



1 November 2023

AGENDA

Notice of Annual Statutory Meeting

Date: Wednesday 8 November 2023

Time: Commencing at 6:00pm

Venue: Council Chamber, 92 Nelson Street Nhill

Council: Cr Brett Ireland
Cr Debra Nelson
Cr Melanie Albrecht
Cr Robert Gersch OAM
Cr Ron Ismay
Cr Wendy Bywaters

Officers: Monica Revell – Acting Chief Executive Officer
Petra Croot – Acting Director Corporate & Community Services
Daniel Griffiths – Acting Director Infrastructure Services

Acknowledgement of Indigenous Community

Hindmarsh Shire Council acknowledges the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations as Traditional Owners of Country.

We recognise the important ongoing role that Indigenous people have in our community and pay our respects to their Elders, past and present.



Public Access

This meeting is open to members of the public and will be livestreamed from Council's Facebook page at www.facebook.com/hindmarshshirecouncil

Live Streaming Statement

This meeting will be streamed live on the internet and the recording of this meeting will be published on Council's website and/or social media pages after the meeting.

Members of the public attending this meeting may be filmed.

By remaining in the public gallery once the meeting commences, members of the public give their consent to being filmed, and for the recording of them to be made publicly available and used by Council.

Information about the broadcasting and publishing recordings of Council meetings is available in the Council's Live Streaming and Publishing Recordings of Council Meetings Policy is available on the Council's website.

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1 WELCOME

The Acting Chief Executive Officer, Ms Monica Revell, will declare the meeting open.

2 ACKNOWLEDGMENT OF THE INDIGENOUS COMMUNITY & LIVE STREAMING STATEMENT

Acknowledgement of the Indigenous Community

Hindmarsh Shire Council acknowledges that this meeting is being held on the lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations and we acknowledge them as Traditional Owners of Country.

We recognise the important ongoing role that Indigenous people have in our community and pay our respects to their Elders, past and present.

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As a visitor in the public gallery, you may be filmed. By remaining in the public gallery, you consent to being filmed and for the recording of you to be made publicly available by the Council.

A copy of the Council's Live Streaming and Recording of Council Meetings Policy is available at the back of this room and on the Council's website. Please speak with one of our staff members if you have any questions.

3 APOLOGIES

4 MAYORAL REPORT 2022/2023

Cr Brett Ireland to present the Mayor's report for 2022/2023.

Mayoral Report 2022/2023

It has been an honour to serve as Mayor of Hindmarsh Shire for the last twelve months.

There have been many highlights, which include the opening of the Nhill Tennis Club, Rainbow Lake facility and the female friendly netball change rooms at the Rainbow Recreation Reserve. Also, attending various conferences on behalf of the shire including the National General Assembly in Canberra, MAV State Conference and Rural Summit in Echuca were also most beneficial in my role in bringing information and sharing it back to our communities.

Performing citizenships is always a pleasurable experience, welcoming community members who are pledging their loyalty to this great country of ours is very rewarding.

I would like to thank my Deputy Mayor Cr Albrecht for her support and all my fellow Councillors for their guidance and advice also. It would be remiss of me not to thank my employer Deckert Group who have allowed me time off to perform my role as Mayor, which obviously can be very time consuming.

Lastly to all Council staff who have made it so easy for me to obtain answers, implement change and do all the behind the scenes work at events and our meetings, a big thank you.

Cr Brett Ireland
Mayor

RECOMMENDATION:

That Council accepts the outgoing Mayor's report for 2022/2023.

5 TERM OF OFFICE OF MAYOR

Section 26(3) of the *Local Government Act 2020* requires Council to determine the length of the Mayoral term prior to the election of the Mayor. The term decided will apply to the Deputy Mayor, if one is also elected. The term of office of the Mayor and Deputy Mayor may be a 1-year term or a 2-year term.

Under the Act, where the Mayor is elected for a 1-year term, the next election of the Mayor must be held on a day to be determined by Council that is as close to the end of the 1 year term as is reasonably practicable.

Where the Mayor is elected for a 2-year term, the next election of the Mayor must be held on a day to be determined by Council that is as close to the end of the 2 year term as is reasonably practicable.

RECOMMENDATION:

That Council determines that the Term of Office of the Mayor be a period of one year.

6 ELECTION OF MAYOR – CHIEF EXECUTIVE OFFICER

The election of the Mayor will be conducted in accordance with the provisions of the *Local Government Act 2020* Section 25

25 Election of Mayor

- (1) *At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.*
- (2) *Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.*
- (3) *The election of the Mayor must—*
 - (a) *be chaired by the Chief Executive Officer; and*
 - (b) *subject to this section, be conducted in accordance with the Governance Rules.*
- (4) *Subject to subsections (5) and (6), the Mayor must be elected by an absolute majority of the Councillors.*
- (5) *If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.*
- (6) *If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.*
- (7) *In this section, **absolute majority** means the number of Councillors which is greater than half the total number of the Councillors of a Council.*

The Acting Chief Executive Officer will call for nominations and conduct the election for Mayor.

The Acting Chief Executive Officer will declare the result of the election of Mayor.

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

7 CONGRATULATORY REMARKS TO MAYOR

Councillors may wish to make suitable remarks and congratulate the new Mayor.

8 MAYORAL RESPONSE

The Mayor to respond.

9 DETERMINATION OF POSITION OF DEPUTY MAYOR

Pursuant to the *Local Government Act 2020*:

Section 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.

RECOMMENDATION:

That Council elects a Deputy Mayor for a term of one year.

10 ELECTION OF DEPUTY MAYOR – CHIEF EXECUTIVE OFFICER

The Acting Chief Executive Officer will conduct the election for a Deputy Mayor.

The election of the Deputy Mayor will be conducted in accordance with the provisions of the *Local Government Act 2020* Section 27

27 Election of Deputy Mayor

- (1) *Section 25, other than subsection (3)(a), applies to the election of a Deputy Mayor by the Councillors as if any reference in that section to the Mayor was a reference to the Deputy Mayor.*
- (2) *Section 26 applies to the election of a Deputy Mayor as if any reference in that section to the Mayor was a reference to the Deputy Mayor.*

The Acting Chief Executive Officer will call for nominations and conduct the election for Deputy Mayor.

The Acting Chief Executive Officer will declare the result of the election of Deputy Mayor.

11 CONGRATULATORY REMARKS TO DEPUTY MAYOR

Councillors may wish to make suitable remarks and congratulate the new Deputy Mayor.

12 DEPUTY MAYORAL RESPONSE

The Deputy Mayor to respond.

13 APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES AND EXTERNAL ORGANISATIONS

The following Council organisations and external committees require the appointment of Council delegates for the period 2023/2024.

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	2022/2023 DELEGATE	2023/2024 DELEGATE
1	Audit Committee (2 required)	Cr D Nelson Cr B Ireland	
2	Nhill Aerodrome Master Plan Advisory Committee	Cr W Bywaters	
3	Nhill Town Committee	Cr M Albrecht	
4	Dimboola Town Committee	Cr D Nelson	
5	Jeparit Town Committee	Cr B Ireland	
6	Rainbow Town Committee	Cr R Ismay	
7	Hindmarsh Pride Committee	Cr M Albrecht	
8	Hindmarsh Heavy Vehicle Transport Working Group	Cr M Albrecht	
	COMMUNITY ASSET COMMITTEES		
9	Rainbow Civic Centre Committee	Cr B Ireland	
10	Rainbow Recreation Reserve Committee	Cr R Ismay	
11	Wimmera Mallee Pioneer Museum Committee	Cr B Ireland	
12	Yurunga Homestead Committee	Cr B Ireland	
	EXTERNAL ORGANISATIONS		
13	Municipal Association of Victoria (Mayor and Deputy Mayor as substitute)	Cr B Ireland Cr M Albrecht (Substitute)	Mayor Deputy Mayor (substitute)
14	National General Assembly of Local Government (Mayor and Deputy Mayor as substitute)	Cr B Ireland Cr M Albrecht (Substitute)	Mayor Deputy Mayor (substitute)

15	Rural Councils Victoria	Cr R Gersch	
16	North West Municipalities Association	Cr R Gersch	
17	Wimmera Southern Mallee Development Limited (Director)	Cr M Albrecht	
18	Wimmera Regional Transport Group	Cr R Gersch	
19	Western Highway Action Committee	Cr R Ismay	
20	Rail Freight Alliance	Cr R Ismay	
21	Wimmera Mallee Tourism Association	Cr R Ismay	
22	Hindmarsh Landcare Network	Cr W Bywaters	
23	Local Learning and Employment Network	Cr D Nelson	
24	Local Government State Wide Forum – Recycling and Waste Matters	Cr R Gersch	

RECOMMENDATION:

That the Council delegates for 2023/2024 as proposed be adopted.

14 DATE OF NEXT ANNUAL MEETING

The date of the next Annual Meeting must be held to allow for the election of the next Mayor, on a day to be determined by the Council, that is as close to the end of the mayoral term as is reasonably practicable.

RECOMMENDATION:

That a Special Meeting to elect a Mayor, Deputy Mayor and appoint delegates be held at 6pm Wednesday 13 November 2024 at the Hindmarsh Shire Council, Council Chambers, 92 Nelson Street, Nhill.

15 MEETING CLOSE
