



AGENDA
of the
SCHEDULED MEETING OF COUNCIL
Wednesday 17 November 2021
at
Murrindindi Shire Council
Council Chambers
Alexandra
Perkins Street
6:00 PM

Audio recordings of all Council meetings are taken by Council's Governance Officers and published on Council's website (Resolution of Council 23 January 2019)

1 PLEDGE AND RECONCILIATION STATEMENT.....	2
2 APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE	2
3 DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST	2
4 ELECTION OF MAYOR & DEPUTY MAYOR.....	2
4.1 Term of the Mayor	2
4.2 Election of the Mayor	2
4.3 Election of the Deputy Mayor.....	3
5 COUNCIL APPOINTMENTS	4
5.1 Councillor Representative Appointments.....	4
5.2 Councillor Portfolios.....	5

The Scheduled Meeting is to be chaired by the Chief Executive Officer until the Mayor is elected in accordance with section 25 (3) of the *Local Government Act 2020*.

1 PLEDGE AND RECONCILIATION STATEMENT

2 APOLOGIES AND REQUEST FOR LEAVE OF ABSENCE

3 DISCLOSURES OF INTEREST OR CONFLICT OF INTEREST

4 ELECTION OF MAYOR & DEPUTY MAYOR

The Chief Executive Officer will invite Cr S McAulay to reflect on the year as Mayor and Cr S Carpenter on the year as Deputy Mayor.

4.1 Term of the Mayor

Attachment(s): Nil

Section 26 (3) of the *Local Government Act 2020* requires the Council to determine by resolution whether the Mayor is to be elected for a one year or two year term.

The Chief Executive Officer will call for a motion from the Council as to whether the Mayor will be elected for a one year or two year term.

Motion

That the term of the Mayor is to be for

4.2 Election of the Mayor

Attachment(s): Nil

Section 25 of the *Local Government Act 2020* and Part 5 of the Murrindindi Shire Council Governance Rules 2020 provide that the election of the Mayor must be held on a day that is as close to the end of the previously appointed term as reasonably practicable. The Mayor was last appointed on 23 November 2020 for a one year term. The term for which the Mayor is to be appointed is as resolved in item 4.1.

The Chief Executive Officer will conduct the election of the Mayor in accordance with Council's Governance Rules 2020. The Chief Executive Officer will call for nominations for the office of Mayor, confirm acceptance with the nominee and then call for a seconder. A nomination for the office of Mayor must be seconded.

If only one Councillor is nominated for Mayor, the meeting must declare that Councillor to be duly elected as Mayor. If there is more than one Councillor nominated for Mayor, then the Chief Executive Office will conduct an election and the Mayor must be elected by an absolute majority of Councillors.

The voting will be held via a show of hands. Once elected the Mayor will take the Chair to preside over the remainder of the Meeting.

Motion

That Councillor be elected as the Mayor of Murrindindi Shire Council.

Following the election the newly elected Mayor will be invited to speak.

4.3 Election of the Deputy Mayor

Attachment(s): Nil

As per the *Local Government Act 2020* section 20A and Council's Governance Rules 2020 section 5.2 Council may resolve to establish the position of Deputy Mayor. The role of the Deputy Mayor is described in section 21 of the *Local Government Act 2020* as -

"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."

If the role is established by a council the term of the Deputy Mayor is identical to the term of the Mayor.

Council resolved to establish the Deputy Mayor role at its 23 November 2020 meeting, with the initial appointment for a one year term in line with the Mayor.

The Mayor will conduct the election of the Deputy Mayor in accordance with section 27 of the *Local Government Act 2020* and part 5 of the Governance Rules 2020.

The Mayor will call for nominations for the office of Deputy Mayor, then confirm with the nominee and call for a seconder for the nomination. A nomination for the office of Deputy Mayor must be seconded.

If only one Councillor is nominated for Deputy Mayor, then the meeting must declare that Councillor to be duly elected as Deputy Mayor. If there is more than one Councillor nominated for Mayor, then the Mayor will conduct an election and the Deputy Mayor must be elected by an absolute majority.

The voting will be held via a show of hands.

The term of the Deputy Mayor will be as resolved for the Mayor in item 4.1.

Motion

That Councillor be elected as the Deputy Mayor of Murrindindi Shire Council for a period of

5 COUNCIL APPOINTMENTS

5.1 Councillor Representative Appointments

Attachment(s):

1. Councillor Representative List - November 2021 [5.1.1 - 1 page]

Purpose

The purpose of this report is to enable Council to appoint Councillors as representatives to various internal committees and external bodies.

Appointment of Councillors to committees provides an opportunity for open and responsive communication between Councillors and local community groups and Local Government organisations.

Officer Recommendation

That Council:

1. **appoint the following Councillors as Council's representatives to the committees and organisations listed in Attachment 5.1.1 for the next 12 months (appointments to be read)**
2. **record the list of appointments in the minutes of this meeting.**

Background

Councillors represent the interests of Council on a number of Committees. These include Council Committees that may perform a statutory or advisory function, and committees formed by other organisations for a variety of purposes. These range from state wide committees, through to regional or sub regional committees that support a particular program or activity.

Council needs to determine each year which Councillor(s) or senior officers it wishes to appoint as its formal representative(s) to the range of internal and external bodies.

Discussion

Attached to this agenda is the list of committees and organisations for which Council has current appointments (refer Attachment 5.1.1). The list has been divided into those which are Council committees and those external bodies with which Council has a relationship. It is recommended that Council appoint representatives to these committees and bodies for a twelve month period and that the appointments be recorded in the Minutes of this meeting.

Council Plan/Strategies/Policies

This report supports the Council Plan 2021-2025 Transparency, Inclusion and Accountability strategy to "maintain transparent, inclusive and accountable governance practices".

Relevant Legislation

Representing Council on committees within the sector and the community is consistent with the principles of the *Local Government Act 2020* and the role of a Councillor.

Financial Implications and Risk

There are no financial or budget implications associated with this report. However, Council pays a membership fee to Local Government peak bodies such as Municipal Association of Victoria, Rural Council's Victoria and the Victorian Local Governance Association.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.

5.2 Councillor Portfolios

Attachment(s): Nil

Purpose

The purpose of this report is to seek Council's endorsement of the Councillor Portfolio Structure for 2022.

Officer Recommendation

That Council:

1. **establish the following portfolios and Councillor appointments:**
 - a. **Corporate and Governance –**
 - b. **Resource Recovery and Environment –**
 - c. **Community Assets and Emergencies –**
 - d. **Planning and Compliance –**
 - e. **Community Engagement and Wellbeing –**
 - f. **Tourism, Events and Business Support –**

Background

Council has historically had in place a portfolio system to enable Councillors to focus on specific areas of Council, have input into the strategic and policy development on portfolio issues and to better inform Council. The Portfolio Councillor Policy (adopted June 2021) articulates the role of, and support to be provided to, Portfolio Councillors.

Discussion

Council has indicated a preference for a Portfolio structure to be put in place for the 2022 year, in alignment with the Council Portfolio Policy. The Portfolio subject areas and appointed Councillors are reviewed and established on an annual basis for the coming year.

Once the portfolios are established each Councillor will have the opportunity to work with the relevant Director to ensure that they remain informed and engaged in that subject area. Councillors are encouraged to report on their Portfolios as part of their monthly report to Council in an effort to keep the community informed.

Council Plan/Strategies/Policies

This report supports the *Council Plan 2021-2025* Transparent, Inclusive and Accountable Strategic Objective "to ensure our services, people and systems deliver the best possible outcomes for our communities now and into the future".

Relevant Legislation

The *Local Government Act 2020* requires Council to best support Councillors in undertaking their role. Councillor Portfolios enable Councillors to be better informed regarding how Council provides services to the community.

Financial Implications and Risk

Support to Portfolio Councillors is undertaken by Council officers as part of their normal duties.

Conflict of Interest

There are no declared conflicts of interest by Council officers in relation to this report.

Community and Stakeholder Consultation

No external community or stakeholder consultation was required for this matter.