



**Date:** Tuesday, 14 November 2023  
**Time:** 3.00pm  
**Location:** Loddon Shire Council Chambers, Wedderburn

# **MINUTES**

## **Special Council Meeting**

**MINUTES OF LODDON SHIRE COUNCIL  
SPECIAL COUNCIL MEETING  
HELD AT THE LODDON SHIRE COUNCIL CHAMBERS, WEDDERBURN  
ON TUESDAY, 14 NOVEMBER 2023 AT 3.00PM**

**PRESENT:** Cr Dan Straub, Cr Neil Beattie, Cr Gavan Holt, Cr Linda Jungwirth and Cr Wendy Murphy

**IN ATTENDANCE:** Lincoln Fitzgerald (Chief Executive Officer), Wendy Gladman (Director Community Wellbeing), Steven Phillips (Director Operations), Amanda Wilson (Director Corporate) and Lisa Clue (Manager Governance)

**1 OPENING AFFIRMATION**

The Mayor read the Opening Affirmation

**2 ACKNOWLEDGEMENT OF COUNTRY**

The Chief Executive Officer read the Acknowledgement of Country

**3 APOLOGIES**

Nil

**4 DECLARATIONS OF CONFLICT OF INTEREST**

NIL

**5 MAYORAL REPORT****5.1 MAYORAL REPORT**

**File Number:** FOL/19/126475  
**Author:** Lisa Clue, Manager Governance  
**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION**

That Council receive and note the Mayoral Report for 2022/23.

**REPORT**

Outgoing Mayor, Cr Dan Straub reported on his term as Mayor for 2022/23 highlighting flood impacts, flood recovery efforts of the Loddon Shire community and emergency service personnel, the delivery of major projects across the shire and return of community events, both traditional and flood recovery.

Cr Straub closed his report by thanking his fellow councillors for their support of the Loddon community and himself, the Chief Executive Officer, Lincoln Fitzgerald; Council Directors; and Executive Assistant, Renae Colls.

The Chief Executive Officer presented Cr Straub with a ceremonial gavel and a copy of Mayoral Columns from each week of the Mayoral term.

**RESOLUTION 2023/110**

Moved: Cr Linda Jungwirth  
Seconded: Cr Neil Beattie

That Council receive and note the Mayoral Report for 2022/23.

**CARRIED**

## 6 DECISION REPORTS

Cr Straub handed over to Chief Executive Officer, Lincoln Fitzgerald to act as temporary Chairperson for the next item on the Agenda.

### 6.1 ELECTION OF THE MAYOR 2023/24

**File Number:** FOL/19/126475  
**Author:** Lisa Clue, Manager Governance  
**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer  
**Attachments:** Nil

### RECOMMENDATION

That Council elect a Councillor to be Mayor of the Loddon Shire for a one year term, being 2023/24.

### CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

### PREVIOUS COUNCIL DISCUSSION

At a Special Council meeting on Thursday 8 November 2022, Cr Straub was elected Mayor for a one year term.

Councillors most recently discussed this matter at the October Council meeting, when Cr Holt was declared Loddon Shire Council Mayor Elect 2023/24.

### BACKGROUND

The *Local Government Act 2020* (the Act) requires a Mayor to be elected on a day that is as close to the end of the current Mayor's term as is reasonably practicable.

At a Special Council meeting on Thursday 8 November 2022, Cr Straub was elected Mayor for a one year term.

The Act requires that before the election of the Mayor, a Council must determine by resolution whether the Mayor is to be elected for a one year or a two year term however, as Council Elections will be held in October 2024, the 2023/24 Mayoral Term of Office must be for a one year term.

### ISSUES/DISCUSSION

In accordance with Council's Governance Rules, the Chief Executive Officer must open the meeting and chair the election of Mayor as required under section 25 of the Act.

The Chief Executive Officer will invite nominations for the office of Mayor of the Loddon Shire Council for 2023/24. If multiple candidates nominate, an election process will be conducted in accordance with the Governance Rules.

The elected Mayor may take the opportunity to give an acceptance speech.

### COST/BENEFITS

The Councillor Expenses and Support Policy details claimable expenses for the Mayor and Councillors which are provided for in the adopted Budget.

### RISK ANALYSIS

Not applicable

**CONSULTATION AND ENGAGEMENT**

Not applicable

**NOMINATIONS AND ELECTION**Nominations

The Chief Executive Officer invited nominations for the office of Mayor.

Cr Holt nominated Cr Straub  
Cr Straub declined the nomination

Cr Beattie nominated Cr Holt  
Cr Holt accepted the nomination

Cr Jungwirth nominated Cr Murphy  
Cr Murphy accepted the nomination

With no further nominations, the Chief Executive Officer invited Cr Holt and Cr Murphy to address Council as election candidates

Cr Holt addressed Council

Cr Murphy addressed Council

Election

The Chief Executive Officer called for a show of hands for each candidate.

Cr Holt – three votes

Receiving the absolute majority of votes, the Chief Executive Officer declared Cr Holt the elected Loddon Shire Council Mayor for 2023/24.

Cr Holt addressed the Council on being elected Loddon Shire Council Mayor for 2023/24.

Councillors Beattie, Straub, Jungwirth and Murphy addressed Council acknowledging the Mayoral terms of Cr Straub and congratulating newly elected Mayor Holt.

Chief Executive Officer, Lincoln Fitzgerald congratulated Mayor Holt on behalf of Council staff.

Mayor Holt took the Chair.

**6.2 APPOINTMENT OF ACTING MAYOR**

**File Number:** FOL/19/126475  
**Author:** Lisa Clue, Manager Governance  
**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer  
**Attachments:** Nil

**RECOMMENDATION**

That Council appoint an Acting Mayor when required in accordance with section 20B of the Local Government Act 2020.

**CONFLICT OF INTEREST**

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

**PREVIOUS COUNCIL DISCUSSION**

At the Special Meeting held on 8 November 2022, Council resolved to appoint an Acting Mayor as required.

This matter was most recently discussed by Councillors at the October Forum.

**BACKGROUND**

The Local Governance Act 2020 (the Act) provides for the establishment of an office of Deputy Mayor to perform the role of the Mayor if the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or the office of Mayor is vacant.

The Act provides for a Council to appoint a Councillor to be the Acting Mayor to perform the role of Mayor in those circumstances referred to above, if a Council has not established an office of Deputy Mayor.

Determining the election of Mayor and Deputy Mayor are provided for in Part 2 of Council's Governance Rules.

Section 20B of the Act prescribes the appointment of a Councillor to be the Acting Mayor.

Loddon Shire Council historically has resolved to appoint an Acting Mayor as required.

**ISSUES/DISCUSSION**

As it has done previously, Council may resolve to appoint an Acting Mayor as required in accordance with section 20B of the *Local Government Act 2020* (the Act). Alternatively, Council may establish an office of Deputy Mayor in accordance with section 20A of the Act and Council's Governance Rules.

**COST/BENEFITS**

The Act provides for the establishment of an office of Deputy Mayor, or the appointment of an Acting Mayor to perform the role of the Mayor in certain circumstances.

There is no cost associated with the appointment of an Acting Mayor. The office of Deputy Mayor is remunerated - the current base allowance payable to Category 1 Deputy Mayors is \$39,746 per annum.

**RISK ANALYSIS**

Appointing an Acting Mayor, or establishing an office of Deputy Mayor ensure the duties of the office of Mayor continue to be performed in the absence of the Mayor.

**CONSULTATION AND ENGAGEMENT**

Not applicable

**RESOLUTION 2023/111**

Moved: Cr Dan Straub

Seconded: Cr Neil Beattie

That Council appoint an Acting Mayor when required in accordance with section 20B of the Local Government Act 2020.

**CARRIED**

**6.3 COUNCIL REPRESENTATION ON COMMITTEES****File Number:** FOL/19/126475**Author:** Lisa Clue, Manager Governance**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer**Attachments:** 1. Council representation on committees 2023/24**RECOMMENDATION**

That Council appoints Councillor representatives to committees for 2023/24 as listed in the attachment to this report.

**CONFLICT OF INTEREST**

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

**PREVIOUS COUNCIL DISCUSSION**

Councillors most recently discussed the Council representation on committees at the October 2023 Council Forum and the October 2023 Council Meeting.

**BACKGROUND**

Council has historically adopted appointments to committees during the Special Meeting called to elect the Mayor.

**ISSUES/DISCUSSION**

Committees requiring Council representation are largely committees established by Council, or external committees on which it is appropriate that Council is represented.

Requests for Council representation on additional committees during the year will be considered as they are received.

**COST/BENEFITS**

Costs associated with Council representation on committees are provided for in the adopted budget.

Council representation on external committees provides for committee discussions and decisions to consider Loddon Shire specific impacts. Councillor representation on external committees and those established by Council supports communication between members of those committees and their respective communities, Councillors and officers.

**RISK ANALYSIS**

Not applicable



**CONSULTATION AND ENGAGEMENT**

Not applicable

**RESOLUTION 2023/112**

Moved: Cr Linda Jungwirth

Seconded: Cr Wendy Murphy

That Council appoints Councillor representatives to committees for 2023/24 as listed in the attachment to this report.

**CARRIED**

**NEXT MEETING**

The next Meeting of Council will be held on 28 November 2023 at Wedderburn commencing at 3.00pm.

There being no further business the Mayor declared the meeting closed at 3.27pm.

Confirmed this.....day of..... 2023

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**CHAIRPERSON**