



AGENDA

STATUTORY MEETING OF COUNCIL

Tuesday, 14 November 2017

To be held at the
Swan Hill Town Hall Council Chambers,
53-57 McCallum Street, Swan Hill
Commencing at 4pm

COUNCIL:

Cr LT McPhee
Cr JN Katis
Cr GW Norton
Cr C Jeffery
Cr L Johnson
Cr B Moar
Cr A Young

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SECTION A – PROCEDURAL MATTERS

- **Open**
- **Acknowledgement to Country**
- **Prayer**
- **Apologies**
- **2016/17 Mayoral report**

SECTION B – REPORTS

B.17.107 MAYORAL TERM OF OFFICE

Responsible Officer: Chief Executive Officer
File Number: S16-04-04
Attachments: Nil.

Declarations of Interest:

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

Council need to determine whether the Mayoral term is for one year or two years.

Discussion

In accordance with Local Government Act 1989 Section 71, Council must:

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 2 years.
3. The Mayor is to be elected –
 - a. After the fourth Saturday in October but not later than 30 November in each year; or
 - b. If under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
 - c. As soon as possible after any vacancy in the office of the Mayor occurs.

Financial Implications

Costs associated with Mayoral allowances and ancillary costs are included in the budget each year.

Currently the Mayoral allowance is \$63,666.01 p.a. plus equivalent superannuation (allowed range up to \$76,521 p.a.). The Councillor allowance is \$23,997.19 p.a. plus equivalent superannuation (allowed range \$10,284 to \$24,731 p.a.). These

allowances are adjusted annually by the Minister for Local Government. The adjustment last year was 2.5%. The next adjustment is due on or around 1 December 2017.

Council Plan Strategy Addressed

Effective and efficient utilisation of resources. - Community leadership through effective strategic planning.

Options

Council may elect the Mayor for either a one year or two year term.

Recommendation

That Council elect a Mayor for a term of one year.

B.17.108 ELECTION OF MAYOR 2017/18

Responsible Officer: Chief Executive Officer
File Number: S16-04-04
Attachments: Nil.

Declarations of Interest:

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

This report outlines the process and statutory requirements for the election of Mayor. The election of the Mayor will take place as part of this report.

Election of Mayor

The Chief Executive Officer must conduct the election of the Mayor in accordance with the Local Government Act and Council's Local Law Number 1.

Discussion

Under section 71 of the Local Government Act 1989, the Councillors must elect a Councillor to be the Mayor of the Council.

Section 73 of the Local Government Act 1989 states that the Mayor of a Council takes precedence at all municipal proceedings within the municipal district and that the Mayor must take the chair at all meetings of the Council at which he or she is present.

The Mayor should lead the Council in relation to policy making and the setting of Council priorities.

The role of the Mayor is to:

- Chair Council meetings.
- Exercise the casting vote at Council meetings when required.
- Represent the municipality at ceremonial occasions and in political forums.
- Lead, coordinate and provide guidance for the Council and Councillors.
- Lead the Council in relation to policy making and the setting of Council priorities.
- Speak publicly about the Local Government's role and developments in the community.
- Oversee the performance of the Chief Executive Officer
- Liaise closely with the Chief Executive Officer to ensure effective relationships between Council and its administration in pursuing Council goals.

Prior to the election of the Mayor it is customary to allow the outgoing Mayor the opportunity to speak of their time in the role.

The process to Elect a Mayor will be:

1. The CEO will call for nominations for the position of Mayor.
2. If only one nomination is received and the nominee is willing to serve as Mayor, the nominee will be declared elected.
3. If more than one nomination is received, each nominee will be allowed up to 5 minutes to speak on their own behalf. An election will then be held.
4. The election will be by show of hands. If there are two nominees the person with the most votes will be declared as Mayor. If there are more than two nominees the person with the least votes will be removed as a nominee and similar rounds of voting will occur until a Mayor is elected. Any tied votes will be determined by ballot.

Relevant Legislation

Local Law No 1 – Meeting Procedure
Local Government Act 1989

Council Plan Strategy Addressed

Effective partnerships and relationships with key stakeholders and staff. -
Effective partnerships and relationships with key stakeholders.

Recommendation

That Council elect a Mayor for 2017/18

B.17.109 ELECTION OF DEPUTY MAYOR 2017/2018

Responsible Officer: Chief Executive Officer
File Number: S16-04-04
Attachments: Nil.

Declarations of Interest:

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The Local Government Act 1989 does not require Council to have a Deputy Mayor, however Council has previously resolved to have a Deputy to support the Mayor and Council.

Discussion

Council adopted a Deputy Mayor Position Policy (**POL/GOV006**) to support the position of Mayor and the operations of the Council in September 1999. This policy was last reviewed in May 2015.

The position of Deputy Mayor is necessary to facilitate the smooth and uninterrupted civic, statutory and policy-making functions of Council in the absence of the Mayor.

Swan Hill Rural City Council Local Law No 1 "Meeting Procedures Local Law", Part B stipulates that the procedure for the election of Deputy Mayor shall be the same as that for the Mayor.

Section 73 of the Act provides that:

- 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.
- An acting Mayor may perform any function or exercise any power conferred on the Mayor.

It would be appropriate for the Deputy Mayor to act as Acting Mayor for the purposes of Section 73, however Council may appoint any Councillor to be Acting Mayor.

The election of the Deputy Mayor will follow the same process as the election of the Mayor except that the Mayor will conduct the election.

Financial Implications

There is no provision in the Act for a separate allowance for Deputy Mayor.

Council Plan Strategy Addressed

Effective advocacy and strategic planning. - Community leadership through effective strategic planning.

Options

Council may or may not elect a Deputy Mayor.

Recommendation

That Council conduct the election of Deputy Mayor.

B.17.110 COUNCIL MEETING LOCATIONS

Responsible Officer: Chief Executive Officer
File Number: S16-05-01
Attachments: Nil

Declarations of Interest:

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

Each year Council determines, in advance, the locations and times for its Ordinary meetings.

Council meetings currently commence at either 4pm or 6pm usually on the third Tuesday of each month.

This report provides Council with the opportunity to set meeting dates, times and locations.

Discussion

Last year Council held its meetings on the third Tuesday of the month, commencing at either 4pm or 6pm. One meeting was held in Robinvale.

The following table includes meeting locations for 2016 and 2017, and proposed meeting locations and times for 2018:

Council welcomes community participation in local democracy and shall encourage the community to attend Council meetings. Trying alternative meeting times is one way of encouraging community participation.

Month	2016	2017	2018 3 rd Tuesday unless indicated.
January	No meeting	No Meeting	No Meeting
February	Swan Hill 2pm	Swan Hill 4pm	Swan Hill 4pm
March	Swan Hill 2pm	Swan Hill 6pm	Swan Hill 6pm

SECTION B - REPORTS

14 November 2017

April	Swan Hill 2pm	Swan Hill 4pm	Swan Hill 4pm
May	Swan Hill 2pm	Swan Hill 4pm	Swan Hill 4pm
June	Swan Hill 2pm (4 th Tuesday)	Swan Hill 6pm (4 th Tuesday)	Swan Hill 6pm (4 th Tuesday) Due to NGA
July	Swan Hill 2pm	Swan Hill 4pm	Swan Hill 4pm
August	Robinvale 2pm	Robinvale 4pm	Swan Hill 4pm
September	Swan Hill 2pm	Swan Hill 4pm	Robinvale 4pm Robinvale Swapped due to Fairfax in Swan Hill
October	Swan Hill 2pm	Swan Hill 6pm	Swan Hill 6pm
November	Swan Hill 2pm	Swan Hill 4pm	Swan Hill 4pm
December	Swan Hill 2pm	Swan Hill 4pm	Swan Hill 4pm

Consultation

Not applicable.

Financial Implications

Costs associated with conducting Council meetings included in the budget each year.

Social Implications

Not applicable.

Economic Implications

Not applicable.

Environmental Implications

Not applicable.

Risk Management Implications

Not applicable.

Council Plan Strategy Addressed

Governance and leadership - Effective and efficient utilisation of resources.

Options

1. Continue meeting on the third Tuesday of the month or another day.
2. Continue commencing meetings at 4.00pm or 6.00pm or at another time.
3. Meet in any location Council sees fit.

Recommendation

That Council determines that the Ordinary Meetings for 2018 will be held at the locations, dates and times specified in the table in this report.

B.17.111 APPOINTMENT OF COUNCIL DELEGATES TO OUTSIDE ORGANISATIONS

Responsible Officer: Chief Executive Officer
File Number: S16-20-01
Attachments: 1 Council Representatives

Declarations of Interest:

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

The purpose of the report is to consider the appointment of Councillors to outside organisations and community groups.

Discussion

Council makes appointments to various external organisations and community groups. This assists Council in working closely with its community and taking part in a wide range of activities associated with the development of the Municipality.

Consultation

Not applicable.

Financial Implications

Travel and accommodation costs will be incurred by Councillors and are reimbursed. These costs are budgeted for annually.

Appointments to external organisations will assist Council in achieving its economic, social and environmental objectives.

Social Implications

Not applicable.

Economic Implications

Not applicable.

Environmental Implications

Not applicable.

Risk Management Implications

Not applicable.

Council Plan Strategy Addressed

Effective partnerships and relationships with key stakeholders and staff. -
Effective partnerships and relationships with key stakeholders.

Options

Some of the appointments are mandatory (eg Audit Committee) and others are optional.

Recommendation

That Council appoint Councillors to external organisations as shown in Attachment 1 to this report.

COUNCIL DELEGATES

Organisation	Councillor Representative	Councillor / Officer December 2016/17	Councillor / Officer December 2017/18
Asset Naming Sub-Committee (of Council)	Mayor or Deputy Mayor 1 Councillor as member	Cr Katis Cr Jeffery	
Audit Committee	2 Councillors as members	Cr Young Cr Johnson	
Chief Executive Officer Performance Review Committee	Mayor, Immediate Past Mayor and Councillor	Cr Johnson Cr Norton Mayor (at least 3 Councillors)	
Swan Hill Regional Livestock Exchange	Councillor Officer	Cr Moar	
Swan Hill Indoor Sport & Recreation Centre Committee of Management	Ward Councillors as observers	Cr Jeffery	
Swan Hill Leisure Centre Committee of Management	Councillor as Delegate Councillor as Sub-Delegate	Cr Johnson CR Moar (sub delegate)	
Swan Hill Regional Art Gallery Advisory Committee	Councillor as member	Cr Young	
Alan Garden Reserve, Committee of Management	Councillor as a member	Cr Jeffery	
Loddon Mallee Waste and Resource Recovery Board	Councillor as Director on Group Board	Cr Moar	

Organisation	Councillor Representative	Councillor / Officer December 2016/17	Councillor / Officer December 2017/18
Municipal Association of Victoria	Councillor as Delegate Councillor as Sub-Delegate	Cr Norton Cr Young (sub delegate)	
Municipal Emergency Management Planning Committee	Councillor as Chair	Cr McPhee Cr Jeffery (sub-delegate)	
Murray Darling Association	Councillor as member	Cr Moar	
Murray Mallee Local Learning & Employment Network (MLLEN)	Councillor/Officer as member	Cr McPhee	
Murray River Group of Councils	Mayor and CEO	Mayor CEO	
North West Municipalities Association	Mayor and CEO or Councillors	Cr Norton	
Swan Hill Inc.	Councillor/Officer as board member	Cr Johnson	
Lake Boga Land on Water Committee of Management	Councillor as member	Cr McPhee	
Chisholm Reserve Inc Meeting		Mayor	
Agribusiness Advisory Committee	Councillor as member	Cr Moar	
Major Events Support Scheme	Mayor	Mayor	

Committee	Councillor 2016/17	Councillor 2017/18
Robinvale Aboriginal Elders Committee	Cr Katis	
Robinvale Euston Business Association	Cr Katis	
Lake Boga Inc	Cr McPhee	
Manangatang Improvement Group	Cr Norton	
Nyah Action Group	Cr Norton	
Ultima Progress Association	Cr McPhee	
Bigger Better Beverford Group	Cr Johnson Cr Jeffery Cr Young Cr Moar	
Woorinen Progress Association	Cr Johnson Cr Jeffery Cr Young Cr Moar	
Piangil Community Group	Cr Norton	
Boundary Bend Progress Association	Cr Norton	
Wemen Progress Association	CR Katis	
Rail Freight Alliance	Mayor	
Central Murray Regional Transport Forum	Mayor	
Community Grants	Mayor	
Rural Councils Victoria	Cr Young Cr Norton (sub delegate)	
Local Aboriginal Network Robinvale	Cr Katis	
Local Aboriginal Network Swan Hill	Cr Johnson Cr Jeffery	
Robinvale Improvement Group	Cr Katis	