



Southern Grampians
SHIRE COUNCIL

Council Meeting Minutes

Statutory Meeting
18 November 2020

Held at 5.30pm in the
MJ Hynes Auditorium
5 Market Place, Hamilton

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The Meeting opened at 5.30pm

1. Present

Councillors

Cr Mary-Ann Brown
Cr Albert Calvano
Cr Bruach Colliton
Cr Helen Henry
Cr Greg McAdam
Cr Katrina Rainsford
Cr David Robertson

Officers

Mr Michael Tudball, Chief Executive Officer
Ms Evelyn Arnold, Director Community and Corporate Services
Mr Andrew Goodsell, Director Planning and Development

2. Welcome and Acknowledgement of Country

The CEO, Michael Tudball, read the acknowledgement of Country:

“Our meeting is being held on the traditional lands of the Gunditjmarra, Tjap Wurrung and Bunganditj people.

I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today.”

3. Prayer

Evelyn Arnold, Director Community and Corporate Services led the meeting in a prayer.

4. Apologies

Nil

5. Oath of Office

In accordance with Section 30 of the Local Government Act 2020, a person elected to be a Councillor is not capable of acting as a Councillor unless he or she has taken the Oath of Office in the manner prescribed by the regulations.

All seven Councillors elected to the Southern Grampians Shire Council took the Oath or Affirmation of Office

I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct

I will faithfully and impartially carry out and exercise the functions, powers and authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement.

All seven Councillors elected to the Southern Grampians Shire Council in 2020 declared in writing, that they will abide by the Councillor Code of Conduct.

6. Election of Mayor 2020/2021

The Local Government Act 2020 provides that prior to the election of the Mayor, Council may resolve to elect a Mayor for a term of one or two years.

RECOMMENDATION

That the Mayor of the Southern Grampians Shire Council be appointed for a 1 year term.

COUNCIL RESOLUTION

MOVED: Cr Brown
SECONDED: Cr Robertson

That the Mayor of the Southern Grampians Shire Council be appointed for a 1 year term.

CARRIED

MAYORAL ELECTION

The Chief Executive Officer called for nominations for the position of Mayor for 2020/2021.

Cr Colliton was nominated by Cr Robertson. Cr Colliton accepted the nomination.

No other nominations were received. There being no other nominations Cr Colliton was declared elected as Mayor.

The Mayor was vested with the Mayoral Pendant and Gavel by the Chief Executive Officer.

7. Response by Mayor

The Mayor, Cr Bruach Colliton thanked the community, his family and fellow Councillors for their support in being elected to Council and being elected to Mayor and congratulated returning and new Councillors on their election.

8. Election of Deputy Mayor

Council's Meeting Procedures Local Law and Governance Rules provides that the process for the election of a Deputy Mayor, should Council determine that it is appropriate to appoint a Deputy Mayor, will follow the same procedure as for the election of the Mayor.

COUNCIL RESOLUTION

MOVED: Cr Brown

SECONDED: Cr Henry

That Southern Grampians Shire Council elect a Deputy Mayor for 2020/2021.

CARRIED

RECOMMENDATION

That the Deputy Mayor of the Southern Grampians Shire Council be appointed for a 1 year term.

COUNCIL RESOLUTION

MOVED: Cr Henry

SECONDED: Cr Brown

That the Deputy Mayor of the Southern Grampians Shire Council be appointed for a 1 year term.

CARRIED

Cr Robertson was nominated by Cr McAdam. Cr Robertson accepted the nomination.

No other nominations were received. There being no other nominations Cr Robertson was declared elected as Deputy Mayor.

9. Response by Deputy Mayor

The Deputy Mayor, Cr Robertson acknowledged the community for electing himself and the other councillors to Council and is looking forward to supporting the Mayor, participating fully as a Councillor and encouraging the unity of Council.

10. Determination of Meeting Schedule

Council is requested to determine upon the Meeting Schedule for 2020/2021.

It is recommended that Ordinary Meetings of Council are held on the second Wednesday of each month commencing at 5.30pm, preceded by an informal residents meeting commencing at 5.00pm and a Councillor Briefing Session.

It is also recommended that Briefing Sessions are held on the fourth Wednesday of each month.

Extra Councillor Briefing Sessions are anticipated to assist in the preparation of the 2021/2022 Annual Budget. These Briefing Sessions are anticipated to be held in March and will be scheduled by the Chief Executive Officer as required.

From time to time additional Council Meetings, Special Meetings, may also be required.

Council meetings be generally held in the Council Chambers, Market Place, Hamilton, unless otherwise varied by Council or the Chief Executive Officer.

RECOMMENDATION

That:

1. Ordinary Meetings of Council be held on the second Wednesday of each month, except January 2021, commencing at 5.30pm.
2. Ordinary Meetings of Council be preceded by a Councillor Briefing Session.
3. Councillor Briefing Sessions be held on the fourth Wednesday of each month, except for December 2020.
4. The Chief Executive Officer be authorised to set additional Councillor Briefing Sessions, call for Special Meetings of Council when required and move the location of Council Meetings and Briefings in consultation with the Mayor and Councillors.
5. The following schedule of dates for the holding of Ordinary Council Meetings in 2020/2021 be adopted:

9 December 2020
10 February 2021
10 March 2021
14 April 2021
12 May 2021
9 June 2021

14 July 2021
11 August 2021
8 September 2021
13 October 2021

6. Council will hold 3 Meetings in Southern Grampians Shire communities outside of Hamilton in 2021. Those Meetings will be as follows:
 - Mirranatwa – 10 March 2021;
 - Wannon – 14 April 2021;
 - Balmoral – 13 October 2021.
7. A Special Meeting for the purpose of adopting the 2021/2022 Budget be set for Wednesday 23 June 2021 commencing at 5.30pm.
8. The Statutory Meeting for 2021 be set for Wednesday 3 November 2021 commencing at 5.30pm.

COUNCIL RESOLUTION

MOVED: Cr Brown

SECONDED: Cr Henry

That:

1. Ordinary Meetings of Council be held on the second Wednesday of each month, except January 2021, commencing at 5.30pm.
2. Ordinary Meetings of Council be preceded by a Councillor Briefing Session.
3. Councillor Briefing Sessions be held on the fourth Wednesday of each month, except for December 2020.
4. The Chief Executive Officer be authorised to set additional Councillor Briefing Sessions, call for Special Meetings of Council when required and move the location of Council Meetings and Briefings in consultation with the Mayor and Councillors.
5. The following schedule of dates for the holding of Ordinary Council Meetings in 2020/2021 be adopted:

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8. The Statutory Meeting for 2021 be set for Wednesday 3 November 2021 commencing at 5.30pm.

CARRIED

11. Management Reports

11.1 Appointment of Council Representatives

Directorate: Evelyn Arnold, Director Community and Corporate Services
Author: Karly Saunders, Governance Coordinator
Attachments: 1. Précis of Committees
2. MEMPC Terms of Reference

Executive Summary

Each year the Southern Grampians Shire Council is represented on a range of committees by its Councillors.

A review of the list of committees which require a Councillor to act as a formal representative of Council has been completed. This Report recommends that Councillors be appointed as representatives of Council to 10 committees.

Discussion

It is recommended that Councillor/s be appointed as representative/s of Council to the following committees:

- Audit and Risk Committee
- Planning Committee
- Hamilton Regional Livestock Exchange Committee
- CEO Employment and Remuneration Committee
- MAV Delegate
- Great South Coast Group
- Rural Councils Victoria
- Barwon South West Waste & Resource Recovery Group
- Green Triangle Action Group
- Rail Freight Alliance

For detailed information about the recommendation, purpose and membership of all the committees please see the attached Précis of Committees.

The Municipal Emergency Management Planning Committee (MEMPC) has previously been a Committee with Councillor representation.

The *Emergency Management Act 2013* has been amended and from 1 December 2020, the legislation shifts responsibility for municipal emergency management planning from the council to the reformed, multi-agency MEMPC - the peak emergency management planning body in the municipal district. This shift of responsibility highlights the intent of the reform which supports emergency management planning as an integrated, multi-agency and collaborative effort.

As a result of this, Council is required to disestablish the existing MEMPC in recognition that the section of the Act the Committee was established under, will be repealed from 1 December 2020 and establish the new MEMPC, this ensures the MEMPC is established in

accordance with the legislation, including recognising that the MEMPC promotes shared responsibility for planning by requiring relevant agencies to participate in the planning process, and that the MEMPC reports directly to the Regional Emergency Management Planning Committee, not to council.

The Emergency Management Legislation Amendment Act (EMLA Act) sets out a legislated core membership for MEMPCs.

The EMLA Act also requires a MEMPC to invite at least one community representative, it is proposed that a Councillor be the initial community representative.

Legislation, Council Plan and Policy Impacts

Council Plan Objective 5.1 – Provide transparent and responsible governance.

Council Plan Objective 5.2 – Effective advocacy

Section 53 of the Local Government Act 2020 which requires Council to establish an Audit and Risk committee.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no general or material interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council:

1. Authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*.
2. Authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020).
3. Notes that, under the MEMPC Terms of Reference provided and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council.
4. Approve Councillor delegates be appointed as representatives of Council to the following committees (table below)

5. :

Committees Required by Legislation	
Audit and Risk Committee	Cr Cr
Municipal Emergency Management Planning Committee (MEMPC)	Cr
Delegated Committees	
Planning Committee	Cr Cr
Advisory Committees Established by Council	
Hamilton Regional Livestock Exchange Advisory Committee	Cr (Chair) Cr
CEO Employment and Remuneration Committee	Cr (Mayor) Cr (Deputy Mayor) Cr Cr
Committees Established by Other Bodies	
MAV Delegate	Cr (Mayor) Cr (proxy)
Great South Coast Group	Cr (Mayor)
Rural Councils Victoria	Cr
Barwon South West Waste & Resource Recovery Group	Cr
Green Triangle Action Group	Cr Cr (proxy)
Rail Freight Alliance	Cr Cr (proxy)

COUNCIL RESOLUTION

MOVED: Cr Calvano
SECONDED: Cr McAdam

That Council:

- 1. Authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December these provisions are repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*.**
- 2. Authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserts a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* on 1 December 2020).**
- 3. Notes that, under the MEMPC Terms of Reference provided and the *Emergency Management Legislation Amendment Act 2018* (which inserts s59 and 59F into the *Emergency Management Act 2013* on 1 December 2020), council's role is to establish the committee. Once established, the committee exists separately to Council and is not a committee of Council.**
- 4. Approve Councillor delegates be appointed as representatives of Council to the following committees (table below):**

Committees Required by Legislation	
Audit and Risk Committee	Cr Brown Cr Robertson
Municipal Emergency Management Planning Committee (MEMPC)	Cr McAdam
Delegated Committees	
Planning Committee	Cr McAdam Cr Henry
Advisory Committees Established by Council	
Hamilton Regional Livestock Exchange Advisory Committee	Cr McAdam (Chair) Cr Brown
CEO Employment and Remuneration Committee	Mayor Cr Colliton Deputy Mayor Cr Robertson Cr Rainsford Cr Henry
Committees Established by Other Bodies	
MAV Delegate	Mayor Cr Colliton Cr Rainsford (proxy)
Great South Coast Group	Mayor Cr Colliton
Rural Councils Victoria	Cr Rainsford
Barwon South West Waste & Resource Recovery Group	Cr Henry
Green Triangle Action Group	Cr Calvano Cr Rainsford (proxy)
Rail Freight Alliance	Cr Calvano Cr Rainsford (proxy)

CARRIED

12. Recognition of Retiring Councils

The new Council thanked all the retiring Councillors, Cathy Armstrong, Colin Dunkley, Chris Sharples and their partners for the dedication, hard work and commitment to the Southern Grampians Shire and commend them on working for and representing their community.

A gift was presented by the Mayor to the retiring Councillors and partners.

13. Close of Meeting

This concludes the business of the meeting.

Meeting closed at 6:22pm.

Confirmed by resolution 9 December 2020.

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Chairman