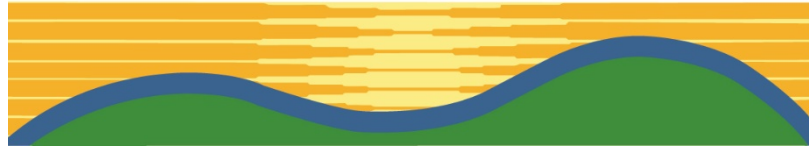


MITCHELL SHIRE COUNCIL



**SPECIAL COUNCIL MEETING
MINUTES**

MONDAY 23 MARCH 2020

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	WELCOME AND GOVERNANCE DECLARATION.....	1
2	APOLOGIES AND LEAVE OF ABSENCE	1
3	DISCLOSURE OF CONFLICTS OF INTEREST	2
4	GOVERNANCE AND CORPORATE PERFORMANCE.....	3
4.1	Amendment of Instrument of Delegation to Chief Executive Officer - Pandemic Period	3
5	CLOSE OF MEETING	5

**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE
MITCHELL SHIRE COUNCIL HELD AT MITCHELL CIVIC
CENTRE, 113 HIGH STREET BROADFORD ON
23 MARCH 2020**

THE MEETING OPENED: 5.57pm

COUNCILLORS PRESENT

Cr Annie Goble	Central Ward
Cr David Atkinson	Central Ward
Cr Bob Humm	Central Ward
Cr Fiona Stevens	North Ward
Cr David Lowe	South Ward (Chairperson)
Cr Rob Eldridge	South Ward
Cr Bob Cornish	South Ward

OFFICERS PRESENT

Ms Mary Agostino	Acting Chief Executive Officer
Ms Jo Wilson	Acting Director Advocacy and Community Services
Mr Mike McIntosh	Acting Director Development and Infrastructure
Ms Lidia Harding	Manager Governance and Corporate Accountability

1 WELCOME AND GOVERNANCE DECLARATION

The Mayor formally opens the meeting with an acknowledgement of country and welcomes all present.

The Mayor acknowledges the traditional owners of the Taungurung Nation and pay his respect to their Elders past and present, and its emerging and future leaders.

The declaration was read by Cr B. Humm.

2 APOLOGIES AND LEAVE OF ABSENCE

COUNCIL RESOLUTION

MOVED: CR. A. GOBLE

SECONDED: CR. R. ELDRIDGE

THAT the apology for this meeting received from Cr R. Sanderson and Cr B. Chisholm be accepted.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with section 79 of the Local Government Act 1989.

Nil.

4 GOVERNANCE AND CORPORATE PERFORMANCE

4.1 AMENDMENT OF INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER - PANDEMIC PERIOD

Author: Laurie Ellis - Director Governance and Corporate Performance

File No: HR/20/001-02

Attachments: Nil

SUMMARY

With the spread of COVID-19 and the possibility of some Councillors being unable to attend Strategy, Council and Committee meetings, Governance are proposing ways Council can overcome these absences and keep council business going.

The *Local Government Act 1989* does not allow for Council meetings to go ahead using electronic means and Councillors do need to be in attendance for their vote to count.

Council plays a pivotal role as the decision makers and there are in the next few months major decisions that will need to be made in relation to the budget, procurement (ahead of the caretaker period) and planning items.

The inability to form and/or maintain a quorum and conduct the normal business of the council would cause severe disruption to service delivery and so increasing the delegation to the Chief Executive Officer (CEO) would enable the normal decision making of Council to continue in these unusual circumstances. The recommendation limits the extent and circumstances of when the increased delegation can be exercised.

COUNCIL RESOLUTION

MOVED: CR. F. STEVENS

SECONDED: CR. A. GOBLE

THAT during the declared State of Emergency in Victoria arising from the COVID-19 pandemic:

1. Should a quorum not be obtained for a Council Meeting, the meeting will be adjourned one week, and should a quorum not be obtained for the adjourned Council Meeting, the Instrument of Delegation to the CEO is temporarily expanded until the date of the next scheduled Council Meeting.
2. The expansion of the temporary Instrument of Delegation will include all urgent matters brought forward through Officers and the Executives discussion reports which would normally be determined by Council resolution and which cannot reasonably be delayed until the next scheduled Council Meeting.
3. In accordance with the *Local Government Act 1989* and any other relevant Acts,

AMENDMENT OF INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER - PANDEMIC PERIOD (CONT.)

matters which are prohibited from delegation to the CEO, such as, the Budget, returns of valuations, s223 *Local Government Act 1989* matters, contracts over a specified value are excluded.

4. The Chief Executive Officer prior to making any decisions under this expanded delegation will consult with all available Councillors.
5. The Chief Executive Officer report to the next available meeting of the Council on decisions made under the expanded delegation.

CARRIED UNANIMOUSLY

5 CLOSE OF MEETING

The meeting was declared closed at 6.06pm.

Confirmed this Monday, 20 April 2020

.....
Chairperson
Mayor, Cr David Lowe