

Special Meeting of Council Minutes

Bannockburn Shire Hall

Tuesday 8 November 2016 11.00am-11.45am

Our Vision

Golden Plains Shire offers a lifestyle and opportunities that foster social, economic and environmental wellbeing.

In partnership with the community we will provide strong leadership, encourage sustainable development and ensure quality services, to continue to improve the quality of life of residents.

Opening Prayer

Almighty God,

Help us to undertake our duties impartially and honestly,
in the best interests of the people of the Golden Plains Shire.

We make this prayer through Jesus Christ Our Lord.

Amen.

Acknowledgement of Traditional Custodians

That Council acknowledge the traditional custodians of the land on which we reside and work, the Wathaurong people.

Code of Conduct Principles

WORKING TOGETHER

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us:
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

BEHAVING WITH INTEGRITY

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment:
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

MAKING COMPETENT DECISIONS

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

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1. PRESENT

David Evans Joanne Gilbert Nathan Hansford Helena Kirby Des Phelan Les Rowe Owen Sharkey

Rod Nicholls
Greg Anders
Jillian Evans
Richard Trigg
Mike Barrow
Petra Neilson

Chief Executive Officer
Director Assets & Amenity
Director Community Services
Director Corporate Services
Manager Executive Unit
Council Support Officer

Gallery

20 members of the gallery

2. WELCOME

Rod Nicholls, Chief Executive Officer

File: 02-03-004

Rod Nicholls, Chief Executive Officer, welcomed Councillors, officers and members of the gallery.

3. APOLOGIES

Nil

4. DECLARATIONS OF INTEREST

Nil

5. OATH OF OFFICE & COUNCILLOR CODE OF CONDUCT

Directorate	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Richard Trigg, Director Corporate Services
Author	Melinda Mitchell, Executive Assistant
File References	EDMS file: 34-01-004; 02-03-004; 02-03-017
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	Nil

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Melinda Mitchell: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

In accordance with section 63 of the Local Government Act 1989 (the Act), a person elected to be a Councillor must take an oath of office or make an affirmation of office before the Chief Executive Officer and it must be recorded in the minutes.

In addition, a person elected to be a Councillor must read the Councillor Code of Conduct and make a declaration in writing witnessed by the Chief Executive Officer that they will abide by the Code.

Background

Following elections, Golden Plains Shire Council holds a Special Meeting of Council providing new and returning Councillors an immediate opportunity to take an oath of office (or make an affirmation of office) and to sign a declaration to abide by the Councillor Code of Conduct.

In accordance with section 103 of the Evidence (Miscellaneous Provisions) Act 1958, it is not necessary that a religious text be used when taking an oath; an oath is effective regardless of the use of a religious text. Councillors taking an oath of office may choose to bring a religious text of a particular kind.

Discussion

In accordance with section 63(2) of the Act, Councillors will be invited to take the oath (or make the affirmation) before the Chief Executive Officer and to sign a declaration to abide by the Councillor Code of Conduct witnessed by the Chief Executive Officer.

"I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Golden Plains Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgement."

Community Engagement

This is a legislative requirement and a formal consultation process is not necessary.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The Act provides that an oath of office (or an affirmation of office) be made before the Chief Executive Officer and recorded in the minutes. In addition, a person elected to be a Councillor must read the Councillor Code of Conduct and make a declaration in writing witnessed by the Chief Executive Officer that they will abide by the Code.

Rod Nicholls, Chief Executive Officer, invited Councillors forward to take the oath of office and declare they will abide by the Councillor Code of Conduct.

Each Councillor took the oath of office, declared they had read the Code of Conduct and signed both in the presence of the Chief Executive Officer.

Cr David Evans



Golden Plains Shire Council 2 Pope Street, PO Box 111 Bannockburn, Victoria, 3331 W: www.goldenplains.vic.gov.au

: (03) 5220 7100 ocal call: 1300 363 036 : enquiries@gplains.vic.gov.au

Golden Plains Shire Council Affirmation of Office

Made by Councillor Section 63 Local Government Act 1989

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Golden Plains Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgement.

Declared at Bannockburn by David John Evans this 8th day of November 2016 before the Chief Executive Officer.

Signature: David Some France

Signature: Luciale

Roderick Lionel Nicholls, Chief Executive Officer

GOLDEN PLAINS SHIRE

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Golden Plains Shire Council

Councillor Code of Conduct

Made by Councillor Section 76C(1) Local Government Act 1989

I hereby declare that I have read the Councillor Code of Conduct for Golden Plains Shire Council adopted on 26 April 2016 and declare that I will abide by this Code.

Declared at Bannockburn by David John Evans on this 8^{th} day of November 2016 before the Chief Executive Officer.

Signature: (3) avril S. Ever.

Witness: Williams

Roderick Lionel Nicholls, Chief Executive Officer

Cr Joanne Gilbert





Golden Plains Shire Council 2 Pope Street, PO Box 111 Bannockburn, Victoria, 3331 W: www.goldenplains.vic.gov.au

Golden Plains Shire Council Oath of Office

Made by Councillor Section 63 Local Government Act 1989

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Golden Plains Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgement.

Declared at Bannockburn by Joanne Louise Gilbert this 8^{th} day of November 2016 before the Chief Executive Officer.

Signature:

Signature: _____uhoke

Roderick Lionel Nicholls, Chief Executive Officer

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Declared at Bannockburn by David John Evans on this 8th day of November 2016 before the Chief Executive Officer.

signature: 9 Janiel D. Over

keasse

Witness: Roderick Lionel Nicholls Chief Executive Officer

Cr Nathan Hansford



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Declared at Bannockburn by Nathan John Hansford this 8th day of November 2016 before the Chief Executive Officer.

Signature: Nathan John Hansford

Signature: Signature:

Roderick Lionel Nicholls, Chief Executive Officer



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Golden Plains Shire Council

Councillor Code of Conduct

Made by Councillor Section 76C(1) Local Government Act 1989

I hereby declare that I have read the Councillor Code of Conduct for Golden Plains Shire Council adopted on 26 April 2016 and declare that I will abide by this Code.

Declared at Bannockburn by Nathan John Hansford on this $8^{\rm th}$ day of November 2016 before the Chief Executive Officer.

Signature:

Nathan John Hansford

Witness:

Roderick Lionel Nicholls, Chief Executive Officer

Cr Helena Kirby





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Declared at Bannockburn by Helena Angela Kirby this 8th day of November 2016 before the Chief Executive Officer.

gnature: Aelena Dules Helena Angela Kirb

Signature: Juliok

Roderick Lionel Nicholls, Chief Executive Officer

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P: (03) 5220 7100
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Declared at Bannockburn by Helena Angela Kirby on this $8^{\rm th}$ day of November 2016 before the Chief Executive Officer.

Signature: Aclena Vau Helena Angela Kirby

Witness: Roderick Lionel Nicholls, Chief Executive Officer

Cr Des Phelan





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Golden Plains Shire Council Oath of Office

Made by Councillor Section 63 Local Government Act 1989

I promise by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Golden Plains Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgement.

Declared at Bannockburn by Desmond Patrick Phelan this 8^{th} day of November 2016 before the Chief Executive Officer.

Signature:

Desmond Patrick Phelan

Signature:

Roderick Lionel Nicholls, Chief Executive Officer

GOLDEN PLAINS SHIRE

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Golden Plains Shire Council

Councillor Code of Conduct

Made by Councillor Section 76C(1) Local Government Act 1989

I hereby declare that I have read the Councillor Code of Conduct for Golden Plains Shire Council adopted on 26 April 2016 and declare that I will abide by this Code.

Declared at Bannockburn by Desmond Patrick Phelan on this 8^{th} day of November 2016 before the Chief Executive Officer.

Signature:

Desmond Patrick Phelan

Witness:

Roderick Lionel Nicholls, Chief Executive Officer

keliste

Cr Lew Rowe



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Councillor Code of Conduct

Made by Councillor Section 76C(1) Local Government Act 1989

I hereby declare that I have read the Councillor Code of Conduct for Golden Plains Shire Council adopted on 26 April 2016 and declare that I will abide by this Code.

Declared at Bannockburn by Leslie Thomas Rowe on this 8^{th} day of November 2016 before the Chief Executive Officer.

Signature: Leslie Thomas Rowe

Witness: Muhole

Roderick Lionel Nicholls, Chief Executive Officer

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Golden Plains Shire Council Oath of Office

Made by Councillor Section 63 Local Government Act 1989

I swear by Aimighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Golden Plains Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgement.

Declared at Bannockburn by Leslie Thomas Rowe this 8th day of November 2016 before the Chief Executive Officer.

Signature: Leslie Thomas Rowe

Signature: Authol/s Chief Executive Officer

Cr Owen Sharkey





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Golden Plains Shire Council

Oath of Office

Made by Councillor Section 63 Local Government Act 1989

I swear that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Golden Plains Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgement.

Declared at Bannockburn by Owen Sharkey this 8th day of November 2016 before the Chief Executive Officer.

Signature:

Owen Sharkey

Signature:

Roderick Lionel Nicholls, Chief Executive Officer

Mades



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Golden Plains Shire Council

Councillor Code of Conduct

Made by Councillor Section 76C(1) Local Government Act 1989

I hereby declare that I have read the Councillor Code of Conduct for Golden Plains Shire Council adopted on 26 April 2016 and declare that I will abide by this Code.

Declared at Bannockburn by Owen Sharkey on this $8^{\rm th}$ day of November 2016 before the Chief Executive Officer.

Signature:

Owen Sharkey

Witness:

Roderick Lionel Nicholls, Chief Executive Officer

6. TERM OF THE MAYOR

Department	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Rod Nicholls, Chief Executive Officer
Author	Richard Trigg, Director Corporate Services
=	ED110 (III
File References	EDMS file: 02-03-004; 30-01-002
Council Plan Link	Nil
	L N III
Relevant Council Strategies	Nil
D (D)	1 10 110
Relevant Policies &	Local Government Act 1989
Legislative Frameworks	
Attachments	Nil

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager and the responsible manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to determine the term of the Mayor.

Background

Section 71 (2) of the *Local Government Act* 1989 provides the option for Council to elect a Mayor for a term of 2 years. The Act states:

- "71 Election of Mayor
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years."

Discussion

It has been Council's practice to elect the Mayor for a one year term which does not preclude them from standing for a second term, which has often been the case.

Community Engagement

A formal consultation process is not required.

Financial and Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

It has been Council's practice to elect the Mayor for a one year term. This has worked well over a number of years and it is suggested that this practice should continue.

Moved Crs Hansford/Rowe

That the term of the Mayor be one (1) year.

Carried

7. ELECTION OF THE MAYOR

Department	Chief Evecutive
Department	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Rod Nicholls, Chief Executive Officer
Author	Richard Trigg, Director Corporate Services
File References	EDMS file: 30-01-002
Council Plan Link	Nil
Council Flam Link	
Relevant Council Strategies	Nil
Relevant Council Strategies	TVII
Relevant Policies &	Local Government Act 1989
	Local Government Act 1909
Legislative Frameworks	
Attachments	Nil

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager and the responsible manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to elect the Mayor of Golden Plains Shire Council from 8 November 2016, for the ensuing period as previously determined.

Background

The Election of the Mayor is undertaken annually at this Special Meeting in accordance with the *Local Government Act* 1989.

Discussion

Section 90 (1) (ca) of the *Local Government Act* 1989 provides for the method of voting at Council meetings. The Act states:

"90 (1) Voting (ca) Voting at a meeting that is open to members of the public must not be in secret."

According to Local Law No. 1-2009 (Processes of Municipal Government) Part 6, Voting at Meetings, section 31:

"voting on any matter will be by show of hands."

Section 71 of the Local Government Act 1989 (the Act) requires that, at a meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

Section 72 (3) states that:

"any Councillor is eligible for election or re-election to the office of Mayor"

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The Chief Executive Officer will call for nominations for the position of Mayor.

The Chief Executive Officer called for nominations for the position of Mayor. Cr Helena Kirby nominated Cr Des Phelan. Cr Phelan accepted the nomination. Cr Owen Sharkey nominated Cr Nathan Hansford. Cr Hansford accepted the nomination. As there was more than one nomination a vote was required. A vote was taken: Cr Phelan 4 votes and Cr Hansford 3 votes. The Chief Executive Officer declared Cr Phelan elected Mayor. Cr Phelan assumed the chair.

8. ADDRESS BY INCOMING MAYOR

The year ahead with be a challenging one where we need to work together and to think strategically.

Congratulations to the elected Councillors - I am sure that you will be dedicated to this task.

We have been elected to represent the whole of Golden Plains Shire. We will be faced with increasing challenges that includes:

- financial responsibility in an ongoing rate capping environment
- being innovative in our approach to managing the affairs of Council because the expectation of our communities continues to grow and rate capping will increase financial pressure as time goes on
- ensuring the municipality is financially responsible while still delivering quality services to the community, and
- our aim to increase community satisfaction and engagement so that we can be responsible to our citizens.

We must manage our affairs well, our communities have expectations and we are responsible for the final decisions. Our actions are also available on social media.

I look forward to honest and open debate. Also a positive working relationship with the Chief Executive Officer and senior management as I know they are a passionate, experienced group of people.

We will communicate with good manners and respect for each other. We will act in the best interests of Golden Plains Shire.

It's an honour and a privilege to represent and serve my community as Mayor and I look forward to the next year.

9. MAYORAL & COUNCILLOR ALLOWANCES

Department	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Rod Nicholls, Chief Executive Officer
Author	Richard Trigg, Director Corporate Services
File References	EDMS file: 02-03-001
Council Plan Link	Nil
Relevant Council Strategies	Nil
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	Nil

Minutes

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager and the responsible manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to note the annual Mayoral and Councillor Allowance which will apply as at 8 November, 2016.

Background

Under section 73B of the *Local Government Act* 1989 provision is made for an annual adjustment factor to be applied to Mayoral and all Councillor Allowances.

Discussion

The Minister for Local Government reviews the limits and ranges of the Mayoral and Councillor Allowances from time to time. Golden Plains Shire falls within Category 1 of the allowance range. The adjusted limits and ranges were effective from 1 December 2015. Golden Plains Shire's benchmark figures are as provided in the table below and are payable as at 8 November 2016.

	Victorian Government Gazette Range	GPS Part A	GPS Part B	GPS Total
Councillor allowance (per annum)	\$8,121 to \$19,350	\$19,262.67	\$1,829.96	\$21,092.63
Mayoral allowance (per annum)	Up to \$57,812	\$57,785.73	\$5,489.65	\$63,275.38

Part A represents the standard allowance and Part B represents the equivalent of 9.5% superannuation which is to be added to the entitlement.

Note: The Mayor does not receive the Councillor allowance in addition to the Mayoral Allowance

Allowances are paid monthly in advance.

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

The figures in the table are provided for in the 2016-17 budget.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

The allowances paid by Golden Plains are close to the maximum allowed for a category 1 Council and as such, there is minimal capacity for the Council to resolve to increase the payments. Council is notified of any CPI increase in Mayoral or Councillor Allowances by the Minister from time to time, which are announced in the Government Gazette. Council is then required to make payments to the Mayor and Councillors according to the gazetted amount, without a report to Council being necessary.

Recommendation

That Council resolves to:

- 1. Note the notification of any increase in payments to the Mayoral and Councillor Allowances gazetted by the Minister each year and report the benchmark amounts at the Special Meeting following each Local Government Election; and
- 2. Publish the allowances in the Annual Budget.

Moved Crs Evans/Kirby

That the Councillor allowance and Mayoral allowance remain the same as last year.

The motion was withdrawn.

Moved Cr Evans

That Council resolves to decrease the current Councillor and Mayoral allowance payments from \$19,262.67 to \$19,000 and \$57,785.73 to \$55,000 respectively, as the base allowances.

Motion lapsed for want of a seconder

Moved Crs Hansford/Kirby

That Council resolves to:

- 1. Note the notification of any increase in payments to the Mayoral and Councillor Allowances gazetted by the Minister each year and report the benchmark amounts at the Special Meeting following each Local Government Election; and
- 2. Publish the allowances in the Annual Budget.

Carried

10. COUNCIL COMMITTEES & DELEGATES

10.1. Re-establishment of & Delegation to a Special Planning Committee

Department	Corporate Services
Unit	Corporate Services
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Rod Nicholls, Chief Executive Officer
Author	Richard Trigg, Director Corporate Services
File References	EDMS file: 02-01-005
Council Plan Link	
Relevant Council Strategies	
Relevant Policies &	Local Government Act 1989
Legislative Frameworks	Planning and Environment Act 1987
Attachments	Instrument of Delegation (Planning Committee)

Declarations of Interest:

Rod Nicholls: In providing this advice as the senior manager and responsible manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to re-establish a S86 Committee called the Planning Committee.

Background

In 2014, Council determined that its committees would consist of:

Advisory Committees:

- Audit and Risk Committee
- Chief Executive Officer (CEO) Review Committee

Special Committee:

Planning Committee

The previous Planning Committee delegation expired on 22 October 2016 with the former Council. This report seeks to re-establish the delegation to the new committee, which comprises all seven Councillors.

Discussion

Section 86 and 87 of the *Local Government Act* 1989 and section 188 of the *Planning and Environment Act* 1987 enable Council to establish a Special Committee.

Similar to Council meetings, s89 of the Act requires a meeting of a special committee to be open to the public.

An Instrument of Delegation will articulate the nature of the delegation and any conditions or limitations under which the delegation is to be exercised. All decisions of the Planning Committee made within its instrument of delegation bind the Council and are immediately capable of being implemented without referral back to an ordinary meeting of Council.

This means that the Committee can only act under delegation when sitting in a formally constituted meeting. Meetings must be called and conducted in a manner that complies with the provisions of the Local Government Act 1989 and with the Council's meeting procedures Local Law No1.

The Committee cannot exercise its delegated powers when gathered outside the formal meeting structure as described above. For example, an informal coming together of members would not resolve to act under delegation. Similarly, the delegations do not extend to individual members of the Committee.

Council could consider disbanding its Special Planning Committee, with planning reports forming part of the monthly Ordinary Council meeting agenda or it could hold the Special Planning Committee meeting on the monthly Council meeting day rather than on a separate day, i.e. committee day.

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

Council previously determined that a Section 86 Committee, titled Planning Committee, should be established with all Councillors as members of the Committee. The Committee will determine its Chair and Charter in accordance with the Instrument of Delegation.

Recommendation

In the exercise of the powers conferred by sections 86 and 87 of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987, Council resolves that:

- 1. From the date of this resolution, there be established as a committee, the Planning Committee.
- 2. The purposes of the Committee established by this resolution are to exercise Council's powers, discretions and authorities and perform Council's function under the Planning and Environment Act 1987 in accordance with relevant policies and guidelines of Council.
- 3. The members of the Planning Committee are Councillors:

David Evans Joanne Gilbert Nathan Hansford Helena Kirby Des Phelan Les Rowe Owen Sharkey

- 4. The Committee is to meet at published intervals and at other times as determined by the Chief Executive Officer and notified to the Committee members.
- 5. The Chairperson of the Planning Committee is to be appointed annually, at the first meeting of the Committee following the Special meeting of Council.
- A quorum for the Planning Committee will be in accordance with clause 15 of Local Law No 1.

- 7. There be delegated to the Planning Committee the powers discretions and authorities set out in the attached Instrument of Delegation (the Instrument).
- 8. The Instrument.
- 8.1 Comes into force immediately the common seal of Council is affixed to the Instrument; and
- 8.2 Remains in force until Council determines to vary or revoke it.
- 9. The powers discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the delegations and limitations set out in the Instrument and with any guidelines or policies Council may from time to time adopt.
- 10. The Instrument be sealed.

Moved Cr Kirby/Gilbert

That Council resolves to not re-establish the Planning Committee and that planning reports be part of the Ordinary Meeting of Council.

Carried

10.2. Council Advisory Committees 2016-17

Department	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Richard Trigg, Director Corporate Services
Author	Petra Neilson, Council Support Officer
File References	EDMS file: 02-03-00
Council Plan Link	
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	Nil

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager, I have no disclosable interests in this report.

Richard Trigg: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Petra Neilson: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to determine membership of Council's committees for 2016-17.

Background

The Local Government Act 1989 (the Act) defines an advisory committee as:

"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".

Discussion

Council committees meet as required in the morning of the second Tuesday of each month alternating between Bannockburn and Linton.

Currently all Councillors are members of the CEO Review Committee. Council is to appoint two Councillors to the Audit and Risk Committee. The Mayor is an ex-officio member.

The new Council is invited to appoint members to these committees.

10.2.1 Audit & Risk Committee

File: 02-01-001

The Audit and Risk Committee comprises two independent members (Peter Bollen and John McDonald), two Councillors and the Mayor.

10.2.2 Chief Executive Officer Review Committee

File: 02-01-002

The CEO Review Committee was represented by the full Council.

Community Engagement

It is considered that a formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

Council is required to determine membership for 2016-17. The Mayor will call for nominations.

Recommendation

That Council determine membership of its advisory committees for 2016-17.

Cr Kirby nominated Cr Hansford. Cr Hansford nominated Cr Kirby. As there were no further nominations Crs Hansford and Kirby were elected to the Audit and Risk Committee for 2016-17.

The full Council was elected to the Chief Executive Officer Review Committee.

10.3. Council Delegates 2016-17

Directorate	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Rod Nicholls, Chief Executive Officer
Author	Melinda Mitchell, Executive Assistant
File References	EDMS file: 02-03-004
Council Plan Link	 Secure representation on national, state, regional and local Government bodies Participate in relevant regional and state planning
Relevant Council Strategies	
Relevant Policies & Legislative Frameworks	
Attachments	Nil

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager and responsible manager, I have no disclosable interests in this report.

Melinda Mitchell: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to inform Council of its delegations and to resolve to appoint Councillors and officers to those external organisations and committees.

Background

Council appoints/ re-appoints delegates to external organisations and committees annually at its Special Meeting.

Discussion

Council's delegates are detailed on the following pages. The delegates have been grouped by the type of appointment – (a) Council appointment or (b) MAV Board appointment. Council is invited to appoint representatives to external organisations in group (a). Nominations for appointments to MAV Board committees will be sought at a later time.

Community Engagement

It is considered that a formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

For relevant organisations and committees, Council is required to determine its representatives and formally nominate them.

(a) Council Appointments

These organisations and committees require Council to nominate its representatives.

10.3.1 Geelong Region Alliance: G21 Board of Directors

File:03-01-008

In accordance with G21's constitution, Council is required to formally appoint both its Councillor and officer representatives. Council's practice has been to appoint its Mayor and Chief Executive Officer. In 2015-16, Council was represented by Rod Nicholls and Cr Des Phelan (former Mayor).

10.3.2 G21 Arts, Culture & Heritage Pillar

File: 03-01-002

In 2015-16, Council was represented by Jenny Blake (former councillor).

10.3.3 G21 Economic Development Pillar

File: 03-01-004

In 2015-16, Council was represented by Mike Barrow (Manager Executive Unit) as this pillar is made up of officers from the Councils.

10.3.4 G21 Education & Training Pillar

File: 03-01-005

In 2015-16, Council was represented by Cr Nathan Hansford and Jill Evans (Director Community Services).

10.3.5 G21 Environment Pillar

File: 03-01-006

In 2015-16, Council was represented by Andrew Cameron (former councillor).

10.3.6 G21 Health & Wellbeing Pillar

File: 03-01-012

In 2015-16, Council was represented by Greg Vaughan (former councillor) and Jill Evans (Director Community Services).

10.3.7 G21 Planning Pillar

File: 03-01-017

In 2015-16, Council was represented by Greg Anders (Director Assets & Amenity) as this pillar is made up of officers from the Councils.

10.3.8 G21 Sport & Recreation Pillar

File: 03-01-014

In 2015-16, Council was represented by Louisa White (Community Development Manager) as this pillar is made up of officers from the Councils.

10.3.9 G21 Transportation Pillar

File: 03-01-016

In 2015-16, Council was represented by Jenny Blake (former councillor), Greg Anders (Director Assets & Amenity) and Cr Nathan Hansford was deputy.

10.3.10 Geelong Heritage Centre Advisory Committee

File: 37-03-001

In 2015-16, Council was represented by Jillian Evans (Director Community Services).

10.3.11 Geelong Regional Library Corporation

File: 87-03-002

In 2015-16, Council was represented by Cr Nathan Hansford.

10.3.12 Golden Plains Disability Access & Inclusion Committee

File: 75-01-001

In 2015-16, Council was represented by Cr Helena Kirby.

10.3.13 Golden Plains Municipal Fire Management Planning Committee

File: 59-02-012

In 2015-16, Council was represented by Andrew Cameron (former councillor).

10.3.14 Grampians Central West Waste & Resource Recovery Group – Local Government Forum

File: 63-02-004

In 2015-16, Council was represented by Cr Des Phelan and Greg Anders (Director Assets & Amenity) was an advisory representative.

It is recommended that Council appoints a Councillor representative, deputy Councillor representative (enduring proxy) and an officer advisory representative.

10.3.15 Highlands Local Learning & Employment Network

File: 91-05-003

In 2015-16, Council was represented by Geraldine Frantz (community representative).

10.3.16 Municipal Association of Victoria (MAV)

File: 03-05-008

In 2015-16, Council was represented by Cr Nathan Hansford.

10.3.17 Peri Urban Group of Rural Councils

File: 03-04-006

In 2015-16, Council was represented by Jenny Blake (former councillor) on behalf of the Mayor and Rod Nicholls (Chief Executive Officer).

10.3.18 Rural Financial Counselling Service Victoria (Wimmera South West) Inc. – Colac Local Reference Group

File: 84-06-004

In 2015-16, Council was represented by Cr Helena Kirby.

10.3.19 Ballarat Regional Landfill Monitoring Committee (Smythesdale)

File: 63-04-011

In 2015-16, Council was represented by Bill McArthur (former councillor) and Cr Des Phelan was deputy.

10.3.20 Timber Towns Victoria

File: 54-02-008

In 2015-16, Council was represented by Cr Des Phelan and Cr Helena Kirby was deputy.

10.3.21 Tourism Greater Geelong and the Bellarine Board

File: 06-07-019

In 2015-16, Council was represented by Mike Barrow (Manager Executive Unit). Tourism Greater Geelong and the Bellarine Board is now well established and Council is encouraged to appoint a Councillor representative to the Board and a deputy Councillor representative.

Recommendation

That Council appoints/re-appoints delegates to these organisations for 2016-17.

Moved Crs Sharkey/Evans

That the appointment of Councillor delegates to the organisations and committees listed in the report be deferred pending the provision to Councillors of more detailed information including the purpose of each organisation/committee and meeting frequencies and times.

Carried

(b) MAV Committees (MAV Board Appointments)

Appointments to MAV committees are made by the MAV Board. Re-elected Councillors will continue on these MAV committees. New Councillors and re-elected Councillors who wish to change committees will have an opportunity to nominate when the call is issued by the MAV. It is expected that nominations will be called in late 2016 and close in late January with appointments ratified by the MAV Board in February/ March 2017. Council will be advised when the MAV call is received and nominations to MAV committees will be sought at that time. Accordingly, a Council decision is not required at this meeting.

10.3.22 Municipal Association of Victoria (MAV) Environment Committee

File: 03-05-013

In 2015-16, Council was represented by Cr Des Phelan. This is an ongoing MAV Board appointment.

10.3.23 Municipal Association of Victoria (MAV) Emergency Management Committee

File: 03-05-035

In 2015-16, Council was represented by Cr Des Phelan and Cr Nathan Hansford. These are ongoing MAV Board appointments.

10.3.24 Municipal Association of Victoria (MAV) Financial Assistance Grants & Rate Capping Taskforce

File: 03-05-047

In 2015-16, Council was represented by Cr Des Phelan and Cr Nathan Hansford. These are ongoing MAV Board appointments.

10.3.25 Municipal Association of Victoria (MAV) Human Services Committee

File: 03-05-036

In 2015-16, Council was represented by Cr Nathan Hansford and Jill Evans (Director Community Services). These are ongoing MAV Board appointments.

10.3.26 Municipal Association of Victoria (MAV) Transport and Infrastructure Committee

File: 03-05-038

In 2015-16, Council was represented by Cr Nathan Hansford. This is an ongoing MAV Board appointment.

10.3.27 Municipal Association of Victoria (MAV) Defined Benefits Taskforce

File: 03-05-001 & 47-01-002

In 2015-16, Council was represented by Richard Trigg (Director Corporate Services). This is an ongoing MAV Board appointment.

10.4. Management Committees (Section 86, LGA 1989) 2016-17

10.4.1 Management Committees (Section 86, LGA 1989) – 2016/2017

Directorate	Community Services
Unit	Recreation and Community Development
Senior Manager	Jillian Evans, Director Community Services
Responsible Manager	Louisa White, Community Development Manager
Author	Dean Veenstra, Recreation Team Leader
File References	EDMS file: 90-96-25
Council Plan Link	To facilitate the provision of a range of recreation facilities across the Shire and assist the community committees to best service their communities and to continue to enhance our townships through Town Place Plans.
Relevant Council Strategies	Recreation Strategy 2015-2019
Relevant Policies & Legislative Frameworks	Local Government Act 1989
Attachments	NIL

Declarations of Interest: Councillors & Officers

Jillian Evans: In providing this advice as the senior manager, I have no disclosable interests in this report.

Louisa White: In providing this advice as the responsible manager, I have no disclosable interests in this report.

Dean Veenstra: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to inform Council of Section 86 Committees of Management membership and to resolve to appoint/ re-appoint members to those committees.

Background

Council appoints/ re-appoints members to Section 86 Committees of Management annually at its Special Meeting. The Chief Executive Officer has delegated responsibility to appoint members to committees between Council's annual special meeting.

Discussion

Council's Section 86 Committees of Management and members are as follows:

10.4.1 Haddon Recreation Reserve Committee

File: 90-06-09

Committee members are Wayne Anthony, Elaine Leviston, Adam Liversage, Peter Luke, Charmaine Marshall and Maryanne Moody.

10.4.2 Harrison Reserve Committee

File: 90-06-010

Committee members are Andy Hayne, Sarah Hayne, Brendan Lannen, Georgia Lannen Michelle Lannen, Markus Lanzendoerfer and Sandy Lanzendoerfer.

10.4.3 Inverleigh Leigh River Public Open Space Committee

File: 90-06-021

Committee members are Damian Baker, Jane Crook, Peter Crooks, Allan Gray, Joy Gray, Ross

Peel, Tony Rayner and Joyce Withers.

10.4.4 Inverleigh Sporting Complex Committee

File: 90-06-011

Committee members are Rene van Dalen, Ken Hopkins, Des Joyce, Kevin McDonald, Rick

McEwan, Mal Quinlivian and Marcus Warton.

10.4.5 Leighdale Equestrian Centre Committee

File: 90-06-07

Committee members are Sue Drury, Robyn Grixti, Brendan Heagney, Nicole Hope, Suzanne

Mowat, Lee Oliver and Melinda Spiller.

10.4.6 Lethbridge Recreation Reserve Committee

File: 90-06-013

Committee members are Sharon Boyd, Amanda Corbett, Andrew Grigsby, Diane Lang, Stewart

Marshall, Jen Mead and Ben Spiller.

10.4.7 Linton Recreation Reserve Committee

File: 90-06-014

Committee members are Kirsty Clark, Aaron Kerr, Sam Richardson, Doreen Ringin, Hans

Verdoorn and June Verdoorn.

10.4.8 Mannibadar Memorial Hall Committee

File: 90-06-015

Committee members are Fiona Collins, Michael Collins, Sue Collins, Graeme Ellis, Judy Fraser,

Petrina Phillips, Helen Sharpe, Ken Sharpe.

10.4.9 Ross Creek Recreation Reserve Committee

File: 90-06-031

Committee members are Brett Aspland, Rosemary Barnett, Trevor Barnett, Paul Bregazzi, Allan

Reid, Karen Ryan, Paul Ryan, Robert Richardson, Shayne Wren.

10.4.10 Scarsdale Public Hall Committee

File: 90-06-033

Committee members are Noel Barlow, Charlie Consiglio, George Curmi, Jeff Fletcher, Guenther

Koenig and Belinda Lee-Koenig.

10.4.11 Smythesdale Public Gardens Committee

File: 90-06-017

Committee members are Matt Doyle, Geoff Fisher, Lin Hocking Turnbull, Brendan Kelly, Karyn Kelly, Bill MacNeill, Beth Nicholas, Merilyn Pearson, Reg Pearson, Dennis Ross, Cecelia

Rowberry, and Graham Turnbull.

10.4.12 Teesdale Grassy Woodlands Committee

File: 90-06-030

Committee members are David Bruce, Ross Elijah, Lana Van Galen, Gavin Gamble, Gaye Hose, Brenda Humphries, Cheryl Ivory, Lina Murphy, Steve Murphy and Peter O'Gorman.

10.4.13 Teesdale Recreation Reserve (Don Wallace) Committee

File: 90-06-018

Committee members are Jake Alford, Rosemary Davis, Judi Evans, John Harris, Coralie Nash, and Danielle Warnock.

10.4.14 Turtle Bend Committee

File: 90-06-035

Committee members are David Bruce, Gavin Gamble, Connor Seaton, Marita Seaton, Stewart Seaton, Andrea Van Der Meer, Lana Van Galen and Claire Whitely.

10.4.15 Woady Yaloak Equestrian Centre Committee

File: 90-06-019

Committee members are Phil Campbell, Chris Gass, Nadine Gass, Peta Hansen, Kim Holmes, Corrie Howlett, Jodie Ilsley, Rosslyn Lonie, Melissa Smith, and Sam Wilson.

10.4.16 Woady Yaloak Recreation Reserve

File: 90-06-020

Committee members are Ashley Carli, Hannah Chapman, Bronwyn Cranny, Julie Davis, Jeff Langdon, Reid Macgill, Nick McCulloch, Alwyn Parker, Alan Patton and Katie Tuohy.

Community Engagement

A formal consultation process is not required.

Financial & Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social & Environmental Implications

It is considered there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required.

Conclusion

Council's Section 86 Committees of Management are required to be formally appointed/re-appointed in accordance with the *Local Government Act* 1989.

Moved Crs Hansford/Kirby

That:

- 1. pursuant to Section 86 of the Local Government Act 1989, the above mentioned Committee members be appointed/re-appointed as members of the respective Section 86 Committees of Management.
- 2. pursuant to Section 81 of the Act, Council exempt the members of all Committees, from the requirements to lodge pecuniary interest returns.
- 3. pursuant to Section 86 of the Act, that Council delegate powers to the Committee in accordance with Council's model Instrument of Delegation.
- 4. the appointment of members to Section 86 Committees be delegated to the Chief Executive Officer where such appointments are required prior to Special Meeting of Council.

Carried

11. MEETING CYCLES: ORDINARY, COMMITTEE & SPECIAL (ANNUAL)

Department	Chief Executive
Unit	Governance
Senior Manager	Rod Nicholls, Chief Executive Officer
Responsible Manager	Rod Nicholls, Chief Executive Officer
Author	Petra Neilson, Council Support Officer
File References	EDMS file: 02-03-004
Council Plan Link	
Relevant Council Strategies	
Relevant Policies &	1. Local Government Act 1989
Legislative Frameworks	Local Law No. 1 (2009) Processes of Municipal Government
Attachments	Nil

Declarations of Interest: Councillors & Officers

Rod Nicholls: In providing this advice as the senior manager and responsible manager, I have no disclosable interests in this report.

Petra Neilson: In providing this advice as the author, I have no disclosable interests in this report.

Purpose

The purpose of this report is to confirm the dates for Council committee meetings, ordinary meetings and the annual special meeting.

Background

In accordance with section 83 of the Local Government Act 1989 (the Act), "Council may hold ordinary meetings at which general business of the Council may be transacted". Part 3 division 1(8) of Council's Local Law No. 1 (2009) Processes of Municipal Government states that "the date, time and place of all Council meetings are to be fixed by the Council from time to time".

Discussion

Council's practice is to hold ordinary meetings on the fourth Tuesday of each month commencing at 4pm and committee meetings on the second Tuesday of each month in the morning.

One ordinary meeting in 2017 will need to be scheduled outside the normal fourth Tuesday of the month due to a public holiday. The ordinary meeting of Council which would normally be held on Tuesday 25 April 2017 falls on the Anzac Day public holiday. It is proposed to move the meeting to Wednesday 26 April 2017.

It is noted that the ordinary meeting of Council for December is normally scheduled for the third Tuesday of the month, being 19 December 2017.

Council's annual special meeting would normally be held on Tuesday 7 November 2017 which falls on the Melbourne Cup public holiday. Although this public holiday does not apply to Golden Plains Shire, it is proposed to move the special meeting to Wednesday 8 November 2017.

The proposed meeting dates are provided on the following page for Council's consideration.

Ordinary Meetings	
Tuesday, 24 January 2017	Bannockburn Shire Hall
Tuesday, 28 February 2017	Linton Customer Service Centre
Tuesday, 28 March 2017	Bannockburn Shire Hall
Wednesday, 26 April 2017	Linton Customer Service Centre
Tuesday, 23 May 2017	Bannockburn Shire Hall
Tuesday, 27 June 2017	Linton Customer Service Centre
Tuesday, 25 July 2017	
Tuesday, 22 August 2017	
Tuesday, 26 September 2017	Bannockburn Shire Hall
Tuesday, 24 October 2017	
Tuesday, 28 November 2017	Bannockburn Shire Hall
Tuesday, 19 December 2017 (3rd Tuesday)	Linton Customer Service Centre
Committee Meetings	
Tuesday, 14 February 2017	
Tuesday, 14 March 2017	
Tuesday, 11 April 2017	
Tuesday, 9 May 2017	Bannockburn Shire Hall
Tuesday, 13 June 2017	
Tuesday, 11 July 2017	
Tuesday, 8 August 2017	
Tuesday, 12 September 2017	
Tuesday, 10 October 2017	
Tuesday, 14 November 2017	
Tuesday, 12 December 2017	Linton Customer Service Centre
Special (Annual) Meeting	
Wednesday 8 November 2017	Donnaakhura Chira Hall

Community Engagement

It is considered that a formal consultation process is not required.

Financial and Risk Management Implications

It is considered that there are no financial or risk management implications.

Economic, Social and Environmental Implications

It is considered that there are no economic, social or environmental implications.

Communications

It is considered that a communication plan is not required. In accordance with the Act, Council is required to give public notice of its meetings.

Conclusion

Council is required to confirm its meeting dates.

Recommendation

That Council adopt the 2017 ordinary and committee meeting dates (as above) and the Special Meeting of Council be held on Wednesday 8 November 2017.

It is noted that as a result of an earlier decision Council resolved not to re-establish the Special Planning Committee and therefore did not adopt the Committee Meeting cycle. (refer 10.1 Reestablishment of and Delegation to a Special Planning Committee).

Moved Crs Hansford/Rowe

That Council adopt the 2017 Ordinary Meeting dates (as above) and the Special Meeting of Council be held on Wednesday 8 November 2017.

Carried

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Attachment 1 Item 10.1 Instrument of Delegation (Planning Committee)

13. CLOSE OF MEETING

The meeting closed at 11.45am.

14. **CERTIFICATION**

In accordance with Section 93(5) of the Local Government Act 1989, I hereby certify that the minutes of this Council meeting have been confirmed as a true and correct record.

Confirmed, Mayor, Cr Des Phelan

Date

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 Councillors
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 Managers
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 Minutes
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 Bannockburn CSC
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 Linton CSC
 1

 Press
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 Community
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 Auditor
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