



Notice is given that a Special Meeting of Council will be held on:

Date: Tuesday, 19 November 2024

Time: 3.00pm

Location: Loddon Shire Council Chambers, Wedderburn

AGENDA

Special Meeting of Council

Order Of Business

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1 ACKNOWLEDGEMENT OF COUNTRY

The Chief Executive Officer will read the Acknowledgment of Country.

“The Loddon Shire Council acknowledges the Traditional Custodians of the land on which we are gathered and pays its respects to their Elders both past and present.”

2 APOLOGIES**3 DECLARATION OF CONFLICTS OF INTEREST**

In accordance with section 129(g) of the *Local Government Act 2020* (the Act) and Regulation 7 of the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations), a Councillor does not have a conflict of interest if the matter relates to the nomination of a Councillor for the election to the office of Mayor or Deputy Mayor, or the election of a Councillor to the office of Mayor or Deputy Mayor.

4 TEMPORARY CHAIR

Section 25 of the the Act states that the election of the Mayor must be chaired by the Chief Executive Officer and conducted in accordance with the Governance Rules. Section 26 of the Act states that before the election of the Mayor, a Council must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term. Once elected, the Mayor will take the chair for the remainder of the meeting.

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 will call 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 will then sign and date their Oath or Affirmation of Office before the Chief Executive Officer.

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

The Chief Executive Officer will invite the immediate past Mayor, Cr Gavan Holt to report on his 2023/24 term of office.

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

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

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

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

COUNCIL REPRESENTATION ON COMMITTEES (2024/25)

SECTION 65 COMMUNITY ASSET COMMITTEES	
Boort Aerodrome	Cr Weaver Boort Ward
Boort Memorial Hall	
Boort Park	
Korong Vale Mechanics Hall	
Korong Vale Sports Centre	
Little Lake Boort	
Yando Public Hall	
Campbells Forest Hall	Cr Wilson Inglewood Ward
Inglewood Community Elderly Persons Units	
Inglewood Community Sports Centre	
Inglewood Town Hall Hub	Cr Straub Terrick Ward
East Loddon Community Centre	
Pyramid Hill Memorial Hall	Cr Holt Wedderburn Ward
Donaldson Park	
Hard Hill Tourist Reserve	
Wedderburn Community Centre	
Wedderburn Engine Park and Market Square Reserve	
Wedderburn Mechanics and Literary Institute Hall	

COMMITTEES EXTERNAL TO COUNCIL	
Calder Highway Improvement Committee (1 representative, 1 substitute)	Cr Wilson Cr Holt (substitute)
Loddon Campaspe Councils	Mayor Chief Executive Officer

COMMITTEES EXTERNAL TO COUNCIL	
Municipal Association of Victoria (1 representative, 1 substitute)	Cr Holt Cr Wilson (substitute)
Murray River Group of Councils	Mayor Chief Executive Officer
North Central Goldfields Regional Library (1 Councillor, 1 Council Officer)	Cr Angelo Chief Executive Officer
North Central Local Learning and Employment Network	Cr Straub
Rail Freight Alliance (1 representative)	Cr Weaver
Rural Councils Victoria	Mayor Chief Executive Officer

ADVISORY COMMITTEES, STEERING COMMITTEES, ETC	
Audit and Risk Committee (1 substantive, 1 alternate representative)	Cr Holt Cr Wilson (substitute)
Australia Day Committee (1 representative)	Cr Angelo
Loddon Healthy Minds Network (1 representative and 1 staff member)	Cr Straub Director Community Wellbeing
Municipal Emergency Management Planning Committee (1 representative)	Cr Weaver

6 VOTE OF THANKS

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

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