



# Council Agenda



**Date:** 17 November 2021

**Time:** 6:00pm

**Venue:** Echuca Function Room

**Photo Left to Right:** Cr Daniel Mackrell, Cr Rob Amos, Cr Leanne Pentreath (Deputy Mayor), Cr Tony Marwood, Cr John Zobec, Cr Colleen Gates, Cr Paul Jarman, Cr Chrissy Weller (Mayor), Cr Adrian Weston.

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For a meeting of the ninth Campaspe Shire Council meeting held on Wednesday 17 November 2021, commencing at 6:00 pm at the Echuca Function Room, Echuca Civic Centre.

## Temporary Chairperson

In accordance with clause 6.4(1) of the Governance Rules the Chief Executive Officer will act as the Temporary Chairperson of the meeting for the election of the Mayor and will have no voting rights, and assumes the Chair.

## Acknowledgement of Country

The Shire of Campaspe is the traditional lands of the Dja Dja Wurrung, Taungurung and Yorta Yorta Peoples.

We respect and acknowledge their unique Aboriginal cultural heritage and pay our respect to their ancestors, descendants and emerging leaders as the Traditional Owners of this Country.

We acknowledge their living culture and their unique role in the life of this region.

## Opening Prayer

We pray to almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

Amen

## Meeting Procedures

Please ensure that all electronic devices are turned off or switched to silent.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

### 1 Apologies

### 2 Term of the Mayor

Section 26(3) of the *Local Government Act 2020*, 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 term of office of Mayor will commence on 17 November 2021 upon appointment by Council and become vacant at the time and on the day of the election of the next Mayor.

#### RECOMMENDATION

**That Council resolve that the Mayor be elected for a term of xx year/s.**

### 3 Election of Mayor

The Chief Executive Officer will conduct the election of the Mayor in accordance with the Governance Rules and section 26 of the *Local Government Act 2020*.

#### ***Election of Mayor procedure (Reference Governance Rules)***

##### **6.6 Nominations for the Office of Mayor**

- (1) The CEO will call for nominations for the position of Mayor and confirm acceptance of the nomination with the nominee.
- (2) Any Councillor nominated may refuse nomination.
- (3) If there is only one nomination for the position of Mayor, that person is deemed to be elected Mayor.
- (4) If there is more than one nomination at the Council Meeting, the election of the Mayor will follow rule 6.8 of these Governance Rules.

##### **6.8 Determining the Election of the Mayor and Deputy Mayor**

- (1) The process to elect the Mayor and Deputy Mayor is:
  - (a) If there is more than one nomination (each of which must be seconded), the Councillors present at the meeting must vote for one of the candidates by a show of hands. In the event of a candidate receiving an absolute majority of the votes, the candidate is declared to have been elected.
  - (b) In the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates by a show of hands.
  - (c) If one (1) of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidate with the fewest number of votes a defeated candidate and voting for the remaining candidate by a show of hands must be repeated until one (1) of the candidates receives an absolute majority of the votes. That candidate will then be declared to have been duly elected.
- (2) In the event of two (2) or more candidates having equal votes and one (1) of them having to be declared:
  - (a) a defeated candidate; or
  - (b) duly elected;

the temporary Chair will have no second or casting vote, and the result will be determined by lot.

##### **6.9 Determining by Lot**

- (1) If a lot is required, the CEO will conduct the lot and the following provisions will apply:
  - (c) The order of drawing lots shall be determined by the alphabetical order of the surname of the Councillors who received an equal number of votes, except that if two (2) or more such Councillors surnames are identical, the order shall be determined by the alphabetical order of the Councillor's first name;
  - (d) As many identical pieces of paper as there are Councillors who receive an equal number of votes shall be placed in a receptacle provided by the CEO;



- (e) Each candidate will draw one (1) lot;
- (f) If the lot is being conducted to determine which candidate is to be duly excluded, the word “Excluded” shall be written on one (1) of the pieces of paper and the Councillor who draws the paper with the word “Excluded” written on it shall be declared to have been excluded.
- (g) If more than one candidate remains, a further drawing of lots will be conducted until one candidate remains and declared the Mayor.

## **RECOMMENDATION**

**That Councillor xxxxx be nominated for the Office of Mayor.**

# **4 Installation of Mayor**

## ***Election of Mayor procedure (Reference Governance Rules)***

### **6.11 Mayor to Take Chair**

- (1) After the election of the Mayor is determined, the Mayor will take the Chair.

### **6.12 Ceremonial Mayoral Speech**

- (1) Upon being elected, the Mayor may make a ceremonial speech to outline the priorities for the year ahead based on the adopted Council Plan.

# **5 Office of Deputy Mayor or Acting Mayor**

Council can determine whether to establish an office of the Deputy Mayor or appoint an Acting Mayor in accordance with sections 20A, 20B and 21 of the *Local Government Act 2020*.

## **20A Office of Deputy Mayor**

- (1) A Council may establish an office of Deputy Mayor.
- (2) If the Council has established an office of Deputy Mayor, the provisions of this Act relating to the office of Deputy Mayor apply.
- (3) If a Council has not established an office of Deputy Mayor, section 20B applies.

## **20B Acting Mayor**

- (1) A Council may appoint a Councillor to be the Acting Mayor when—
  - (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
  - (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
  - (c) the office of Mayor is vacant.
- (2) An appointment under subsection (1) must be for a period specified by the Council.
- (3) If—
  - (a) an appointment has not been made under subsection (1) or has expired; and
  - (b) any of the circumstances specified in subsection (1)(a), (b) or (c) apply—
 the Council must appoint a Councillor to be the Acting Mayor for a period specified by the Council.
- (4) An Acting Mayor—
  - (a) must perform the role of the Mayor; and
  - (b) may exercise any of the powers of the Mayor—
 until the circumstances specified in subsection (1) no longer apply or the period of the appointment expires, whichever first occurs.

- (5) If an Acting Mayor has been appointed, unless inconsistent with the context or subject matter, a reference in this Act (except in sections 20 and 23, Division 4 of this Part and sections 61(6) and 236(4)) to the Mayor includes a reference to the Acting Mayor.

## **21 Role and powers of the Deputy Mayor**

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if—

- (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- (c) the office of Mayor is vacant.

### **RECOMMENDATION**

**That Council establish:**

- 1. **A Deputy Mayor; or**
- 2. **An Acting Mayor as required and in accordance with sections 20A, 20B and 21 of the *Local Government Act 2020*.**

## **6 Term of the Deputy Mayor or Acting Mayor**

The Mayor will conduct the election of the Deputy Mayor or Acting Mayor in accordance with the Governance Rules and section 27 of the *Local Government Act 2020*. Council may determine by resolution whether the Deputy Mayor or Acting Mayor is to be elected for a one year or a two year term.

The term of office of Deputy Mayor or Acting Mayor will commence on 17 November 2021 upon appointment by Council and become vacant at the time and on the day of the election of the next Deputy Mayor.

### **RECOMMENDATION**

**That Council resolve that the Deputy/Acting Mayor be elected for a term of xx year/s.**

## **7 Election of Deputy Mayor or Acting Mayor**

The Mayor will conduct the election of the Deputy Mayor or Acting Mayor in accordance with the Governance Rules and section 27 of the *Local Government Act 2020*.

### ***Election of Deputy Mayor or Acting Mayor procedure (Reference Governance Rules)***

#### **6.8 Determining the Election of the Mayor and Deputy Mayor**

- (1) The process to elect the Mayor and Deputy Mayor is:
  - (a) If there is more than one nomination (each of which must be seconded), the Councillors present at the meeting must vote for one of the candidates by a show of hands. In the event of a candidate receiving an absolute majority of the votes, the candidate is declared to have been elected.
  - (b) In the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates by a show of hands.
  - (c) If one (1) of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of

the votes, the process of declaring the candidate with the fewest number of votes a defeated candidate and voting for the remaining candidate by a show of hands must be repeated until one (1) of the candidates receives an absolute majority of the votes. That candidate will then be declared to have been duly elected.

- (2) In the event of two (2) or more candidates having equal votes and one (1) of them having to be declared:
  - (a) a defeated candidate; or
  - (b) duly elected;

the temporary Chair will have no second or casting vote, and the result will be determined by lot.

### 6.9 Determining by Lot

- (1) If a lot is required, the CEO will conduct the lot and the following provisions will apply:
  - (a) The order of drawing lots shall be determined by the alphabetical order of the surname of the Councillors who received an equal number of votes, except that if two (2) or more such Councillors surnames are identical, the order shall be determined by the alphabetical order of the Councillor's first name;
  - (b) As many identical pieces of paper as there are Councillors who receive an equal number of votes shall be placed in a receptacle provided by the CEO;
  - (c) Each candidate will draw one (1) lot;
  - (d) If the lot is being conducted to determine which candidate is to be duly excluded, the word "Excluded" shall be written on one (1) of the pieces of paper and the Councillor who draws the paper with the word "Excluded" written on it shall be declared to have been excluded.
  - (e) If more than one candidate remains, a further drawing of lots will be conducted until one candidate remains and declared the Mayor.

### RECOMMENDATION

**That Councillor xxxxx be nominated for the Office of Deputy Mayor or Acting Mayor.**

## 8 Installation of Deputy Mayor or Acting Mayor

The Mayor welcomes the elected Deputy Mayor or Acting Mayor, to the position as deputy leader of the Council.

## 9 Appointment of Council representatives to committees, forums and industry groups

Position	Current Representatives	Proposed Representatives
<b>Council Advisory Committees</b>		
Audit and Risk	Cr Amos; Cr Marwood	Cr Amos; Cr Marwood
CEO Performance and Remuneration Advisory Committee	Cr Weller; Cr Gates; Cr Mackrell; Cr Weston	Cr Weller; Cr Gates; Cr Mackrell; Cr Weston



<b>Regional LG Forums</b>		
Murray River Group of Councils	Mayor Deputy Mayor (reserve)	Mayor Deputy Mayor (reserve)
Loddon Campaspe Councils	Mayor Deputy Mayor (reserve)	Mayor Deputy Mayor (reserve)
Rural Councils Victoria	Mayor Deputy Mayor (reserve)	Mayor Deputy Mayor (reserve)
<b>Industry Forums</b>		
Municipal Association Victoria	Cr Gates; Cr Weller (reserve)	Cr Gates; Cr Weller (reserve)
Senior Combined Partners	Cr Weston; Cr Marwood	Cr Weston; Cr Marwood
Goulburn Valley Regional Waste and Resource Recovery Forum	Cr Gates	Cr Gates As Voting Delegate
<b>Board of Management</b>		
Echuca Moama and District Tourism Development Association	Cr Amos	Cr Amos
<b>External Advisory Committees</b>		
Goulburn Broken Greenhouse Alliance	Cr Weller Cr Pentreath (reserve)	Cr Weller Cr Pentreath (reserve) <i>(Noting that meeting dates clash)</i>
<b>MAV Advisory Committees</b>		
MAV Planning Committee	Cr Marwood	Cr Marwood

#### **Areas of Special Interest (for noting)**

Economic Development	Cr Gates; Cr Marwood; Cr Mackrell
Emergency Management	Cr Amos; Cr Weller
Health and Wellbeing	Cr Pentreath
Natural Resource Management	Cr Weston
Planning and Building	Cr Weston; Cr Zobec
Roads & Transport	Cr Zobec
Sport and Recreation	Cr Jarman; Cr Pentreath
Tourism/Arts	Cr Jarman; Cr Amos
Waste and Renewables	Cr Gates
Youth and Early Years	Cr Marwood

#### **RECOMMENDATION**

**That Council appoint the representatives to committees, forums and industry groups, as listed, for a period of 12 months commencing 17 November 2021.**

## 10 Council Meeting dates 2022

The following dates have been determined for Council Meetings to be held at Echuca Civic Centre commencing at 6:00pm;

- 19 January 2022.
- 16 February 2022.
- 16 March 2022.
- 20 April 2022.
- 18 May 2022.
- 15 June 2022.
- 20 July 2022.
- 17 August 2022.
- 21 September 2022.
- 19 October 2022.
- 16 November 2022
- 21 December 2022

### **RECOMMENDATION**

**That Council adopt the Council Meeting dates, time and place as listed.**

## 11 Close Meeting

Declan Moore

Chief Executive Officer