



**Date:** Tuesday, 19 November 2024  
**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, 19 NOVEMBER 2024 AT 3.00PM**

**PRESENT:** Cr Dan Straub, Cr Nick Angelo, Cr Gavan Holt, Cr David Weaver and Cr Miki Wilson

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

**1 ACKNOWLEDGEMENT OF COUNTRY**

The Chief Executive Officer read the Acknowledgement of Country.

**2 APOLOGIES**

Nil

**3 DECLARATION OF CONFLICTS OF INTEREST**

NIL

**4 TEMPORARY CHAIR**

In accordance with section 25 of the *Local Government Act 2020*, the Chief Executive Officer chaired the meeting until the Mayor had been elected.

## 5 DECISION REPORTS

### 5.1 TAKING OF THE OATH OR AFFIRMATION OF OFFICE

**File Number:**

**Author:** Lisa Clue, Manager Governance

**Authoriser:** Lincoln Fitzgerald, Chief Executive Officer

**Attachments:** Nil

#### BACKGROUND

In accordance with section 30 of the Act:

- A person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office in the manner prescribed by the Regulations; and
- The oath or affirmation of office must be administered by the Chief Executive Officer, and dated and signed before the Chief Executive Officer.

Other relevant provisions relating to this matter are:

- A person who is required to take an oath or make an affirmation may choose whether to take an oath or make an affirmation [s7 *Oaths and Affirmations Act 2018*].
- A person who takes an oath or makes an affirmation must say the words of the oath or affirmation aloud in the presence of the administering officer (in this case, the Chief Executive Officer) [s9(1) *Oaths and Affirmations Act 2018*].

#### ISSUES/DISCUSSION

The Chief Executive Officer called on Councillors to read aloud the Oath or Affirmation of Office.

The wording of the Oath of Office is as follows:

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

The wording of the Affirmation of Office is as follows:

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

Councillors then signed and dated their Oath or Affirmation of Office before the Chief Executive Officer.



## Oath of Office

# Councillor Dan Straub

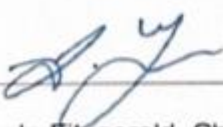
I, Dan Straub, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

  
\_\_\_\_\_  
Councillor Dan Straub

19/11/2024

  
\_\_\_\_\_  
Lincoln Fitzgerald, Chief Executive Officer

19/11/2024



## Affirmation of Office

### Councillor Nick Angelo

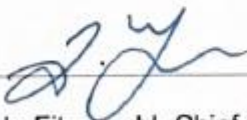
I, Nick Angelo, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

  
\_\_\_\_\_  
Councillor Nick Angelo

19/11/2024

  
\_\_\_\_\_  
Lincoln Fitzgerald, Chief Executive Officer

19/11/2024



## Affirmation of Office

### Councillor Gavan Holt

I, Gavan Holt, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

Handwritten signature of Gavan Holt in blue ink.

Councillor Gavan Holt

19/11/2024

Handwritten signature of Lincoln Fitzgerald in blue ink.

Lincoln Fitzgerald, Chief Executive Officer

19/11/2024



## Oath of Office

### Councillor Miki Wilson

I, Miki Wilson, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

A handwritten signature in black ink, appearing to be "M. Wilson", written over a horizontal line.

Councillor Miki Wilson

19/11 /2024

A handwritten signature in blue ink, appearing to be "L. Fitzgerald", written over a horizontal line.

Lincoln Fitzgerald, Chief Executive Officer

19/11 /2024



## Affirmation of Office

### Councillor David Weaver

I, David Weaver, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

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

Handwritten signature of David Weaver in black ink.

Councillor David Weaver

19 / 11 / 2024

Handwritten signature of Lincoln Fitzgerald in blue ink.

Lincoln Fitzgerald, Chief Executive Officer

19 / 11 / 2024



**5.2 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 2023/24.

**REPORT**

Outgoing Mayor, Cr Gavan Holt reported on his term as Mayor for 2023/24, firstly welcoming the three new Loddon Shire Councillors.

Cr Holt highlighted a number of key achievements including opening of the Donaldson Park Complex; Pyramid Hill Streetscape; the announcement of Loddon's first Early Learning Years & Childcare Centre; and the extensive investment in Council's road network.

Cr Holt acknowledged the significant contributions from the previous term Councillors, and Officers in the development of a number of key policy documents, including the Economic Development Strategy, Recreation and Open Space and Aquatic Strategy and Social Infrastructure Strategy which will ensure the long-term financial sustainability of Loddon; and continued advocacy on matters including untargeted water buy-backs.

In closing, Cr Holt thanked immediate past Councillors and Council staff for their contributions to the people of Loddon, and expressed excitement about the new Council and the four-year term ahead.

**RESOLUTION 2024/134**

Moved: Cr David Weaver  
Seconded: Cr Dan Straub

That Council receive and note the Mayoral Report for 2023/24.

**CARRIED**

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

**5.3 MAYORAL TERM - 2024/25**

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

**RECOMMENDATION**

That Council confirms that the Mayoral term for 2024/25 be for a period of one year.

**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**

Due to the 2024 Council elections, the 2023/24 Mayoral term could only be one year, and as such no resolution was required.

The Mayoral term was discussed at a Councillor induction session on 12 November 2024.

**BACKGROUND**

Section 26(3) of the Act, states that before a Mayor is elected, the Council must determine by resolution whether the Mayor is to be elected for a one year or a two year term.

The past practice has been to elect the Mayor for a one-year term. There is no limitation on Council re-electing the same person as Mayor during the Council term.

**ISSUES/DISCUSSION**

Nil

**COST/BENEFITS**

There are minimal administrative costs associated with the election or re-election of a Mayor.

**RISK ANALYSIS**

Not applicable

**CONSULTATION AND ENGAGEMENT**

Not applicable

**RESOLUTION 2024/135**

Moved: Cr Miki Wilson  
Seconded: Cr Nick Angelo

That Council confirms that the Mayoral term for 2024/25 be for a period of one year.

**CARRIED**

**5.4 ELECTION OF THE MAYOR 2024/25**

**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 the 2024/25 year.

**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 14 November 2023, Cr Holt was elected Mayor for a one year term.

Councillors most recently discussed this matter at a Councillor induction session on 12 November 2024.

**BACKGROUND**

The Act requires a Mayor to be elected no later than one month after the date of a General Election.

**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 2024/25. 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 2024/25 Budget.

The Victorian Independent Remuneration Tribunal classifies Loddon Shire Council as a Category 1 Council. A Category 1 Council Mayor receives a base allowance of \$84,498 per annum.

The Mayor is required to undertake mandatory mayoral training within one month of being elected to the role, at a cost of approximately \$1,000 (plus travel and accommodation costs, if required).

**RISK ANALYSIS**

Not applicable

**CONSULTATION AND ENGAGEMENT**

Not applicable

**NOMINATIONS AND ELECTION**

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

Cr Weaver nominated Cr Straub

Cr Straub accepted the nomination

With no further nominations, the Chief Executive Officer declared Cr Straub duly elected Loddon Shire Council Mayor for 2024/25.

Mayor Straub took the Chair and addressed the Council on being elected Loddon Shire Council Mayor for 2024/25, thanking the new Council for its support and speaking of the decisions and strategic planning tasks to come in this new Council term, and of representing the people of Loddon with pride.

Mayor Straub thanked past Councillors for their contributions, the Chief Executive Officer and Council staff; and his family for their support.

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

## 5.5 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 14 November 2023, Council resolved to appoint an Acting Mayor as required.

This matter was most recently discussed by Councillors at a Councillor induction session on 12 November 2024.

### BACKGROUND

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 Act. Alternatively, Council may establish an office of Deputy Mayor in accordance with section 20A of the Act and Council's Governance Rules.

The Act has recently been amended to include provisions that require a Mayor and any Deputy Mayor, or an Acting Mayor to complete Mayoral training. In the case of the Mayor or a Deputy Mayor, training must be completed within one month after their election to those positions. In the case of an Acting Mayor, the training must be completed within one month of their appointment, however an Acting Mayor is not required to complete Mayoral training if their appointment as Acting Mayor is for less than one month, or if at any time in the preceding 12 months they have completed Mayoral training.

Several training workshops for Mayors and Deputy Mayors have been scheduled by Victorian local government peak bodies during December.

**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 appointing an Acting Mayor when required.

The Victorian Independent Remuneration Tribunal classifies Loddon Shire Council as a Category 1 Council. A Category 1 Council Deputy Mayor receives a base allowance of \$42,248 per annum.

Deputy Mayors are required to undertake mandatory mayoral training within one month of being elected to the role, at a cost of approximately \$1,000 (plus travel and accommodation costs, if required).

**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 2024/136**

Moved: Cr David Weaver

Seconded: Cr Nick Angelo

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

**CARRIED**

**5.6 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 2024-25**RECOMMENDATION**

That Council appoints Councillor representatives to committees for 2024/25 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**

Council representation on committees was discussed at a Councillor induction session on 12 November 2024.

**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 2024/25 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 2024/137**

Moved: Cr Miki Wilson  
Seconded: Cr Gavan Holt

That Council appoints Councillor representatives to committees for 2024/25 as listed in the attachment to this report.

**CARRIED**



**6 VOTE OF THANKS**

Mayor Straub thanked and acknowledged outgoing Mayor Cr Holt for his continued contribution to Loddon.

The Chief Executive Officer thanked the outgoing Councillors' in recognition of their contribution and support over the previous term.

There being no further business the meeting was closed at 3.50 pm.

Confirmed this

day of

2024.

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CHAIRPERSON