rowley, Harjinder Singh, Awais Sadiq, Christo Crafford, Nathan Upson, Rhassel Mhasho
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> <li>• Planning Matters <ul style="list-style-type: none"> <li>- PLN/2020/20 – 2164 Three Chain Road, Lancefield</li> <li>- PLN/2018/92 – Muntzs Road, Ashbourne</li> </ul> </li> <li>• Council Meeting Agenda Review <ul style="list-style-type: none"> <li>- Update of Municipal Emergency Management Plan and Municipal Fire Management Plan</li> <li>- Hanging Rock Project Control Group Report</li> <li>- Council Meeting arrangements</li> </ul> </li> </ul>
	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 meeting? N/A</p>
	Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

**Officer Recommendation:**

**That Council endorse the record of meetings of Councillors and Council staff as outlined in this report.**

**9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL**

Generally there is no opportunity for members of the public to address a Scheduled Council Meeting. In specific circumstances where a prior request to the Mayor has been made and approved, a member of the public may be provided the opportunity to address the Council. In such circumstances the presentation will be limited to three minutes unless otherwise approved.



**10. DIRECTOR PLANNING AND ENVIRONMENT REPORTS**

Nil

<b>CX.1</b>	<b>ANNUAL REPORT 2019/20</b>
<b>Officer</b>	<b>John Hausler, Director Corporate and Community Leanne Manton, Manager Communications</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachments</b>	<b>Annual Report 2019/20</b>

### **Purpose and Overview**

Macedon Ranges Shire Council's Annual Report 2019/20 has been prepared and will be submitted to the Victorian Government in accordance with Section 131 of the *Local Government Act 1989* (VIC). Section 134 of the *Local Government Act 1989* (VIC) requires a Council to consider its annual report at a meeting of Council.

### **Recommendation**

#### **That Council:**

- 1. Receive the Annual Report 2019/20 and note the audit opinions; and**
- 2. In accordance with Section 133 of the *Local Government Act 1989* (VIC), Council give public notice that the Annual Report 2019/20 has been prepared and that it will be available on Council's website and at Council offices.**

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### **Background**

Macedon Ranges Shire Council's Annual Report 2019/20 has been prepared and will be submitted to the Victorian Government in accordance with Section 131 of the *Local Government Act 1989* (VIC).

The document reports on the third year of the Council Plan and is the sixth Annual Report which has been structured under the Victorian Government's Local Government Performance Reporting Framework.

It includes comparative data for previous years for each of the standardised performance indicators in the areas of service performance, financial performance and sustainability capacity. It includes the audited Performance Statement and audited Financial Statements.

### **Context**

Council's annual report highlights many of Council's achievements during the 2019/20 financial year.

The capital expenditure included significant works completed at several of our facilities across the shire including:

- Gardiner Reserve netball/umpires change rooms
- Woodend kindergarten renewal
- IR Robertson Reserve pavilion
- Kyneton Library upgrade works
- Swinburne Avenue Kindergarten refurbishment
- Transfer station eWaste buildings.

Significant expenditure was also allocated to renewing and improving our roads and footpaths.

Council approved the 2019/20 Financial Statements and Performance Statement in principle at the Ordinary Council Meeting on 26 August 2020.

Since then, the Victorian Auditor-General has completed Council's audit and issued the 'Independent Auditor's Report'.

The Auditor-General has formed the opinion that the Statements were presented fairly and in accordance with the applicable Australian Accounting Standards and the requirements of the *Local Government Act 1989* (VIC).

The Statements and the associated audit opinions are included in the Annual Report.

### **Consultation and Engagement**

There has been internal consultation on the Annual Report, including providing the report to the Audit and Risk Committee for feedback.

### **Strategic Alignment**

In order to ensure Council carries out its requirements in accordance with the *Local Government Act 1989* (VIC), this report is provided to acquit those requirements. Delivering on the above requirement ensures that Council delivers on its priority of strong and reliable government.

### **Implications**

#### **Financial, Resource, Information Technology and Asset Management**

##### **Implications and Risks**

The Annual Report provides information on Council's operating and financial performance for the 2019/20 financial year.

### **Policy and Legislative Implications and Risks**

The Annual Report has been prepared in accordance with Section 131 of the *Local Government Act 1989* (VIC). The Financial Statements have been prepared in accordance with Australian Accounting Standards.

Sections 98 and 99 of the *Local Government Act 2020* (VIC) will commence on 24 October 2020 and will apply to the preparation of the 2020/21 Annual Report.

Council also received advice from the Minister for Local Government that an extension for the submission of Annual Report for financial year 2019/20 from 30 September 2020 to 30 November 2020 was provided.

**Sustainability Implications and Risks (Social and Environmental)**

In terms of financial sustainability, the Financial Statements within the report indicate that the Council remains in a sound financial position.

**Charter of Human Rights Implications and Risks**

There are no human rights implications in the completion of the Annual Report.

**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.

**Conclusion**

2019/20 was a successful year for Council in the efficient daily delivery of works, services (as confirmed by the Local Government Performance Reporting) and actions within the Council Plan to benefit our community, albeit within the constraining and challenging COVID-19 pandemic.

<b>CX.2</b>	<b>ENGAGEMENT OF A PROFESSIONAL TO ASSIST WITH THE RECRUITMENT OF A PERMANENT CHIEF EXECUTIVE OFFICER</b>
<b>Officer</b>	<b>Sarah Noel, Interim Executive Manager People Culture and Performance</b>
<b>Council Plan Relationship</b>	<b>Delivering strong and reliable government.</b>
<b>Attachments</b>	<b>Nil</b>

### **Purpose and Overview**

This report relates to engagement of a 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.**

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### **Option**

In the event that all Councillors are satisfied with the recommendation for this item as contained in the confidential section of this notice paper and without questions and debate, Council may resolve to adopt the recommendation as contained in the confidential section in open Council at any time. The Minute Secretary will then formally read out this resolution. The Council resolution will then immediately become public information but the confidential report will remain confidential.

<b>CC.1</b>	<b>CONTRACTS TO BE AWARDED AS AT 25 NOVEMBER 2020 AND BREACH OF THE PROCUREMENT POLICY</b>
<b>Officer</b>	<b>Corinne Farley, Coordinator Contracts</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachments</b>	<b>Nil</b>

### **Purpose and Overview**

The following report sets out the details of contracts proposed to be awarded from the date of the last report to 25 November 2020 under a delegation from Council. Although this report recommends noting the delegated authority of Council officers, the Council has the power to:

- (a) direct that the Chief Executive Officer award the contract under the direct delegation from Council; or
- (b) specifically grant delegated authority to the Chief Executive Officer.

### **Recommendation**

#### **That Council:**

1. **Note that the following contracts will be awarded by Council officers under delegated authority:**
  - **C21.1085 Data Collection and Condition Assessment Council Assets**
  - **C21.1087 Design and Construction of Pedestrian Bridge**
  - **C21.1088 Change Room Upgrade Riddells Creek**
  - **C21.1090 Water Sensitive Urban Design (WSUD) Maintenance Audit**
2. **Note a breach of the Procurement Policy and the Local Government Act 1989, which will be disclosed in the Annual Report.**

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### **Background**

Council's delegation to the Chief Executive Officer (CEO) dated 14 July 2020 limits the CEO's power to award contracts to contracts having a value of \$1,000,000 or less.

The CEO has delegated that function to staff in accordance with an instrument dated 27 August 2020, subject to conditions that include compliance with Council's adopted Procurement Policy and its associated position based financial thresholds.

### **Context**

This report provides Council with a brief summary of proposed contracts, which are being advertised or will shortly be advertised, and advises whether or not delegated authority to award the contract currently exists.

C21.1085 Data Collection and Condition Assessment of Council Assets

This is a service contract for the engagement of a contractor to carry out condition assessments and update Council's Buildings, Facilities and Structures asset data. The update will include spatial and attribute information on key asset groups and asset categories in order to understand the condition and replacement cost of Council assets for valuation and renewal planning purposes. The duration of the contract will be 19 months.

The CEO has delegated authority to award this contract. Funds for these works have been provided in the 2020/21 operating budget and future annual budgets.

C21.1087 Design and Construction of Pedestrian Bridge

This is a works contract for the design and construction of a new footbridge main drain in Bolithos Road, Riddells Creek. The footbridge and ancillary works will connect shared walking trails north and south of the creek banks. The duration of the contract will be 18 months.

The CEO has delegated authority to award this contract. Funds for these works have been provided in the 2020/21 budget as part of the \$1.435 million Footpath Renewal Program.

C21.1088 Change Room Upgrade Riddells Creek

This is a works contract for the construction and redevelopment of the existing change rooms and toilets at the Riddells Creek Recreation Reserve. The duration of the contract will be 6 months.

The CEO has delegated authority to award this contract. The sum of \$350,000 was provided in the 2020/21 budget for these works.

C21.1090 Water Sensitive Urban Design (WSUD) Maintenance Audit

This is a service contract for the investigation and assessment of Council's existing WSUD assets, checking functionality and creating a maintenance schedule for future Capital works projects. The duration of the contract will be 9 months.

The CEO has delegated authority to award this contract. Funds for these works have been provided in the 2020/21 operating budget.

Cumulative Expenditure Breach

A breach of the cumulative expenditure rules within Council's Procurement Policy clause 5.4 and section 186 of the *Local Government Act 1989* has been identified. The breach occurred following the expiration of the Retail Fuel contract C16.763. Although a new contract was awarded in early September 2020, the contract documents were unable to be signed due to the election period embargo. Supplier expenditure with WEX Australia Pty Ltd for fuel from the expiration of the old contract and before the signing of the new contract agreement is \$203,000. This is \$53,000 over the threshold limits. The breach will be reported in Council's Annual Report.

**Consultation and Engagement**

Nil

### **Strategic Alignment**

In order to ensure Council carries out procurement activities in accordance with its Procurement Policy, as required by the *Local Government Act 1989*, this report is provided to acquit those requirements.

Delivering on the above requirement ensures that Council delivers on its priority of strong and reliable government.

### **Legislative Implications**

The *Local Government Act 2020* does not become applicable to procurement until 1 July 2021. As such the provisions of the *Local Government Act 1989* and associated regulations will apply until this time. On 1 July 2021, Council will have a transition period until 31 December 2021 in which to enact the requirements of the *Local Government Act 2020*.

### **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.

### **Conclusion**

#### **1. Contracts to be Awarded**

That Council note that delegated authority exists for officers to award contract:

- C21.1085 Data Collection and Condition Assessment Council Assets
- C21.1087 Design and Construction of Pedestrian Bridge
- C21.1088 Change Room Upgrade Riddells Creek
- C21.1090 Water Sensitive Urban Design (WSUD) Maintenance Audit

#### **2. Cumulative Expenditure Breach**

That Council note the Procurement Policy and Local Government Act 1989 breach with WEX Australia Pty Ltd.



<b>CC.2</b>	<b>QUARTERLY REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2020</b>
<b>Officer</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachments</b>	<b>Quarterly Report for the period ended 30 September 2020</b>

### **Purpose and Overview**

The Quarterly Report for the period ended 30 September 2020 is presented for Council's consideration and information. This report includes the following:

- Section 1 – Quarterly financial statements
- Section 2 – Capital works progress report
- Section 3 – Council plan actions – progress report
- Section 4 – People Culture and Performance report
- Section 5 – Risk management report
- Section 6 – Implementation of Council Resolutions
- Section 7 – Governance schedule
- Section 8 – Councillor expenditure
- Section 9 – Councillor activities in the community

### **Recommendation**

**That Council note the Quarterly Report for the period ended 30 September 2020.**

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### **Background**

The quarterly report is provided in accordance with Section 138 of the *Local Government Act 1989* (Vic) ensuring that a statement comparing budgeted and actual revenue and expenditures is presented at an open Council Meeting.

### **Context**

Section 1 and 2 - Financial performance to 30 September 2020

The Income Statement shows that an adjusted operating surplus of \$40.4m as budgeted was recorded for the financial year to 30 September. This surplus effects accounting standards that all rate income is recognised at the start of the financial year when the rates are struck. This results in Council having a large surplus at the start of the year which reduces as the year progresses. Expenditure is incurred more evenly throughout the year.

Overall, the operating surplus for the quarter is \$0.4m favourable to budget - operating income is \$1.18m lower than budget and operating expenses are \$1.55m below budget. Capital expenditure totalled \$3.3m for the first quarter of the year which was \$1.6m under budget.

Council remains in a sound financial position for the financial year to 30 September. The impacts on Council's financial position as a result of the COVID-19 pandemic are being recorded as they become known, and to date are not having a material impact that indicates a requirement to produce a Revised Budget. Broadly revenue impacts of COVID-19 are being offset by under expenditure. These impacts will be able to be considered further in the 2020/21 Mid-Year Budget Review, when officers review the performance against budget for the first 6 months of operations and seek approval to make any necessary budget adjustments.

Sections 3-9 of the report provides Council an update as at 30 September on the progress of completing various council plan actions for the 2020/21 financial year, and includes reports relating to People Culture and Performance and Risk Management. The report also includes a Governance Schedule and several other reports relating to Councillor expenses and activities.

### **Consultation and Engagement**

Officers from across the organisation have contributed to the preparation of the quarterly report.

### **Strategic Alignment**

The Quarterly Report forms part of a legislative requirement, which assists Council to deliver on its priority of strong and reliable government, whilst achieving its vision by following good governance processes and providing transparency to the community.

### **Implications**

#### **Financial, Resource, Information Technology and Asset Management**

#### **Implications and Risks**

The Quarterly Report provides information on Council's operating and financial performance for the period 1 July to 30 September 2020.

A noted financial risk during the 2020/21 financial year is the financial implications associated with the impact of COVID-19. Whilst the first quarter's results show that other operational revenue has been impacted negatively by the ongoing closure of some Council facilities, first quarter expenditures on material and services and other expenses are lower, offsetting this impact.

The financial impacts of COVID-19 will continue to be monitored by officers and considered in the 2020/21 Mid-Year Budget Review process.

### **Policy and Legislative Implications and Risks**

This report has been prepared in accordance with the *Local Government Act 1989 (Vic)*. The financial statements have been prepared in accordance with Australian Accounting Standards.

From 24 October 2020 a quarterly report will need to be completed in conjunction with Section 97 of the *Local Government Act 2020*.

**Sustainability Implications and Risks (Social and Environmental)**

In terms of financial sustainability, the financial statements within the report indicate that Council remains in a sound financial position.

**Charter of Human Rights Implications and Risks**

There are no human rights implications resulting from the completion of the Quarterly Report.

**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.

**Conclusion**

That Council note the Quarterly Report for the period ended 30 September 2020.

<b>CC.3</b>	<b>FUTURE OF HEALTH AND WELLBEING ADVISORY COMMITTEE</b>
<b>Officer</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan Relationship</b>	<b>Promote Health and Wellbeing</b>
<b>Attachments</b>	<b>1 – Updated Terms of Reference</b> <b>2 – Desley Renton Consultants Report – November 2019</b>

### **Purpose and Overview**

To provide an overview of the Health and Wellbeing Advisory Committee (HWBAC) including current membership and provide options regarding the future of the Committee for consideration by Council.

### **Recommendation**

#### **That Council:**

- 1. Continue the committee for a further 12 months with a targeted focus on priority health and wellbeing actions as outlined within this report.**
- 2. Appoint the following expiring members who have indicated an interest to continue on the for an additional year through to 31 October 2021:**
  - Geoff Caddick**
  - Tony Croke**
  - Rachael Wauchope**
  - Ronelle Wetton**
- 3. Adopt the updated attached Health and Wellbeing Advisory Committee Terms of Reference.**
- 4. Direct the Chief Executive Officer to present a review of the effectiveness of the Committee over the next 12 months, to the October 2021 scheduled meeting of Council.**

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### **Background**

Macedon Ranges Shire Council resolved to establish the Macedon Ranges Shire Health and Wellbeing Advisory Committee on 25 June 2014 as a continuation of its commitment to an integrated approach to planning. The independent and diverse community-based committee aim was to provide input and advice to Council on the many and varied activities it pursues to positively contribute to community health and wellbeing.

The Macedon Ranges Shire Health and Wellbeing Advisory Committee is a representative body of the Macedon Ranges Shire community. The committee's vision is to work with Macedon Ranges Shire Council to assist in the delivery of best practice health and wellbeing policy, programs and services.

The intended purpose of the HWBAC is to provide input to strategy and policy development work undertaken across Macedon Ranges Shire Council in the context of its impact on the health and wellbeing of all residents and other stakeholders of the Macedon Ranges.

The current HWBAC Terms of Reference permits the committee to be represented by up to 14 members, including 2 youth ambassadors, plus 3 Councillors and nominated Council officers. The committee is scheduled to meet approximately four times per year.

In November 2019 a facilitated health and wellbeing committee meeting was held with an external consultant. The discussion focussed on the issues impacting the committee and the expectations of the committee in performing their role.

Discussions indicated that HWBAC members believe they should be involved in Council initiatives/issues at an earlier stage to enable greater influence in decision-making processes. The experience to date has been that the committee are informed or consulted on issues as part of a final review. As part of this facilitated session the Terms of Reference (TOR) was recommended to be reviewed. The committee also asked Council to identify resources to support the HWBAC, and for the Council to initiate a vision conversation.

Progress has been made in respect to some of the issues identified in the November 2019 facilitated meeting including:

- The committee have reviewed the TOR which are attached for endorsement.
- Council has set aside budget coverage of 0.4 FTE to resource the support of the committee.
- Preliminary discussions have been had regarding the committee members aspirations for the new Council vision that will need to be completed as part of the requirements of the Local Government Act (LGA) 2020 (Vic).

HWBAC Meetings have continued over the last 12 months since the review was completed, and a number of meetings have been conducted virtually due to COVID-19 restrictions. These meetings have occurred with a focus on improving the way the Committee works, without the updated TOR being in place, nor formal resources existing to support the committee. An external consultant has continued involvement in the committee meetings and has noted the following:

- That Council should continue the future of the committee; and
- That consideration should be given to how the committee will operate in the context of Councils future requirements under its community engagement policy (LGA 2020) and the associated deliberative engagement.

This report provides Council with the ability to consider the future of the committee. On the basis that a number of the existing Committee members terms have now expired and that a new Council term is about to begin, it is an appropriate time for Council to consider the future of the Health and Wellbeing Advisory Committee. The next meeting of the committee is currently scheduled for 9 December 2020 and a decision by Council regarding the future of the Committee will need to be made regarding membership, in order to improve the community representation for that meeting.

A key aspect that has been highlighted by the external consultant which could further influence decision making regarding the future of the HWBAC is the introduction of deliberative engagement practices by Council for its key strategic planning documents – the Council Vision, Plan, Financial Plan and Asset Plan. The process of engagement on these documents is significant and it is possible that some of the previously intended functions of the committee are covered by the new requirements of the LGA 2020 and as outlined below, waiting for 12 months allows a fuller understanding of how this process works and influences Councils decision making.

### **Context**

Officers have identified three options in relation to the future of the Macedon Ranges HWBAC. Details of these options are explained below:

#### Option A - Cease the HWBAC.

The option to cease the advisory committee was supported in the external consultant's report in November 2019. The consultant referenced in the report that the:

*“Macedon Ranges Shire Health and Wellbeing Advisory Committee (HWBAC) members agreed that the current function of the Committee was not living up to the expectations of the Council or the representative community members.”*

Noting this comment above from the report it is recognised that the Committee at that stage was lacking a clear agreed purpose, a plan/roadmap and clarity of roles.

The evidence from the external consultant's report certainly indicates the cessation of the Committee is an option for consideration by Council.

Choosing this option would necessitate not only the formal cessation of the Committee but would also involve ending the membership of existing Committee members with tenures to 2022.

#### Option B - Continue the committee in its current form as an ongoing advisory Committee.

The option to continue the Committee as an ongoing advisory Committee was not recommended in the consultant's report from November 2019. It was instead noted that a number of actions should be undertaken before reviewing the value of continuing with the Committee. By committing now to the ongoing continuation of the advisory committee, without first seeing the impact of the recommendations on the Committees functioning, Council may not be making an informed decision. Also linked to this decision will be the outcomes of mandated deliberative engagement that occur over the next 12 months, and what success that may have in providing community input into Council decision making.

Continuing on this basis will require consideration to be given to Committee membership. Officers would recommend that in the first instance, those Committee members whom have expressed an interest to continue be reappointed for 12 months given the time it would take to run a recruitment process and appoint new members.

Option C - Continue the committee for a further 12 months with a targeted focus on priority health and wellbeing actions and analyse the effectiveness of the Committee at the expiry of this period. **RECOMMENDED**

Council staff have identified a role for the committee for the upcoming 12 months as outlined below in the Targeted areas of Focus for the Committee. A key piece of work for the Committee over the next 12 months can be an involvement in the development of the Municipal Public health and Wellbeing Plan.

Under the Public Health and Wellbeing Act 2008 the following must be undertaken by Council:

26 municipal public health and wellbeing plans

- (1) Unless section 27 applies, a Council must, in consultation with the Secretary, prepare a municipal public health and wellbeing plan within the period of 12 months after each general election of the Council.

This piece of work is important for Council and provides an opportunity for the Committee to work together on a clear legislated purpose.

Should the Committee continue under the officer recommendation of option C it will allow Councillors to assess the Committee's performance and be better informed to understand the Committee's contribution to the community and Council, prior to making any permanent decisions regarding the Committees future.

It is also noted that another option is that the committee could be put into a 12 month hiatus, to allow further time for the implications of deliberative engagement to be understood and to undertake further review of the committee. In this instance given that there are a number of pieces of work for the committee to consider, resources allocated to support the committee and a draft plan that responds to some of the identified challenges, it has been identified that continuing the Committees operations for 12 months is a better option.

### **Targeted areas of focus for the committee for the next 12 months**

With a plan/roadmap in place for the next 12 months it will give Councillors the opportunity to assess the importance of such a committee and the contribution it makes in Council's decision making decisions.

Over the next year, it is anticipated this committee will assist Council in meeting the legislative requirements under the *Local Government Act 2020 (Vic)* including the Council Vision and the Council Plan.

Council staff have also identified areas that the HWBAC could provide input into across the Council, these key areas of work that Council staff are required to undertake include:

<b>Meeting 1 9 December 2020</b>	<b>Meeting 2 TBC Feb 2021</b>	<b>Meeting 3 TBC April 2021</b>	<b>Meeting 4 TBC July 2021</b>
<u>Topics</u> <ul style="list-style-type: none"> <li>• HWBAC Committee Vision and Topics for the Next 12 Months</li> <li>• Municipal Public Health and Wellbeing Plan Framework and Approach</li> <li>• Disability Action Plan Framework and Approach</li> <li>• Council Vision and Plan Project Plan</li> <li>• Local Government</li> </ul> 101	<u>Topics</u> <ul style="list-style-type: none"> <li>• Draft Gender Equality Action Plan</li> <li>• Draft Municipal Health and Wellbeing Plan</li> <li>• COVID-19 Response Update</li> <li>• 2021/22 Budget and Financial Plan</li> <li>• Early Years Plan</li> <li>• Key Topics - TBC</li> </ul>	<u>Topics</u> <ul style="list-style-type: none"> <li>• Aged Care Quality and Safety Royal Commission Outcomes</li> <li>• Deliberative Engagement Outcomes</li> <li>• Healthy Masculinities Project Update</li> <li>• Move-It Program Update</li> <li>• Key Topics - TBC</li> </ul>	<u>Topics</u> <ul style="list-style-type: none"> <li>• Open Space Strategy Progress Update</li> <li>• Review of Committee Effectiveness</li> <li>• Three Year Old Kinder Planning Update</li> <li>• Key Topics - TBC</li> </ul>

Other areas of work will also be identified that the HWBAC are able to provide assistance with, as represented by Key Topics to be confirmed and which can be identified further with the Committee on 9 December 2020.

### **Membership**

At present the Committee has had a number of community members resign and another group of members have their memberships due. The committee also requires three Councillors (under the current arrangements) to be appointed to the Committee, which occurs annually when Council considers whom the Councillor representatives will be for Council committees.

Should Council support either option B or C to undertake the work identified above committee members will need to be appointed in order to have enough ongoing representation. Membership of the committee is determined by Council. The current status of members is as follows:



The following members were appointed to the committee on the 27 February 2019 for a period ending in October 2022:

- a) Paul Stuart
- b) Marie Zoethout
- c) Judit Brown
- d) Annamarie Perlesz
- e) Georgia Lethlean - Resigned 6 March 2020
- f) Jayne Howley - Resigned 19 August 2020
- g) Sonia Hennessy - Advised by phone that Sonia would like to resign 24 August 2020
- h) Sue Feiner
- i) Shaylyn Blyth (Youth Ambassador) - Resigned 7 September 2020

The following members had their membership extended to 31 October 2020 at a Council meeting on 18 December 2019, contact has been made with each of the members to gauge each member's level of interest to continue:

- a) Geoff Caddick - Would like to extend
- b) Tony Croke - Would like to extend
- c) Kyle Hayes (Youth Ambassador) - Not wishing to extend
- d) Kristina Vingrys - Resigned 28 August 2020
- e) Rachael Wauchope - Would like to extend
- f) Ronelle Wetton - Would like to extend

At present the committee has five members with further years to run on their membership (through to October 2022). Of the 6 members with expiring membership 4 are interested in continuing on in the role. As it currently stands, membership would consist of 9 members, along with three Councillor representatives. It is also worth noting the Youth Ambassador role is not currently represented, and that attendance from these roles at Committee meetings has been limited.

As outlined above it is recommended that the Committee be continued with the above outlined membership (9 community members / 3 Councillors) for the next 12 months. A review is recommended to be provided to the October scheduled meeting of Council in 2021. Council will then be able to consider the impact of the changes made, outcomes from the process of deliberative engagement and feedback from the Committee regarding the last 12 months operations. Should it be decided to continue the Committee beyond this 12 month period, an expression of interest could then be put to the community to determine any changes in membership.

### **Terms of Reference**

It is recommended the current draft terms of reference be adopted should option B or C be supported.

The terms of reference have been updated to incorporate recommendations from the Consultant's report from the 2019 review.

It is recommended as part of the updated Terms of Reference that Youth ambassador representation is not required in the next 12 month period and the existing members including those who have indicated they wish to extend their membership form the committee for the next 12 months – that is 9 community members and three Councillors.

### **Consultation and Engagement**

Current members of the committee have been contacted to gauge levels of interest to continue membership of the committee.

Council staff have been requested to consider work within their units that this Committee could contribute to.

### **Strategic Alignment**

The Health and Wellbeing Advisory Committee supports Council priority of promoting health and wellbeing.

### **Implications**

#### **Financial, Resource, Information Technology and Asset Management**

##### **Implications and Risks**

Support for this committee was funded within the 2020/21 budget.

### **Policy and Legislative Implications and Risks**

The Municipal Public Health and Wellbeing Plan (MPHWP) sets the broad mission, goals and priorities to enable people living in the municipality to achieve maximum health and wellbeing.

The Public Health and Wellbeing Act 2008 requires councils to prepare a Municipal Health and Wellbeing Plan (MHWP)

The MPHWP needs to consider the focus areas and priorities of the Victorian Public Health and Wellbeing Plan 2019–2023. This is required under the Public Health and Wellbeing Act 2008

Our Council Plan currently incorporates our Health and Wellbeing Plan.

### **Sustainability Implications and Risks (Social and Environmental)**

Nil

### **Charter of Human Rights Implications and Risks**

The proposal does not limit rights set out in the Charter of Human Rights.

### **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.

## **Conclusion**

The Council has a number of options for the future of the HWBAC. The recommendation from the external consultant's report was that the Committee was not living up to the expectations of the Council or the representative community members and the Committee should be either be modified or discontinued.

Council must prepare a municipal public health and wellbeing plan within the period of 12 months after each general election of the Council, and the continuation of the committee does provide a specific opportunity for their involvement. It is anticipated the committee will be able to actively assist Council in meeting this legislative requirement. A number of other key pieces of work have also been outlined for the committee over the next 12 months in the targeted areas of focus.

The approval of a further 12 month extension to the members with expiring membership allows some continuity of membership and provides for ongoing membership without the need to run a new recruitment process. The 12 months also allow for the effect of the actions outlined by officers to be gauged in the terms of their effectiveness for the operations of the committee.

<b>CC.4</b>	<b>INSTRUMENT OF APPOINTMENT AND AUTHORISATION TO STAFF UNDER THE <i>PLANNING AND ENVIRONMENT ACT 1987</i></b>
<b>Officers</b>	<b>Rebecca Ashcroft, Governance Officer Lauren Reader, Coordinator Governance</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachments</b>	<b>S11A Instrument of Appointment and Authorisation</b>

### **Purpose and Overview**

It is proposed Council endorse an S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Harjinder Singh, Manager Statutory Planning.

Instruments of Appointment and Authorisation empower relevant persons to exercise the powers granted to authorised officers by legislation or a local law.

### **Recommendation:**

**That Council resolve, in the exercise of the powers under s. 147(4) of the *Planning and Environment Act 1987*, to appoint Harjinder Singh as an ‘authorised officer’ for the purposes of that Act, in accordance with the Instrument of Appointment and Authorisation attached to this report. That appointment remains in force until varied, revoked or Harjinder Singh ceases to be an employee of Council, whichever occurs first.**

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### **Background**

The *Planning and Environment Act 1987* (**P&E Act**) confers specific powers, rights and duties on ‘authorised officers’ appointed by a ‘responsible authority’. Council is a ‘responsible authority’ for the purposes of the P&E Act and has power under s. 147(4) to appoint any of its officers and employees as an ‘authorised officer’ for the purposes of that Act. The appointment by Council of staff as ‘authorised officers’ enables those staff to administer and enforce the P&E Act and regulations thereunder.

Council is presented an Instrument of Appointment and Authorisation under the P&E Act in respect to Harjinder Singh, the Manager Statutory Planning.

This Instrument essentially provides for officers to enter and/or inspect land to enable an assessment under the provisions of the *Planning and Environment Act 1987*. Such inspections would usually relate to a planning enforcement matter.

**Context**

Council subscribes to the Maddocks Authorisation and Delegations Service, which provides templates for the development of Instruments of Appointment and Authorisation. The Instrument attached to this report is based on the relevant template provided as part of that subscription service.

**Consultation and Engagement**

Officers involved in the preparation of this report have consulted internally with the Director Planning and Environment.

**Strategic Alignment**

The recommendations outlined in the report support Council's strategic priority to deliver strong and reliable government.

**Implications****Financial, Resource, Information Technology and Asset Management****Implications and Risks**

The recommendations outlined in the report do not have financial, resource, information technology and asset management implications nor raise any risks.

**Policy and Legislative Implications and Risks**

As noted above, the appointment of authorised officers enables appropriate staff within the organisation to administer and enforce the P&E Act.

**Sustainability Implications and Risks (Social and Environmental)**

The recommendations outlined in the report do not have sustainability implications nor raise any risks.

**Charter of Human Rights Implications and Risks**

The recommendations outlined in the report do not limit any rights set out in 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 interest in this matter.

**Conclusion**

It is appropriate that Council resolve, in the exercise of the power conferred by section 147(4) of the *Planning and Environment Act 1987* to endorse the Instrument of Appointment and Authorisation for a new member of Council's Planning and Environment directorate.

<b>CC.5</b>	<b>APPOINTMENT OF COUNCILLOR COMMITTEE DELEGATES, MEETINGS AND RELATED MATTERS</b>
<b>Officer</b>	<b>John Hausler, Director Corporate and Community</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachments</b>	<b>2020/21 Delegates</b>

### **Purpose and Overview**

This report outlines:

- The process of annual appointments of delegates to Council's advisory committees, external committees and organisations;
- proposed memberships and subscription renewals to peak bodies and associations that support local councils in Victoria;
- information regarding Mayoral and Councillor allowances; and
- the proposed 2020/21 Council and committee meeting schedule.

### **Recommendation**

**That Council:**

1. **Appoints delegates for the 2020/21 year to the advisory committees and external committees/organisations as specified in the table in Attachment 1.**
2. **Notes that it will no longer appoint Councillors to the following two committees as a result of recent legislative amendments:**
  - a. **Municipal Emergency Management Planning Committee**
  - b. **Municipal Fire Management Planning Committee**
3. **Resolves that it will no longer appoint Councillors to the following committee as detailed in the report:**
  - a. **Kyneton Airfield Advisory Committee**
4. **Directs the Chief Executive Officer to prepare a report on the effectiveness of ongoing representation on the identified advisory committees and external committees/organisations prior to 30 June 2021.**
5. **Endorses the ongoing annual subscriptions to the peak bodies and organisations as outlined in this report.**
6. **Notes the information provided in regards to Mayoral and Councillor allowances.**
7. **Resolves to amend the commencement time of the Scheduled Council Meeting for Wednesday 16 December 2020 from 6pm to 7pm**
8. **Adopts the proposed Council Meeting schedule for the period 1 January 2021 to 31 December 2021 as detailed below:**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
Council Meeting	27 January 2021	7.00pm	Gisborne
Council Meeting	24 February 2021	7.00pm	Gisborne

Council Meeting	24 March 2021	7.00pm	Gisborne
Council Meeting	28 April 2021	7.00pm	Gisborne
Council Meeting	26 May 2021	7.00pm	Gisborne
Council Meeting	23 June 2021	7.00pm	Gisborne
Council Meeting	28 July 2021	7.00pm	Gisborne
Council Meeting	25 August 2021	7.00pm	Gisborne
Council Meeting	22 September 2021	7.00pm	Gisborne
Council Meeting	27 October 2021	7.00pm	Gisborne
Council Meeting (meeting to include election of Mayor and Deputy Mayor)	24 November 2021	7.00pm	Gisborne
Council Meeting	15 December 2021	7.00pm	Gisborne

9. **Endorse the Submitters Delegated Committee meeting schedule for the period 1 January 2021 to 31 December 2021 (with meetings to be held only when required), as detailed below:**

Meeting	Date	Time	Location
Submitters Delegated Committee	13 January 2021	7.00pm	Gisborne
Submitters Delegated Committee	10 February 2021	7.00pm	Gisborne
Submitters Delegated Committee	10 March 2021	7.00pm	Gisborne
Submitters Delegated Committee	14 April 2021	7.00pm	Gisborne
Submitters Delegated Committee	12 May 2021	7.00pm	Gisborne
Submitters Delegated Committee	9 June 2021	7.00pm	Gisborne
Submitters Delegated Committee	7 July 2021	7.00pm	Gisborne
Submitters Delegated Committee	11 August 2021	7.00pm	Gisborne
Submitters Delegated Committee	8 September 2021	7.00pm	Gisborne
Submitters Delegated Committee	13 October 2021	7.00pm	Gisborne
Submitters Delegated Committee	10 November 2021	7.00pm	Gisborne
Submitters Delegated Committee	1 December 2021	7.00pm	Gisborne

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## Background

Council has previously established a number of its own advisory committees or been invited to appoint a delegate or delegates to various external committees and organisations of which it is a member, or to which it subscribes in line with the requirements of *the Local Government Act 1989* (LGA 1989).

These committees and organisations collectively assist Council and Council officers to plan and develop services and programs and set strategic and policy directions. Membership and participation of committees may include residents, industry or sector specialists, Councillors and/or Council officers.

Under the *Local Government Act 2020* (LGA 2020), Council *may* establish “delegated committees” and “community asset committees” and *must* establish an Audit and Risk Committee. If established, delegated committees must exercise a power delegated by Council, while community asset committees must manage a community asset in the shire.

## **Committees**

Committees are currently categorised as follows:

Council Advisory Committees/Working Groups (established, led and resourced by Council)

Advisory committees are not decision-making bodies, but provide Council with specific information on issues and opportunities to engage with the community and gauge community opinions, which may assist Council in decision-making on particular matters. They may be established for a specified time to consider a project, such as the development of a particular strategy, or for an indefinite period to provide advice on a particular subject. Advisory committees usually operate under Terms of Reference, and have no formal delegation powers.

Council's existing Advisory Committees/Working Groups that have had Councillor delegates appointed are:

- Kyneton Airfield Advisory Committee
- Audit and Risk Committee (*Note 1*)
- CEO Performance Appraisal Advisory Group
- Gisborne Futures Council Project Group
- Health and Wellbeing Advisory Committee (*Note 2*)
- Macedon Ranges Agribusiness Forum
- Municipal Emergency Management Planning Committee
- Municipal Fire Management Planning Committee
- Submitters Delegated Committee (*Note 3*).

*Note 1 – Required under the LGA 2020. Established by resolution of Council 26 August 2020*

*Note 2 – A report is to be presented to Council regarding the ongoing operations of this Committee*

*Note 3 – Established as a delegated committee under the LGA 2020 on 26 August 2020*

External Organisations/Groups/Associations or Committees/Working Groups and Forums (established, led and resourced externally; Council may contribute by way of membership fee or subscription)

External organisations, committees and/or working groups are generally involved in local, regional or national issues that may be of interest to the Macedon Ranges Shire Council or Councils more broadly. The current groups are:

- Braemar College Fellows
- Calder Highway Improvement Advisory Committee
- Central Ranges Local Learning and Employment Network
- Central Victorian Greenhouse Alliance
- Goldfields Library Corporation Board
- Local Government Waste Forum
- Macedon Ranges Heritage Council
- Macedon Ranges Local Safety Committee
- Municipal Association of Victoria
- Peri Urban Councils Group
- Rural Councils Victoria
- Victorian Local Governance Association
- Workspace Australia.



Delegates to advisory committees or external committees and organisations are encouraged to report issues of significance to Council on a regular basis.

Appointment to Committees for 2020/21 Term of Office

Attachment 1 describes the purpose, structure, membership and meeting schedule for internal and external committees. Councillors have considered their interest in being a Council delegate on the various committees prior to this meeting and will determine their nominated delegates during this meeting.

Review of Advisory Committees – Internal and External

Officers recommend that a future paper be provided to Council for consideration in regards to the effectiveness of the committees identified in the review for future evaluation in regards to council representation.

The review findings are outlined in the table below.

### Advisory Groups (Internal)

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council	Recommendation
<p><b>Audit and Risk Committee</b>  <i>The Audit and Risk Committee is established under Section 53 of the Local Government Act 2020 as an Advisory Committee to Council. Its role is to assist Council in the effective conduct of its responsibilities, and to review and provide advice in good corporate governance, managing risk and improving operational controls. The Committee consists of three independent members and two Councillor delegates. The Committee meets a minimum of four times a year. Meeting minutes are circulated to the Councillors, Executive, Managers and Auditors.</i></p> <p><i>The first term is proposed to run though until 31 December 2021 as the committees performance review is undertaken during the final Audit Committee meeting of the calendar year (held in December).</i></p>	Two (2) Councillor delegates	At least 4 times per annum.	Legislated requirement of the <i>Local Government Act 1989</i> for the majority of previous term of Council. Now required by the <i>Local Government Act 2020</i> .	Continue to fulfil statutory requirements.
<p><b>Submitters Delegated Committee</b>  <i>The Submitters Committee is a delegated committee of Council established on 26 August 2020 to hear from applicants/land owners and objectors/submitters on statutory planning applications; and from submitters on matters on which Council has invited submissions to be made in accordance with section 223 of the Local Government Act 1989 and Council's Community Engagement Policy.</i></p>	Nine (9) Councillor delegates	Monthly (as required)	<p>The Submitters Delegated Committee has enabled a separate meeting of Councillors to be held to focus in specifically in on hearing submissions from the public. This separation has also enabled time prior to Councillors deciding a matter that they have heard from submitters on.</p> <p>The flexibility in the structure of the Submitters Delegated Committee only requires a meeting to be held when there are matters to be heard.</p>	Continue as per Instrument of Delegation.

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<p><b>Kyneton Airfield Advisory Committee</b>  <i>Kyneton Airfield was constructed by the former Shire of Kyneton and has been in operation since 1966. It is surrounded by private properties which until the mid-1980's was farming land. The eastern boundary abuts a sewerage plant operated by Coliban Water. Following the endorsement of the Kyneton Airfield Economic Opportunities Analysis by Council at its meeting 24 September 2014, it was recommended to establish a Kyneton Airfield Advisory Committee for the purposes of:</i>  1) <i>providing input to strategic and policy development, governance arrangements, operation and management of the Kyneton Airfield</i>  2) <i>encouraging positive relationships between stakeholders</i>  3) <i>providing a forum for stakeholders to negotiate resolutions to key issues.</i></p>	<p>Three (3) Councillor delegates</p>	<p>Bi-monthly</p>	<p>The committee has been effective over the last term of Council in being able to develop and contribute to:</p> <ul style="list-style-type: none"> <li>• Operations Manual</li> <li>• Local Laws no 12</li> <li>• Masterplan</li> </ul> <p>Now that these major contributions have been completed, the Committee is no longer functioning. It is considered an appropriate time to stop providing Councillor delegates to the Committee.</p>	<p>Discontinue Councillor representation.</p>
<p><b>Chief Executive Officer Performance Appraisal Advisory Group</b>  <i>Pursuant to s97A of the Local Government Act 1989, Council is required to review the performance of the Chief Executive Officer annually. This committee is convened to conduct the review prior to reporting to Council.</i></p>	<p>Mayor and two (2) Councillor delegates</p>	<p>Annually</p>	<p>During the previous term of Council this Advisory Group has overseen and reviewed the Performance of the CEO.</p> <p>Under the Local Government Act 2020, Section 45, which commences on 1 July 2021, Council will need to develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy which will provide for the following—</p> <ul style="list-style-type: none"> <li>(i) the recruitment and appointment process;</li> <li>(ii) provisions to be included in the contract of employment;</li> <li>(iii) performance monitoring; and</li> </ul>	<p>Continue with current format until Chief Executive Officer Employment and Remuneration Policy is adopted.</p>

Committee and purpose	Number of members/representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
			(iv) an annual review.	
<b>Gisborne Futures Council Project Group</b>	Three (3) Councillor delegates – South Ward Councillors	Three (3) times annually	<p>This Project Group was formed as part of a resolution of Council on 18 August 2018. The purpose of the Group is to assist inform the Gisborne Structure Plan and Urban Design Framework project, collectively known as “Gisborne Futures.” The Group is used (by officers) to:</p> <ul style="list-style-type: none"> <li>• Inform and update ward councillors of the project progress and gain feedback</li> <li>• discuss strategic issues relevant to the project The group will act in an advisory capacity and will not be a decision making body</li> </ul> <p>Importantly, the Project Group does not replace Councillor Briefings. Rather, it gives the South Ward Councillors additional opportunities to be informed of the project, asked questions, make suggestions, speak to consultants etc.</p> <p>Officers have found that the Group has functioned well and performed successfully against the terms of reference.</p> <p>The intent and recommendation of officers moving forward is to review the role of the advisory committee in the context of Councillor Briefings on the Gisborne Futures project.</p>	Officers to work with the new Council to review the role of the Project Group as part of a broader process to brief Councillors on the project.

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<b>Health and Wellbeing Advisory Committee</b> <i>The Health and Wellbeing Advisory committee provides input to strategy and policy development work undertaken across Council in the context of its impact on the health and wellbeing of all residents and other stakeholders of the Macedon Ranges, with secondary purposes being to:</i> 1) provide a knowledge gathering and networking forum for Councillors on specific issues 2) assist members in developing their own skills and to foster information sharing within the sphere of interest 3) develop partnerships between Councillors, members and Council Officers. <i>The membership of the Advisory Committee will comprise up to 12 persons plus three Councillors.</i>	Three (3) Councillor delegates  Chaired by a Councillor	Quarterly	A consultant was engaged to undertake a review of the committee and its effectiveness towards the end of the 2019 year. The review identified that the way the committee was operating was not operating as effectively as it could.  Meetings have continued over the last 12 months and further discussions have occurred with the committee regarding how to improve their effectiveness. Resources were also allocated in the 2020/21 Budget to support the improved functioning of the committee.	Council report scheduled to be presented on 25 November 2020 to consider options regarding the future of the Committee.
<b>Macedon Ranges Agribusiness Forum</b> <i>This forum provides a voice for local agricultural businesses. Membership consists of representatives from various agricultural industry sectors including viticulture, wool, alpacas, apiculture, sheep, beef and horticulture. The forum focusses on creating a greater awareness of the sector, addressing the challenges that each industry faces, identifying opportunities for growth and further development and to work with Council to implement the Agribusiness Plan.</i>	<i>Note: the Terms of Reference do not specify a specific number of Councillor delegates.</i>	Bi-monthly	Over the previous term of Council three Councillor delegates have been nominated for the forum.  The committee has been working through revisions of the terms of reference.  Agreement to include the Agribusiness Plan as an element of the Economic Development Strategy was reached. It is noted that there have been challenges recruiting and retaining representatives from all Agribusiness industry sectors.	Appoint 2 Councillor delegates and task the Forum with considering the best ongoing Council membership representation for the future as part of the terms of reference review.
<b>Municipal Emergency Management Planning Committee (MEMPC)</b> <i>The MEMPC is responsible for the planning of emergency management in the shire including the</i>	Two (2) Councillor delegates	Three (3) times annually	Traditionally, Councillors have been members on the Municipal Emergency Management Planning Committee (MEMPC) and Municipal Fire	Under new legislation that Council representative is prescribed as the CEO or officer exercising

Committee and purpose	Number of members/representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<i>development and review of the Municipal Emergency Management Plan (MEMPC).</i>			Management Planning Committee (MFMP).	delegated authority
<p><b>Municipal Fire Management Planning Committee (MFMP)</b></p> <p><i>The MFMP is responsible for fire management in the shire including the implementation of the recently adopted Municipal Fire Management Plan (MFMP).</i></p>	Two (2) Councillor delegates	Quarterly	<p>Legislation which takes effect on 1 December 2020 will no longer require Councillor representation on these Committees.</p> <p>The new legislation is specific that Council's role is but one amongst a broad group of emergency agencies including Victoria Police and Fire Rescue Victoria. The legislation specifies that Council must chair the MFMP and that the chair must be a person with powers to make decisions about how Council resources are used in case of an emergency. Emergency Management Victoria suggested a 'senior officer.' Councillors cannot fulfil the role of Chair as they cannot direct resources in the way necessary for this Committee to function.</p>	Councillor representatives no longer required.

## Advisory Groups (External)

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<b>Annual Meeting of Braemar College Ltd</b> <i>When Braemar College was established in the 1970s representatives of the Newham and Woodend Shire (pre-amalgamation) were nominated, along with representatives of local denominations, as Fellows of the College. The Fellows meet annually at the Annual General Meeting.</i>	One (1) Councillor delegate and one (1) substitute delegate	Meets annually in May	Councillor delegates have attended these meetings without officer representation.	Discuss future involvement with Councillors
<b>Calder Highway Improvement Committee</b> <i>The Calder Highway Improvement Committee is an Advisory committee to VicRoads and the State Government. The committee advocates for long term investment strategies to deliver improvements to the safety and operation of the Calder Highway from Mildura to Melbourne.</i>	One (1) Councillor delegate and one (1) substitute delegate	Three (3) times annually	More an information-sharing committee, with some advocacy, noting the discussions includes a lot of information not pertaining to the Macedon Ranges as the Calder goes all the way to Mildura.	Continue to appoint Councillor delegate(s).
<b>Central Ranges Local Learning and Employment Network (LLEN) Board</b> <i>The Central Ranges Local Learning and Employment Network (Central Ranges LLEN) works with local organisations and networks to improve education, training and employment outcomes for young people (aged 10-19) within the Mitchell, Murrindindi and Macedon Ranges local government areas. The Local Learning and Employment Networks (LLEN) program is a Victorian Government initiative assisting young people at risk of making poor transitions from compulsory schooling to the next stage of their lives and careers. There are 31 LLENs in the network, bringing</i>	One (1) Councillor delegate and one (1) substitute delegate	Six (6) times annually	Councillor delegates have attended these meetings without officer representation.  Subject to consultation with the Board, Officers would suggest that their attendance would assist in being able to support Councillor delegates and also provide additional opportunities for networking and information-sharing.	Continue to appoint Councillor delegate(s).  CEO to consider seeking an officer delegate to be appointed to attend.

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<p><i>together education providers, industry, community, individual and government organisations to improve education, training and employment outcomes for young people in communities across Victoria.</i></p> <p><i>LLENs are managed by the Pathways Participation and Youth Division of the Victorian Department of Education and Early Childhood.</i></p>				
<p><b>Central Victorian Greenhouse Alliance (CVGA)</b></p> <p><i>The CVGA is one of ten Local Government Alliances in Victoria and represents a partnership of 13 local governments in the region. Based in Castlemaine, CVGA staff work closely with all members and the state and federal governments to strategically reassess and refocus traditional service delivery in the light of climate change including in the areas of:</i></p> <ul style="list-style-type: none"> <li><i>• economic development</i></li> <li><i>• community health</i></li> <li><i>• disaster preparation</i></li> <li><i>• statutory planning, and</i></li> <li><i>• managing resource consumption and costs.</i></li> </ul>	<p>One (1) Councillor delegate and one (1) substitute delegate</p>	<p>Quarterly</p>	<p>On the basis that Macedon Ranges Shire Council retains its membership of the CVGA, representatives should continue to be appointed.</p> <p><b>Note</b></p> <p>The Annual General Meeting (AGM) was held on 24 November 2020, and the CVGA have noted that the nomination of a Macedon Ranges Shire delegate can be accepted after the AGM and will be put forward for acceptance at the next CVGA board meeting in February 2021.</p>	<p>Continue to appoint Councillor delegate(s).</p>
<p><b>Community Chef</b></p>	<p>One (1) Councillor delegate or officer</p>	<p>As required</p>	<p>Council has resolved to cease providing meals and to also cease holding shares in Community Chef.</p>	<p>Representation no longer required as Council has ceased as shareholder.</p>



Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<b>Goldfields Library Corporation Board</b> <i>The Goldfields Library Corporation is a regional library service serving the City of Greater Bendigo, Loddon Shire Council, Macedon Ranges Shire, and Mount Alexander Shire. Responsibility for the provision and management of the library service rests with the Library Board, which comprises two representatives from each of the four member Councils and is established by the Regional Library Agreement adopted by the member Councils. The responsibilities and authority of the Board include policy determination, strategic planning and service evaluation.</i>	One (1) Councillor Delegate and one (1) Council officer	Monthly	Council is part of this joint venture and has allocated Councillor and officer representation on the Board.	Continue to appoint Councillor delegate(s).
<b>Local Government Waste Forum</b> <i>The forum provides information to Loddon Mallee Waste and Resource Recovery Group Board and works to strengthen partnerships in the region, improve waste and resource recovery and to implement the Getting Full Value waste strategy.</i>	One (1) Councillor delegate	Bi-monthly	This committee and its intended purpose is important in ensuring Council's long term strategy and goals align with the contemporary practices in the waste industry at local, regional, state and national level.	Continue to continue to appoint a Councillor delegate.
<b>Macedon Ranges Heritage Council</b> <i>This group is a representative group of all Historical Societies in the Shire. The MRHC shares ideas and expertise and provides a focal point for the Macedon Ranges Shire Council.</i>	Two (2) Councillor delegates	Bi-monthly	<p>The Heritage Council is an external committee that officers provide content for on request. Requests are usually made by the Councillors attending the meeting for officer support.</p> <p>The Heritage Council occasionally invites a Council officer to attend to provide a specific update, usually on a heritage related Planning Scheme Amendment, but other than this, requests for officer input are usually made in writing (by Councillors) and</p>	Continue to appoint Councillor delegate(s).

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
			a response is expected in writing.	
<b>Macedon Ranges Local Safety Committee</b> <i>The Macedon Ranges Local Safety Committee is convened by the local Victoria Police authority and includes representatives of Victoria Police, Council, Cobaw Community Health, Macedon Ranges Health, Kyneton District Health, Central Victorian Primary Care Partnership, Gisborne Secondary College and the office of the local Parliamentary member for Macedon.</i>	One (1) Councillor delegate and one (1) substitute delegate	Bi-monthly	Over the last 12 months, this Committee has ceased to be convened by Victoria Police. It is instead convened by Central Victorian Primary Care Partnership, with Victoria Police in attendance, with a consequent broader focus to include community issues as well as 'traditional' local safety issues like road and pedestrian safety.	Continue to appoint Councillor delegate(s) to this committee. Noting that over the next 12 months, Council officers will approach the current committee with a view of discontinuing membership, to create a new committee with Victoria Police (and other relevant members) focussing on traditional local safety issues only.
<b>Municipal Association of Victoria (MAV)</b> <i>The MAV is the peak advisory body for councils in Victoria. The objectives of the MAV are to improve community awareness of local government, advocate for and provide leadership and support for the sector.</i>	One (1) Councillor delegate and one (1) substitute delegate	As needs basis	On the basis that Macedon Ranges Shire Council retains its membership of MAV, representatives should continue to be appointed.	Continue to appoint Councillor delegate(s).
<b>Peri Urban Councils Group</b> <i>The Peri Urban Group of Rural Councils (PUGRC) members are Bass Coast, Baw Baw, Golden Plains, Moorabool, Murrindindi, Surf Coast and Macedon Ranges Shire Councils. The peri urban region is forecast to grow by an average 50.22% to 2031. The PUGRC advocates for Victorian peri urban support and solutions at the local, state and national level.</i>	One (1) Councillor delegate and one (1) substitute delegate	Bi-monthly	<p>At the Ordinary Council Meeting on 22 July 2020, Council carried the following Motion: -</p> <p><i>That Council direct the Chief Executive Officer to:</i></p> <p><i>1. Write to the Executive Officer of the Peri Urban Group of Rural Councils advising that Macedon Ranges Shire Council does not intend renewing its membership of the organisation following the expiration of the 2019/20 membership period; and</i></p>	Council representation no longer required as per Council resolution not to renew membership.

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
			<i>2. Thank the Peri Urban Group of Rural Councils for its ongoing work in furthering the interests of Peri Urban Councils and wish the organisation well for the future.</i>	
<b>Rural Councils Victoria Inc (RCV)</b> <i>RCV represents the interests of rural councils within Victoria it has 38 members. The defined purposes of RCV organisation are to:</i> <i>(1) heighten awareness and understanding of issues that impact on rural communities;</i> <i>(2) assist with building the capacity of rural councils to face challenges;</i> <i>(3) provide leadership on local governance;</i> <i>(4) develop and support rural councils; and</i> <i>(5) develop policy and advocate for rural councils.</i>	One (1) Councillor delegate	Twice yearly	On the basis that Macedon Ranges Shire Council retains its membership of RCV, representatives should continue to be appointed.	Continue to appoint a Councillor delegate.
<b>Victorian Local Governance Association</b> <i>The Victorian Local Governance Association (VLGA) is a peak body supporting councils, Councillors and the community. The VLGA promotes democratic governance through its numerous programs, projects, training and presence in the sector.</i> <i>The VLGA supports the local government sector through leadership, advocacy and training with metropolitan, regional and rural Mayors, Councillors, CEOs and council officers.</i>	All current councillors of a member council will become VLGA representatives, and each hold a vote.	Monthly	Following changes to the VLGA constitution during 2019 it is no longer necessary to nominate a Councillor delegate.	Representation no longer required.
<b>Workspace Australia</b> <i>Workspace Australia Ltd (Workspace) is a community 'not for profit' social enterprise which was established to improve employment opportunities for socially disadvantaged</i>	One (1) Councillor delegate	Bi-monthly	Councillor delegates have attended these meetings without officer representation.  Subject to consultation with Workspace, officers would suggest that having their	Continue to appoint a Councillor delegate.  CEO to consider seeking an officer delegate to be

Committee and purpose	Number of members/ representatives	Meeting frequency	Effectiveness of Committee last Council term	Recommendation
<i>individuals thereby reducing the personal and social costs of unemployment. Workspace provides training and enterprise activities for the benefit of individuals seeking employment in Regional Victoria. Workspace operates a number of Social Enterprises that create employment throughout Central Victoria. Workspace has been operating at the business incubator in New Gisborne since 1998.</i>			attendance also would assist in being able to support Councillor delegates and also provide additional opportunities for networking and information sharing.	appointed to attend.

## Membership and Subscriptions

There are a number of peak bodies and associations that support Victorian councils and councillors through representation and advocacy, policy development and advice, and other activities such as training and professional development. Access to these services is through a membership and/or subscription process. Council also has Councillor delegate representation to a number of the organisations as detailed in Attachment 1.

Membership is not compulsory, however the Municipal Association of Victoria (MAV) is a legislated peak body for local government in Victoria.

Council has membership with the following organisations and pays an annual fee to receive their services, as outlined below:

2020/2021 Annual Fee (Excl GST)	Next Due for Payment	Peak Body or Organisation	Service
\$37,956	July 2021	Municipal Association of Victoria (MAV) (Membership Only)	MAV Membership
\$14,147.27	April 2021	Victorian Local Governance Association	Membership Fee VLGA
\$15,810	July 2021	Central Victorian Greenhouse Alliance	CVGA Membership Fee
\$3,000.00	February 2021	Rural Councils Victoria (RCV) Incorporated	Membership RCV
\$300.00	August 2021	Australian Local Government Women's Association – Victorian Branch	ALGWA - Rural Council Membership Fee

## Mayoral and Councillor Allowances

### Annual adjustment of allowances

Under the LGA 1989, the Victorian Government has set upper and lower limits for all Councillor and Mayoral allowances. For the purpose of setting allowance limits, Councils are divided into three categories based on income and population.

Macedon Ranges Shire Council is a Category 2 Council. At the Special Council Meeting held on 21 June 2017, Council resolved to set Mayoral and Councillor allowances for the 2017/18, 2018/19, 2019/20 and 2020/21 financial years at the maximum applicable level for Category 2 Councils.

Mayoral and Councillor allowances comprise two parts – Part A being the per annum amount set by the Minister and Part B – an additional amount being the equivalent of the superannuation guarantee rate, currently set at 9.5%. For the Macedon Ranges Shire Council, the Mayoral allowance is currently set at \$88,918 per annum and the Councillor allowance at \$28,738 per annum (as at 1 December 2019), which includes the amount equal to the superannuation guarantee.

Under section 73B(4) of the LGA 1989, the Minister for Local Government was required to review the limits and ranges for Councillor and Mayoral allowances annually with adjustments published in the Government Gazette. On 27 October 2020, Council was advised that the Minister for Local Government had conducted this review and determined that no adjustment would be made to allowances in respect of all councils. Councils will therefore continue to pay the mayor and councillors the same allowance amounts that applied prior to the recent general election.

#### Review of allowances

Additionally, under the LGA 1989, Councils have been required to formally review and set the Councillor/Mayoral allowances by 30 June of the year following a general election. On 6 April 2020, section 39 of the LGA 2020 commenced. This section provides that mayoral and councillor allowances will now be determined by the Victorian Independent Remuneration Tribunal following a referral by the Minister for Local Government.

However, at the time of this report, the Minister was yet to make a referral to the Tribunal, which may take six months to make a determination.

Despite the repeal of sections 73B and 74 to 74B of the LGA 1989, these provisions will continue to apply in respect of allowances until the first determination is made by the Tribunal. As such, it is proposed that a report be prepared for consideration by Council in early 2021 recommending commencement of the review of Mayoral and Councillor allowances in accordance with the requirements of the LGA 1989.

#### **Council Meeting/Councillor Briefing Cycle**

##### Council Meeting Cycle

The Council meeting cycle is set annually.

Council meetings, unless otherwise specified, are held at the Gisborne Administration Centre, which is the only Council facility that has an ongoing capacity to livestream meetings. Meetings have been livestreamed since October 2017 and are available for viewing on Council's website. During COVID-19 meetings have also been held virtually as required.

Recent workplace directions issued by the Chief Health Officer permit council meetings to be held in person as long as COVID-safe precautions are implemented. However, it is also noted that amendments made to the LGA 2020 currently allow councils to hold meetings online by virtual means until 26 April 2021.

With the exception of January and December, the monthly current meeting cycle is structured as follows:

First Wednesday	Councillor Briefing
Second Wednesday	Councillor Briefing Submitters Delegated Committee - <i>if required</i>
Third Wednesday	Councillor Briefing
Fourth Wednesday	Councillor Briefing Council Meeting (occasionally third Wednesday)
Fifth Wednesday	Councillor Briefing - <i>if required</i>

#### Council Meeting, Mayor and Deputy Mayor Election and Appointment of Delegates

An election for the position of Mayor and Deputy Mayor (if required) is conducted as part of a Council Meeting scheduled in November of each year (or each other year if Council appoints the Mayor to a two-year term). Council will also appoint delegates to advisory committees, working groups, external committees, associations and organisations at this meeting.

For 2021, the meeting to elect the Mayor following Council elections has been proposed for 7.00pm on 24 November 2021.

#### Submitters Delegated Committee

The Submitters Delegated Committee is a delegated committee of Council established on 26 August 2020 to hear from applicants/land owners and objectors/submitters on statutory planning applications; and from submitters on matters on which Council has invited submissions to be made in accordance with section 223 of the LGA 1989 and in accordance with Council's Community Engagement Policy.

Submitters Delegated Committee meetings are scheduled for the second Wednesday of each month and are held, unless otherwise specified, at the Gisborne Administration Centre, which is the only Council facility that has an ongoing capacity to livestream Council meetings. Meetings have been livestreamed since October 2017, and are available for viewing on Council's website. During COVID-19 Submitters Delegated Committee meetings have also been held virtually as required.

#### Health and Wellbeing Advisory Committee Meetings

Meeting dates for the 2021 year are proposed to be determined in conjunction with the Health and Wellbeing Advisory Committee, noting consideration will be given to the proposed meeting cycle of Council in determining dates.

#### **Consultation and Engagement**

Officers from across the organisation have contributed to the preparation of this information.

#### **Strategic Alignment**

The proposal relates to Council's strategic priority to deliver strong and reliable government.

## **Implications**

### **Financial, Resource, Information Technology and Asset Management Implications and Risks**

The current resourcing and support for the operations of these committees, along with funding of membership are included in Council's 2020/21 Budget.

### **Policy and Legislative Implications and Risks**

The Audit and Risk Committee has been established in accordance with section 53 of the LGA 2020. The Submitters Delegated Committee is a delegated committee which has been established in accordance with section 63 of the LGA 2020.

The LGA 2020 provides that Council can establish delegated committees and community assets committees and must establish an Audit and Risk Committee. The LGA 2020 is silent on the establishment of other types of committees by councils.

### **Sustainability Implications and Risks (Social and Environmental)**

There are no social or environmental implications or risks raised by the proposal.

### **Charter of Human Rights Implications and Risks**

There are no implications or risks in relation to the Charter of Human Rights and Responsibilities raised by the proposal.

### **Officer Declaration of Conflict of Interest**

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

## **Conclusion**

Having conducted an initial review of committee arrangements and prepared a Council Meeting schedule consistent with previous arrangements, it is proposed Council determine their delegates to, and representatives of, internal and external committees as outlined in Attachment 1; determine meeting dates; endorse subscription and membership arrangements for peak bodies for the 2020/21 period, and note information provided regarding Mayoral and Councillor salaries.

Following endorsement of the Council and committee meeting schedule, information regarding these dates will be made publicly available on Council's website.

Council will also receive a further report in regards to the ongoing involvement of Councillors in identified advisory committees.



**13. DIRECTOR ASSETS AND OPERATIONS REPORTS**

Nil

**14. NOTICES OF MOTION**

Nil

**15. URGENT BUSINESS**

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

**16. CONFIDENTIAL REPORTS**

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