



MINUTES  
of the  
SPECIAL MEETING OF COUNCIL  
held on  
WEDNESDAY 1 NOVEMBER 2017  
in the  
ALEXANDRA COUNCIL CHAMBER  
commencing at  
6.00 pm

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**The Acting Chief Executive Officer formally opened the meeting.**

**1. PLEDGE AND RECONCILIATION STATEMENT**

The meeting was opened with the Acting Chief Executive Officer declaring the following Pledge on behalf of the Councillors:

“The Councillors are democratically elected to represent our community as the Murrindindi Shire Council, and are committed to working together in the best interests of the people who live in our municipality, who conduct business here and those who visit.”

**2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

There were no apologies or requests for leave of absence tendered.

**Present:**

Crs C Bisset (Chair), S McAulay, R Bowles, J Ashe, L Dunscombe, E Lording, M Rae

**In attendance:**

Acting Chief Executive Officer: Michael Chesworth  
General Manager Infrastructure and Development Services: Stuart McConnell  
Manager Business Services: Andrew Bond  
Manager Communications Library & Customer Services: Jacqui Rabel  
Manager Development Services: Shivaun Brown  
Manager Infrastructure Operations: Mark Leitinger  
Management Account: Stephen Mortensen  
Online and Social Media Coordinator: Trudi Ackerman  
Alexandra Customer Service Coordinator: Barbara Skerritt  
Executive Assistant: Tammy Fallon

**3. APPOINTMENT OF TEMPORARY CHAIRPERSON**

Under the provisions of the *Local Government Act 1989*, the Mayor of the municipality must take the chair of all meetings of the Council at which she or he is present. As the Mayoral position became vacant at 6.00 am on 1 November 2017, the Acting Chief Executive Officer called for a motion for appointment of a temporary Chairperson.

**Officer Recommendation**

That Councillor ..... be nominated as temporary Chairperson.

**Cr J Ashe nominated Cr R Bowles for the position of temporary Chairperson.**

**Cr R Bowles accepted the nomination.**

**RESOLUTION:**

**Cr J Ashe / Cr M Rae**

**That Councillor Rebecca Bowles be nominated as temporary Chairperson.**

**CARRIED**

**The Acting Chief Executive Officer declared Cr R Bowles the temporary Chairperson.**

**Cr R Bowles assumed the Chair.**

#### **4. ELECTION OF MAYOR**

Section 71 of the *Local Government Act 1989* provides for the election of the Mayor after the fourth Saturday in October and no later than 30 November each year.

Before the election of the Mayor, Council may resolve to elect a Mayor for a term of two years.

The Acting Chairperson will call for nominations and if there is only one nomination received, then that Councillor is declared elected as Mayor.

In the event of there being more than one nomination, the Acting Chairperson will conduct an election. The election will be conducted in accordance with Section 14 of Council's *Governance Local Law No.2, 2014*.

The election is to be conducted by show of hands. Once declared, the elected Mayor will take the Chair and preside over the remainder of the meeting.

##### **Officer Recommendation**

That Councillor ..... be elected as Mayor of Murrindindi Shire Council for 2017/2018 (or 2017-2019).

**Cr L Dunscombe nominated Cr C Bisset for the position of Mayor of Murrindindi Shire Council for 2017-2018.**

**Cr C Bisset accepted the nomination.**

##### **RESOLUTION:**

**Cr L Dunscombe / Cr E Lording**

**That Councillor Charlotte Bisset be elected as Mayor of Murrindindi Shire Council for 2017-2018.**

**CARRIED**

**The Acting Chairperson declared Cr C Bisset the Mayor of the Murrindindi Shire Council for 2017-2018.**

**Cr C Bisset assumed the Chair for the remainder of the meeting.**

#### **5. ELECTION OF DEPUTY MAYOR**

The process of election of the Deputy Mayor will take place in accordance with the provisions of Section 15 of Council's *Governance Local Law No.2 (incorporating Meeting Procedure)*.

##### **Officer Recommendation**

That Councillor ..... be elected as Deputy Mayor of Murrindindi Shire Council for 2017-2018 (or 2017-2019).

**Cr M Rae nominated Cr S McAulay for the position of Deputy Mayor of Murrindindi Shire Council for 2017-2018.**

**Cr S McAulay accepted the nomination.**

**RESOLUTION:****Cr M Rae / Cr J Ashe****That Councillor Sandice McAulay be elected as Deputy Mayor of Murrindindi Shire Council for 2017-2018.****CARRIED****The Mayor declared Cr S McAulay the Deputy Mayor of Murrindindi Shire Council for 2017-2018.****6. APPOINTMENT OF PORTFOLIO RESPONSIBILITIES**Attachment(s): *Portfolio Councillor Policy (refer Attachment 6)***Purpose**

This report provides the opportunity for Council to appoint Councillors to portfolio roles for 2017/18. It is appropriate for this Council, to consider the purpose and implementation of Councillor Portfolios.

**Officer Recommendation**

That Council appoint the following portfolio roles for 2017/18:

- Land Use Planning – Cr
- Economic Development – Cr
- Corporate and Customer Services – Cr
- Community Services – Cr
- Natural Environment and Climate Change – Cr
- Infrastructure and Waste – Cr

**Background**

Council has in the past appointed Councillors to portfolio roles as a means of strengthening its governance arrangements and enhancing its consultation practices.

Since 2014 the portfolio roles have been as follows:

- Land Use Planning
- Economic Development
- Corporate and Customer Services
- Community Services
- Natural Environment and Climate Change
- Infrastructure and Waste.

Council can choose to change these roles at any time.

**Discussion**

The appointment of Councillors to portfolio roles has the capacity to enhance Council's governance practices by enabling Councillors to have a greater understanding of, and input into, strategic and policy development on portfolio issues. This enables Councillors to:

- advocate on strategic and policy issues to both the community and across government sectors

- represent Council on local, regional or state bodies of relevance to the portfolio
- be appointed as Chair of a relevant Council committee unless legislative provisions provide otherwise.

It is recognised that by undertaking a portfolio role, the organisation has an important function in supporting that Portfolio Councillor through regular briefings and the provision of memberships, publications, training and/or conference attendance where appropriate.

### **Council Plan/Strategies/Polices**

This matter is consistent with the Council Plan 2017-2021 Our Promise – “We will all work in collaboration with our communities to deliver the best possible outcomes in all that we do”.

Council is governed by its Portfolio Councillor Policy adopted at the 28 June 2017 Ordinary Meeting of Council to enable Councillors to gain a broader experience of portfolio roles. Councillors will generally not represent a portfolio for more than two years (refer to *Attachment 6*).

### **Relevant Legislation**

Council is obliged under the *Local Government Act 1989* to review its practices and ensure that they are consistent with good governance principles.

### **Financial Implications and Risk**

There are no financial implications.

### **Conflict of Interest**

There are no declared conflicts of interest by Council officers in the preparation of this report.

### **Community and Stakeholder Consultation**

Consultation was not required for this matter.

### **RESOLUTION:**

**Cr M Rae / Cr E Lording**

**That Council appoint the following portfolio roles for 2017/18:**

- **Land Use Planning – Cr M Rae**
- **Economic Development – Cr J Ashe**
- **Corporate and Customer Services – Cr L Dunscombe**
- **Community Services – Cr S McAulay**
- **Natural Environment and Climate Change – Cr R Bowles**
- **Infrastructure and Waste – Cr E Lording**

**CARRIED**

## **7. ADVISORY COMMITTEE AND OTHER APPOINTMENTS**

Attachment(s): *Councillor Representative List 2017/18 (refer Attachment 7)*

### **Purpose**

This report is to enable Council to make the appointment of Councillors as delegates to various internal committees and external bodies in compliance with *the Local Government Act 1989*.

Appointment of Councillors to committees provides an opportunity for open and responsive communication between Councillors and local community groups and Local Government organisations.

### **Officer Recommendation**

That Council:

1. Appoints Councillors as Council's representatives to the listed committees and organisations for 2017/18 as contained within *Attachment 7*.
2. Records the list of appointments for 2017/18 in the minutes of this meeting.

### **Background**

Council needs to determine each year which Councillor(s) or senior staff it wishes to appoint as its formal delegate committee representative to a range of internal and external bodies. This assists in the progress of the committees' objectives of both community engagement and good governance. Most appointments are for a one year term, but for some others it may be for a longer period of time.

### **Discussion**

Under the *Local Government Act 1989*, (Section 86), the Council may establish one or more special committees made up of any combination of Councillors, Council staff and community members. Council has established a range of such committees which provide day to day management of local sites and facilities.

Instruments of Delegations and a 'model' Committee Charter along with the composition of representatives on these committees have previously been adopted by Council. Council is required to review its delegations to these committees within 12 months of the general election which was undertaken at the September 2017 Ordinary Meeting of Council.

In addition, Council may establish advisory committees to provide advice to Council on specific subjects (eg. the Municipal Emergency Management Committee and Environment Advisory Committee). Council also has a requirement under section 139 of the *Act* to establish an Audit Advisory Committee.

Councillors are often requested or required to represent Council (as delegate) on committees or boards formed by other organisations and these are subject to formal Council approval processes. These range from state wide committees, through to regional or sub regional committees that support a particular program or activity.

Attached to this report is the list of committees and organisations for which Council has current appointments (refer *Attachment 7*). The list has been divided into those which are Council committees and those external bodies with which Council has a relationship. It is suggested that Council nominate appointees to these committees and bodies for the 2017/18 year and these appointments will be recorded in the Minutes of this meeting.

### **Council Plan/Strategies/Policies**

This matter is consistent with the Council Plan 2017-2021 Our Promise – "We will all work in collaboration with our communities to deliver the best possible outcomes in all that we do".

### **Relevant Legislation**

*Local Government Act 1989 – Section 86*

### **Financial Implications and Risk**

There are no financial or budget implications associated with this report. However, Council pays a membership fee to Local Government peak bodies such as Municipal Association of Victoria and the Victorian Local Governance Association.

**Conflict of Interest**

There are no declared conflicts of interest by Council officers in the preparation of this report.

**Community and Stakeholder Consultation**

Consultation was not required for this matter.

**RESOLUTION:**

**Cr L Dunscombe / Cr J Ashe**

1. Appoints Councillors as Council's representatives to the listed committees and organisations for 2017/18 as contained within *Attachment 7*.
2. Records the list of appointments for 2017/18 in the minutes of this meeting.

***Special Committees***

<b>Committee Name</b>	<b>2017-2018</b>
Audit Advisory Committee	Cr C Bisset Cr S McAulay Cr L Dunscombe
Chief Executive Officer Performance Review Sub-Committee	All Councillors
Municipal Emergency Management Planning Committee	Cr S McAulay
Murrindindi Environment Advisory Committee	Cr R Bowles

***Section 86 Committees of Management***

<b>Committee Name</b>	<b>2017-2018</b>
Buxton Recreation Reserve Committee of Management	Cr S McAulay
Eildon Alliance Boat Ramp Committee of Management	Cr J Ashe
Eildon Community Resource Centre Committee of Management	Cr J Ashe
Gallipoli Park Precinct Committee of Management	Cr S McAulay
Glenburn Community Centre Committee of Management	Cr E Lording
Kinglake Memorial Reserve Committee of Management (in recess until March 2018)	Cr L Dunscombe
Mount Pleasant Reserve Committee of Management (in recess until September 2018)	Cr M Rae
Strath Creek Reserves & Hall Committee of Management	Cr R Bowles
Yea Pioneer Reserve Committee of Management	Cr R Bowles
Yea Railway Reserve Committee of Management	Cr R Bowles
Yea Saleyards Committee of Management	Cr C Bisset Cr R Bowles (Alternate)
Yea Showgrounds & Recreation Reserve Committee of Management	Cr R Bowles
Yea Wetlands Committee of Management	Cr R Bowles



**External Committees*****Department of Environment, Land, Water and Planning (DELWP)  
Committees of Management***

<b>Committee Name</b>	<b>2017-2018</b>
Alexandra Racecourse & Recreation Reserve Committee of Management	Cr M Rae
Alexandra Showgrounds & Recreation Reserve Committee of Management	Cr M Rae
Flowerdale Community Hall Reserve Committee Inc	Cr E Lording
Murrindindi Scenic Reserve Committee of Management	Cr C Bisset
Steavenson Falls Scenic Reserve Committee of Management	Cr S McAulay
Toolangi Forest Discovery Centre Committee of Management	Cr L Dunscombe

***Other External Committees***

<b>Committee Name</b>	<b>2017-2018</b>
Central Ranges Local Learning & Employment Network (CRLLEN)	Cr C Bisset Cr M Rae (Alternate)
Goulburn Broken Greenhouse Alliance	Cr R Bowles Manager Infrastructure Operations
Goulburn River Valley Tourism Board	Cr J Ashe Cr C Bisset (Alternate)
Goulburn Valley Waste & Resource Recovery Local Government Forum	Cr E Lording Cr L Dunscombe (Alternate)
Municipal Association of Victoria (MAV)	Cr C Bisset Cr S McAulay (Alternate)
Municipal Association of Victoria (MAV) – Environment Committee	Cr R Bowles
Peri Urban Group of Rural Councils	Cr M Rae Cr R Bowles (Alternate)

**CARRIED****8. APPOINTMENT OF TRUSTEES OF THE YEA CEMETERY TRUST**

The Yea Cemetery is located in the township of Yea and is administered by all Councillors as Trustees of the Yea Cemetery Trust.

**Officer Recommendation**

That all Councillors be appointed as Trustees of the Yea Cemetery Trust for 2017/18.

**RESOLUTION:**

Cr M Rae / Cr E Lording

That all Councillors be appointed as Trustees of the Yea Cemetery Trust for 2017/18.

**CARRIED**

## **9. COUNCIL MEETING TIMETABLE - 2018**

### **Purpose**

This report is a proposed monthly timetable of Council meetings from January to December 2018.

### **Officer Recommendation**

That the proposed schedule be confirmed and the requisite scheduling and advertising arrangement take place to inform the community of the 2018 meeting timetable:

Meeting Date	Venue	Time
Wednesday 24 January 2018	Yea Council Chamber	6 pm
Wednesday 28 February 2018	Alexandra Council Chamber	6 pm
Wednesday 28 March 2018	Yea Council Chamber	6 pm
Tuesday 24 April 2018	Alexandra Council Chamber	6 pm
Wednesday 23 May 2018	Yea Council Chamber	6 pm
Wednesday 27 June 2018	Alexandra Council Chamber	6 pm
Wednesday 25 July 2018	Yea Council Chamber	6 pm
Wednesday 22 August 2018	Alexandra Council Chamber	6 pm
Wednesday 26 September 2018	Yea Council Chamber	6 pm
Wednesday 24 October 2018	Alexandra Council Chamber	6 pm
Wednesday 31 October 2018 <i>Special meeting</i>	Alexandra Council Chamber	6 pm
Wednesday 28 November 2018	Yea Council Chamber	6 pm
Wednesday 19 December 2018	Alexandra Council Chamber	6 pm

### **Background**

Council is able to determine its ordinary meeting of Council schedule. Currently ordinary meetings are held monthly on the fourth Wednesday evening of every month commencing at 6 pm.

### **Discussion**

A review of the Council meeting timetable provides the opportunity for Councillors to consider how increased community participating in Council meetings can be encouraged. By conducting the Council meetings in the evening, greater community participation may be encouraged.

The arrangements for the meeting cycle proposed are as follows:

- Meetings to occur monthly on the fourth Wednesday unless otherwise notified
- The April 2018 meeting is proposed to be held on the Tuesday prior to the fourth Wednesday. The public holiday on 25 April is not considered to be suitable for Councillors, officers or community members
- The December 2018 meeting is proposed to be held on the third Wednesday of the month, as the fourth Wednesday falls on 27 December 2017
- The commencement time of ordinary meeting of Council is 6 pm unless otherwise notified.

The proposed meeting schedule for 2018 is shown below:

Meeting Date	Venue	Time
Wednesday 24 January 2018	Yea Council Chamber	6 pm
Wednesday 28 February 2018	Alexandra Council Chamber	6 pm
Wednesday 28 March 2018	Yea Council Chamber	6 pm
Tuesday 24 April 2018	Alexandra Council Chamber	6 pm
Wednesday 23 May 2018	Yea Council Chamber	6 pm
Wednesday 27 June 2018	Alexandra Council Chamber	6 pm
Wednesday 25 July 2018	Yea Council Chamber	6 pm
Wednesday 22 August 2018	Alexandra Council Chamber	6 pm
Wednesday 26 September 2018	Yea Council Chamber	6 pm
Wednesday 24 October 2018	Alexandra Council Chamber	6 pm
Wednesday 31 October 2018 <i>Special meeting</i>	Alexandra Council Chamber	6 pm
Wednesday 28 November 2018	Yea Council Chamber	6 pm
Wednesday 19 December 2018	Alexandra Council Chamber	6 pm

Should Councillors determine that it is preferable for the ordinary meetings of Council to continue to be held in the evening, it is appropriate for Councillors to identify the most convenient day for these meetings. It is not unusual for Councils to change their meeting days to reflect any pre-commitments which Councillors may have.

A special meeting of Council is held each year to elect a Mayor, review Council committee representations, and determine the meeting schedule for the following year. As per section 71 of the *Local Government Act*, the Councillors must elect the Mayor at an open meeting of Council that occurs after the fourth Saturday of October, but not later than 30 November each year.

### **Council Plan/Strategies/Polices**

This matter is consistent with the Council Plan 2017-2021 Our Promise – “Expand our communication and two-way engagement with the community”.

### **Relevant Legislation**

*Local Government Act 1989*

### **Financial Implications and Risk**

There are no significant financial implications associated with this report.

### **Conflict of Interest**

There are no declared conflicts of interest by Council officers in the preparation of this report.

### **Community and Stakeholder Consultation**

Once Council has determined the preferred meeting schedule, it will be advertised in Council's statutory newspapers and on Council's website to inform the community.

### **RESOLUTION:**

**Cr S McAulay / Cr L Dunscombe**

**That the proposed schedule be confirmed and the requisite scheduling and advertising arrangement take place to inform the community of the 2018 meeting timetable:**

Meeting Date	Venue	Time
Wednesday 24 January 2018	Yea Council Chamber	6 pm
Wednesday 28 February 2018	Alexandra Council Chamber	6 pm
Wednesday 28 March 2018	Yea Council Chamber	6 pm
Tuesday 24 April 2018	Alexandra Council Chamber	6 pm
Wednesday 23 May 2018	Yea Council Chamber	6 pm
Wednesday 27 June 2018	Alexandra Council Chamber	6 pm
Wednesday 25 July 2018	Yea Council Chamber	6 pm
Wednesday 22 August 2018	Alexandra Council Chamber	6 pm
Wednesday 26 September 2018	Yea Council Chamber	6 pm
Wednesday 24 October 2018	Alexandra Council Chamber	6 pm
Wednesday 31 October 2018 <i>Special meeting</i>	Alexandra Council Chamber	6 pm
Wednesday 28 November 2018	Yea Council Chamber	6 pm
Wednesday 19 December 2018	Alexandra Council Chamber	6 pm

**CARRIED**

The Mayor read the following statement:

“Councillors, we have another matter that we need to consider tonight that has arisen since the agenda was published concerning the process of appointment of the new Chief Executive Officer.

Should Council agree to consider this matter, it will need to be considered in a confidential part of the meeting in accordance with Section 89(2)(a) and (d) of the *Local Government Act 1989* as it concerns personnel matters and contractual matters.”

**MOTION:**

**Cr S McAulay / Cr M Rae**

**The Council considers the process of appointment of the new Chief Executive Officer at this meeting.**

**CARRIED UNANIMOUSLY****MOTION:**

**Cr L Dunscombe / Cr E Lording**

**That Council suspends standing orders for the purpose of taking photographs and greeting members of the gallery.**

**CARRIED**

The meeting was suspended at 6.11 pm.

**RESOLUTION:**

**Cr L Dunscombe / Cr M Rae**

**That Standing Orders be resumed.**

**CARRIED**

The meeting was resumed at 6.22 pm.

**10. CONFIDENTIAL ITEMS**

*The Local Government Act 1989* section 89(2) allows Council to resolve to close a meeting to the public to consider confidential information relating to any of the following matters:

- (a) personnel matters
- (b) the personal hardship of any resident or ratepayer
- (c) industrial matters
- (d) contractual matters
- (e) proposed developments
- (f) legal advice
- (g) matters affecting the security of Council property
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person
- (i) a resolution to close the meeting to members of the public.

Where possible Council will resolve to make public any decision it makes in a closed meeting where the resolution does not disclose confidential information. There may be occasions where Council cannot make its decision public.

The report on the Motion To Appoint Chief Executive Officer is being considered in the closed part of this meeting because it is considered under S89(2)(a) and (d) to concern personnel matters and contractual matters.

**Recommendation**

That Council, in accordance with the *Local Government Act 1989* section 89(2)(a) and (d), resolve to close the meeting to the members of the public:

- Motion To Appoint Chief Executive Officer

**RESOLUTION:**

**Cr M Rae / Cr R Bowles**

**That the meeting be closed to the public pursuant to s.89(2)(a) and (d) of the *Local Government Act 1989* due to personnel matters and contractual matters.**

**CARRIED**

The meeting closed to the public at 6.22 pm

**RESOLUTION:**

**Cr L Dunscombe / Cr M Rae**

**That the meeting re-opens to the public.**

The meeting re-opened to the public at 6.25 pm.

**10.2 MOTION TO APPOINT CHIEF EXECUTIVE OFFICER****RESOLUTION:****Cr M Rae / Cr E Lording****That Council:**

1. appoints Craig Lloyd as Interim Chief Executive Officer of the Murrindindi Shire Council from 8 January 2018 to 30 June 2018 and on the terms set out in the Contract of Employment – Maximum Term – Interim Chief Executive Officer attached as confidential *Attachment 10a* to this Special Meeting Agenda Item;
2. fixes the starting total remuneration package for the Interim Chief Executive Officer at \$245,000;
3. authorises the Mayor to sign the Contract of Employment – Interim Chief Executive Officer attached as confidential *Attachment 10a* to this Special Meeting Agenda Item on behalf of Council;
4. having complied with s 94 of the Local Government Act 1989, appoints Craig Lloyd as its Chief Executive Officer for a term of five years commencing on 1 July 2018 and on the terms set out in the Contract of Employment – Chief Executive Officer attached as confidential *Attachment 10b* to this Special Meeting Agenda Item;
5. fixes the starting total remuneration package for the Chief Executive Officer at \$245,000, to be reviewed on 8 January 2019 and annually thereafter;
6. authorises the Mayor to sign the Contract of Employment – Maximum Term – Chief Executive Officer attached as confidential *Attachment 10b* to this Special Meeting Agenda Item on behalf of Council; and
7. approves an additional 'once-off' payment to Craig Lloyd of \$5,000 for relocation assistance.

**CARRIED**

There being no further items of Business, the Chairperson declared the meeting closed at 6.25 pm.

CONFIRMED THIS

Wednesday 22 November 2017

CHAIRPERSON

