



**MINUTES OF THE SPECIAL MEETING OF HINDMARSH SHIRE COUNCIL HELD AT NHILL MEMORIAL COMMUNITY CENTRE, 77-79 NELSON ST, NHILL, ON WEDNESDAY 7 NOVEMBER 2018, COMMENCING AT 6:00PM.**

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**AGENDA**

- 1. Appointment of Temporary Chair**
  - 2. Acknowledgement of Indigenous Community and Opening Prayer**
  - 3. Apologies**
  - 4. Mayoral Report 2018**
  - 5. Election of Mayor 2018/19**
  - 6. Congratulatory Remarks to the Mayor**
  - 7. Mayoral Response**
  - 8. Election of Deputy Mayor**
  - 9. Appointment of Delegates to Regional and External Organisations**
  - 10. Date of next Annual Meeting**
  - 11. Meeting Close**
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**Present:** Crs R Ismay, R Gersch, T Schneider, D Colbert, D Nelson, R Lowe

**In attendance:** Greg Wood (Chief Executive Officer), Monica Revell (Director Corporate and Community Services), Shane Power (Director Infrastructure Services), Shelley Gersch (Executive Assistant)

### 1. APPOINTMENT OF TEMPORARY CHAIR

The Chief Executive Officer (CEO) called the meeting to order at 6:00pm. The office of the previous Mayor expired at 6:00am on the morning of the Statutory Meeting. It is necessary to appoint a Councillor to be temporary chair. Clause 6(2) of Part 2 of Hindmarsh Meeting Procedure and Local Law No 1 of 2014 provides that:

*“At any meeting to elect the Mayor, any Councillor may be appointed as a temporary chair to deal with:*

- (a) the receipt of nominations for the election of Mayor; and*
- (b) the election of the Mayor.”*

**Chief Executive Officer to seek nomination for temporary chair.**

Cr T Schneider nominated Cr R Gersch. No further nominations received.

CEO G Wood declared Cr R Gersch elected as the temporary chair.

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### 2. ACKNOWLEDGEMENT OF INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr R Gersch acknowledged the Indigenous community and offered the opening prayer.

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### 3. APOLOGIES

Cr R Gersch called for apologies.

No apologies.

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#### 4. MAYORAL REPORT 2017

Cr Ron Ismay presented the Mayor's report for 2017/18.

#### ***MAYORAL REPORT 2018***

Hindmarsh Shire, what a great place to live, what a great shire to represent.

Having to write this report has compelled me to reflect back on the year that has been, something I would not have done otherwise and that reflection has been mostly positive but as with most organisations there is room for improvement.

I would like to pay tribute to my fellow Councillors all of whom I highly respect and have thoroughly enjoyed working with over the past year. The deliberations that have occurred during the year have been conducted amicably, with compassion and while not always well received by some, I believe, have been in the best interests of the majority of our ratepayers.

Our CEO Greg Wood has been a pleasure to work with and I thank him for his guidance and advice both of which he has given in a timely and professional manner.

The executive staff, Shane Power, director of infrastructure services and Monica Revell, director of corporate and community services and the staff they lead need to be commended for their efforts in keeping the wheels turning and the finances in check.

The CEO's executive assistant Shelley Gersch is also worthy of recognition for the daunting task she has in keeping me on my toes, well informed and reminded.

My year as Mayor started off reasonably quietly and over the Christmas New Year break, I began to think I wasn't doing enough. However that all changed when the New Year rolled over.

I had the pleasure of being involved with Karen New Year celebrations, the first time I was able to attend and was very impressed with their traditional dancing and the amazing lunch that was served.

Attending the Australia Day ceremonies in all four towns this year was, as always quite hectic in getting from one town to the next. I was very proud of the recipients of the Australia Day awards. Great role models for our communities.

Dimboola and Rainbow skate park constructions were completed early in the New Year and were officially opened at the beginning of April and while I don't see Dimboola Park very often, the facility at Rainbow is very popular and well used. The same company has been

engaged to construct a new park in Nhill very soon. Kiata wind farm was also officially opened early in the year as well as a relocation of Barengi Gadgin Land Council to the Wail nursery on the same day.

The opening of the new Nhill Early Years Centre, a great facility that I had the honour, with the assistance of Andrew Broad, in opening. We were both upstaged by a lovely young lady who decided to take over proceedings and the photo that was taken still puts a smile on my face when I happen to see it.

A new fishing pontoon has been installed at Dimboola and funding for a new pontoon to replace the old unit at the Dimboola rowing club has been obtained. Funding for an installation of a new pontoon at the Nhill Lake was obtained, as well as funding being obtained by the Jeparit Anglers Club for a second fishing pontoon at the clubhouse. Well done to all those involved in the application for this funding- a great effort as these grants are very competitive statewide.

Our Councillors and staff conducted community consultations across the shire in various locations and received valuable feedback from those involved regarding the important issues in the respective areas. It would be great to see the larger attendance at these meetings in the future to ensure we get the best possible information to address any problems needing attention.

Council made a decision earlier in the year to reopen a section of road around Lake Hindmarsh to truck traffic which needless to say has pleased some and caused angst for others. Hindmarsh Shire has been successful in obtaining a substantial funding grant from the State government to upgrade sections of this road that were of major concern.

Dimboola hosted a second Human Powered Vehicle expo at the recreation reserve this year, were successful with an application for Pick My Project and to top it off, won the state Tidy Town of the Year award. Congratulations to all those involved.

There are some very proud boys and girls at the Nhill aerodrome these days with their new toy, a Second World War Wirraway which they have managed to purchase by raising over \$300,000. An amazing effort and a great addition to the museum.

Rainbow again hosted the final round of the national off-road racing championships with entrants coming from all over Australia. The event has been secured for the second week in August 2019. A lot of effort will go into making this even a bigger and better event that may well be recognised in the same way as Finke is in the Northern Territory.

In closing I would like to thank all those involved in the many and varied community clubs, businesses that service our towns and the farming sector, CFA, SES volunteers and our police who all combine to make our communities safe, cohesive and as I said at the

start, a great place to live.

**RECOMMENDATION:**

***That Council accepts the outgoing Mayor's report.***

**MOVED: Crs R Lowe/D Colbert**

***That Council accepts the outgoing Mayor's report.***

**CARRIED**

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## 5. ELECTION OF MAYOR 2018/2019

*Local Government Act 1989*

### **71. Election of Mayor**

- (1) *At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.*
- (2) *Before a Mayor is elected under this section, the Council may resolve to elect a mayor for a term of two years.*
- (3) *The Mayor is to be elected—*
  - (a) *after the fourth Saturday in October but no later than 30 November in each year; or*
  - (b) *as soon as possible after any vacancy in the office of Mayor occurs.*

### **72. Term of office**

- (1) *The office of Mayor becomes vacant—*
  - (a) *at 6 a.m. on the day of the election of the Mayor; or*
  - (b) *if he or she dies or ceases to be a Councillor; or*
  - (ba) *if his or her office as a Councillor is suspended for any period under this Act; or*
  - (c) *if he or she resigns in writing which is given at a Council meeting or to the Chief Executive Officer;*
  - (ca) *if he or she becomes ineligible to hold office under section 81K; or*
  - (d) *if he or she is ousted from office.*
- (3) *Any Councillor is eligible for election or re-election to the office of Mayor.*

### **73. Precedence of Mayor**

- (1) *The Mayor of a Council takes precedence at all municipal proceedings within the municipal district.*
- (2) *The Mayor must take the chair at all meetings of the Council at which he or she is present.*
- (3) *If there is a vacancy in the office of Mayor or the Mayor is absent, incapable of acting or refusing to act, the Council must appoint one of the Councillors to be the acting Mayor.*
- (4) *An acting Mayor may perform any function or exercise any power conferred on the Mayor.*

*Hindmarsh Shire Council Local Law 'Hindmarsh Meeting Procedure and Common Seal Local Law'*

### **"6. Election of Mayor and Chairs**

- (3) *The election of the Mayor will be carried out by show of hands.*
- (4) *In determining the election of the Mayor, the following will apply:*
  - a) *where only one nomination is received, that councillor must be declared elected;*
  - b) *where two nominations are received, the councillor with the majority of votes cast will be declared elected;*
  - c) *where there are two or more nominations and all votes cast are equally divided between two or more nominees, the election must be determined by lot;*

- d) *where there are two or more nominations received and the result has not been determined under paragraphs (b) or (c) the nominee with the fewest number of votes cast must be eliminated (and if more than one of them, the nominee determined by lot) and the names of the remaining nominees must be put to the vote again;*
- e) *the procedure in paragraph (d) must be repeated until the circumstances in paragraph (c) apply or until there are only two nominees remaining in which case a further vote must be taken and the nominee with a majority will be declared elected or, if there is an equal division of votes, the election must be determined by lot."*

**Cr R Gersch called for nominations.**

**Cr R Lowe nominated Cr R Ismay**

**Cr T Schneider nominated Cr D Nelson.**

**Cr R Gersch called for a show of hands in favour of Cr R Ismay.  
4 Councillors voted in favour.**

**Cr R Gersch called for a show of hands in favour of Cr D Nelson  
2 Councillors voted in favour.**

**Cr R Gersch declared Cr R Ismay elected Mayor for 2018/2019.**

(Following declaration of voting, the new Mayor is to assume the Chair).

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## **6. CONGRATULATORY REMARKS TO THE MAYOR**

Cr R Gersch asked Councillors if they wish to speak.

Cr T Schneider congratulated Cr R Ismay on being re-elected, said he has served well over the last 12 months and is happy to work with him again for the next 12 months.

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## **7. MAYORAL RESPONSE**

Cr R Ismay assumed the position of Chairperson. He responded to Cr T Schneider's comments, and said that he has enjoyed the last 12 months, that it is a great Council and thinks they all work very well together.

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## **8. ELECTION OF DEPUTY MAYOR**

The Local Government Act does not contain any provisions relating to the position of Deputy Mayor. However, the position of Deputy Mayor is referred to in the Council's Local Law 'Processes of Municipal Government'. If the Mayor is unable to attend a Council meeting for any reason a Deputy Mayor will be acting Chair, or if no Deputy Mayor has

been elected, an acting Chair may be elected. An election by Council of a Deputy Mayor will follow the same procedure as that for an election of the Mayor. There is no provision in the Act for a separate allowance for Deputy Mayor. The question for the Council is whether it wants to create a position of Deputy Mayor.

**RECOMMENDATION:**

***That Council considers electing a Deputy Mayor for the 2018/2019 year.***

**MOVED: Crs T Schneider/D Nelson**

***That Council elects a Deputy Mayor for the 2018/2019 year.***

**CARRIED**

Cr T Schneider nominated Cr R Lowe as Deputy Mayor.

As there were no other nominations, Cr R Lowe was duly elected as Deputy Mayor.

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**9. APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS**

The following Council organisations require the appointment of Council delegates for the period 2018/2019.

It is important that this list of Council appointments to external organisations is as complete as possible, as Council policy provides that travelling expenses and out of pocket expenses are payable for attendance at meetings of these organisations.

A Councillors role with these organisations is to provide strategic input, influencing outcomes that are consistent with goals in Council's Plan, and be a communication conduit between the organisation and Council.

Previous delegates, and appointments, are listed for convenience.

No.	COUNCIL ADVISORY COMMITTEES	2017/18 DELEGATE	2018/19 DELEGATE
1	Municipal Emergency Management Planning Committee (MEMPC) <i>Sub-committees</i> <ul style="list-style-type: none"> <li>• Municipal Fire Management Planning Committee (FMPC)</li> <li>• Municipal Recovery Planning Committee (MRPC)</li> </ul>	Cr D Colbert  Substitute: Cr R Gersch	Cr D Colbert  Substitute: Cr R Gersch
2	Audit Committee	Cr T. Schneider Cr D. Nelson	Cr T Schneider Cr D Nelson
3	Nhill Aerodrome Master Plan Advisory Committee	Cr D Colbert	Cr D Colbert
4	Wimmera River Advisory Committee	Cr D Nelson	Cr D Nelson

	<b>SECTION 86 COMMITTEES</b>	<b>2017/18 DELEGATE</b>	<b>2018/19 DELEGATE</b>
5	Nhill Town Committee	Cr D Colbert	Cr D Colbert
6	Dimboola Town Committee	Cr T Schneider	Cr T Schneider
7	Jeparit Town Committee	Cr R Ismay	Cr R Ismay
8	Rainbow Town Committee	Cr R Ismay	Cr R Ismay
9	Rainbow Civic Centre Committee	Cr R Lowe	Cr R Lowe
10	Yanac Hall & Recreation Reserve Committee	Cr R Lowe	Cr R Lowe
11	Rainbow Recreation Reserve Committee	Cr R Ismay	Cr R Ismay
12	Wimmera Mallee Pioneer Museum Committee	Cr R Lowe	Cr R Lowe
13	Yurunga Homestead Committee	Cr R Ismay	Cr R Ismay

	<b>EXTERNAL ORGANISATIONS</b>	<b>2017/18 DELEGATE</b>	<b>2018/19 DELEGATE</b>
14	Municipal Association of Victoria	Cr R Ismay	Cr R Ismay Substitute: Cr R Gersch
15	Rural Councils Victoria	Cr R Gersch	Cr R Gersch
16	North West Municipalities Association	Cr R Gersch Substitute: Cr R Ismay	Cr R Gersch Substitute: Cr R Ismay
17	Wimmera Development Association	Cr D Nelson	Cr D Nelson
18	Wimmera Regional Transport Group	Cr R Gersch	Cr R Gersch
19	Western Highway Action Committee	Cr R Ismay	Cr R Ismay
20	Rail Freight Alliance	Cr R Lowe	Cr R Ismay
21	Wimmera Regional Library Corporation	Cr T Schneider	Cr T Schneider
22	Wimmera Mallee Tourism Association	Cr R Ismay	Cr R Ismay
23	Grampians Central West Waste and Resource Recovery Group	Cr R Gersch Substitute: Cr R Ismay	Cr R Gersch Substitute: Cr R Ismay
24	Hindmarsh Landcare Network	Cr R Ismay	Cr R Ismay
25	Wimmera Mallee Sustainability Alliance	Cr R Ismay	Cr R Ismay

26	Local Learning and Employment Network	Cr D Nelson	Cr D Nelson
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**RECOMMENDATION:**

*That the Council's delegates for 2018/19 as proposed be adopted.*

**MOVED: Crs T Schneider/R Gersch**

*That the Council's delegates for 2018/19 as proposed by Cr T Schneider listed above be adopted.*

**CARRIED**

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**10. DATE OF NEXT ANNUAL MEETING**

The date of the next Annual Meeting must be after the fourth Saturday in October and prior to 30 November 2019.

**RECOMMENDATION:**

*That a Special Meeting to elect a Mayor and appoint delegates be held at 6pm Wednesday 6 November 2019 at Nhill Memorial Community Centre, Nelson Street, Nhill.*

**MOVED: Crs R Gersch/R Lowe**

*That a Special Meeting to elect a Mayor and appoint delegates be held at 6pm Wednesday 6 November 2019 at Nhill Memorial Community Centre, Nelson Street, Nhill.*

**CARRIED**

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**11. MEETING CLOSE**

As there was no further business, the Mayor declared the meeting closed at 6:17pm and all those present were invited to stay for presentation of staff awards and participate in refreshments.

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