



Loddon Shire Council Meeting for Election of Mayor and Swearing in of Councillors Minutes

(a Special Council Meeting)

5.00pm – 19 November 2020, Wedderburn Office - Kooyoora Meeting Room.

Public access via live audio stream.

In attendance:

Phil Pinyon, Chief Executive Officer	Cheryl McKinnon (Immediate past Mayor)
Neil Beattie (councillor-elect)	Wendy Gladman, Director Community Wellbeing
Gavan Holt (councillor-elect)	Steve Phillips, Director Operations
Linda Jungwirth (councillor-elect)	Sharon Morrison, Director Corporate Services
Wendy Murphy (councillor-elect)	Lynne Habner, Manager Executive and Commercial Services
Dan Straub (councillor-elect)	Grant Banks, Media Officer

1. OPENING OF MEETING

The Chief Executive Officer opened the meeting and welcomed all present, acknowledged those that are listening in and introduced himself.

The CEO read the Council Prayer:

“Almighty God, we humbly ask you to bless this Council, direct and prosper its deliberations towards the true welfare of your people of the Shire of Loddon.”

2. ACKNOWLEDGEMENT OF COUNTRY

The Chief Executive Officer read the Acknowledgement of Country:

“The Loddon Shire Council acknowledges the Traditional Custodians of the land on which we are gathered and pays its respects to their Elders both past and present.”

3. ELECTION REPORT

The Chief Executive Officer reported on the 2020 Election of Councillors.

Boort Ward

Two candidates and first preference votes

Neil Beattie – 594

Ken Pattison – 570

Neil Beattie the successful candidate

Inglewood Ward
Three candidates and votes after distribution
Glenn Catto
Colleen Condliffe - 616
Wendy Murphy - 659
Wendy Murphy the successful candidate

Tarnagulla Ward
Three candidates and votes after distribution
Brook Shane-Bould
Linda Jungwirth - 634
Nick Angelo – 516
Linda Jungwirth the successful candidate

Terrick Ward
Dan Straub, elected unopposed

Wedderburn Ward
Two candidates and first preference votes
Reginald Holt – 509
Gavan Holt – 598
Gavan Holt the successful candidate

4. SWEARING IN OF COUNCILLORS

The Chief Executive Officer directed the swearing in of the newly elected Councillors who made the Oath of Office, in accordance with section 30 of the Local Government Act 2020. It was noted that a person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office specified in the manner prescribed by the regulations.

The Chief Executive Officer called on each Councillor to read aloud the Affirmation of Office and make a declaration that they have read and will abide by the Loddon Shire Council, Councillor Code of Conduct.

5. COUNCILLOR CODE OF CONDUCT

Each Councillor made a written declaration that they will abide by the Councillor Code of Conduct, and the Chief Executive Officer witnessed the Councillors' signatures.

The Chief Executive Officer then presented each Councillor with their Councillor badge.

6. MAYORAL REPORT

The Chief Executive Officer invited the outgoing Mayor, Cheryl McKinnon to report on her term of office in 2019/20 which is reproduced in full as follows.

“Good evening all, and I’d like to say how grateful I am to be able to be here in person tonight, to reflect on the past year, and to offer my congratulations to the incoming council.

It has been my greatest privilege to lead this council for the last 3 years, and I offer my sincere appreciation and gratitude to my past fellow councillors for putting their trust in me.

For the last eight years, they have been my mentors, teachers, colleagues and friends, and I will miss our discussion, debate and conversation very much.

I also acknowledge our CEO and his dedicated staff, for whom I have the utmost respect. Phil, you have had a particularly difficult year due to your personal bereavement, and I thank

you for your commitment to your duties, and I acknowledge the effort that must have taken at times. Fortunately, you have been supported by an excellent executive team, and I value highly the friendly and respectful relationship I have enjoyed with both yourself and your staff.

While the Covid-19 Pandemic this year has presented unprecedented challenges to the way we operate on a daily basis, it remarkably has not prevented Council from delivering essential services, maintaining vital infrastructure, and staying on track as we enter the final phase of our 4 year Council Plan, despite the disruption and ever-changing regulations.

Unfortunately, thanks to Covid 19, this has been a year of non-events.

I sympathise with our hardworking volunteers who have put so much time and effort into organising local sporting and community events, only to have them cancelled. This has not only caused stress and anxiety, but has had financial repercussions for many of our organisations.

This has also been a devastating year for many of our tourism and hospitality business owners and their employees, and a particularly stressful time for our vulnerable and elderly citizens, and I commend the role Council's Pandemic Relief and Recovery Committee has played in supporting residents and businesses.

For a detailed report and analysis on Council's activities and achievements over the past year, I encourage you to read the Annual Report, which, like a good novel, explains the who, what, when, where and why of life in Loddon Shire.

I will now, last but not least, turn my attention to the Councillors.

Firstly, heartfelt congratulations to Councillors Holt and Beattie on your re-election to your respective Wards. Your leadership, knowledge and experience have been invaluable to me, as I am sure they will be to the new councillors as they unravel the mysteries of local government.

I thank outgoing Councillors Condliffe and Curnow for their hard work, commitment and passion during their many years of service to their respective wards, and while they might enjoy a brief well-earned rest, I'm sure they will continue to contribute to the betterment of their communities.

It is that commitment and passion that has driven our new candidates to stand for election, and it has given me great pleasure to be here tonight to witness their inauguration.

Cr Straub, Cr Jungwirth and Cr Murphy, fasten your seatbelts!

You have vowed to carry out your duties as a Councillor in the best interest of the people of Loddon.

You have agreed to abide by the Councillor Code of Conduct.

You are now responsible for ensuring the continuation of the good governance, and strong financial position of Loddon Shire, and I know this is not a responsibility you will take lightly.

There will be challenges ahead, but I have every confidence that you will face these with the diligence, impartiality and integrity that the office demands.

I congratulate all of you for putting yourselves forward to serve the people of Loddon, and I offer you all my very best wishes for the year ahead."

Recommendation

That the Mayoral Report for 2019/20 be received and noted.

MOTION

Moved: Cr Murphy

Seconded: Cr Straub

That the Mayoral Report for 2019/20 be received and noted.

Carried

Cr Holt presented Cheryl McKinnon with the replica gavel and the collection of Mayoral columns.

7. ELECTION OF MAYOR 2020/21

The Chief Executive Officer acted as temporary Chairperson for the recommendation of the term of Mayor and election of the Mayor.

7.1 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 19 November 2020 upon appointment by Council and become vacant at 6:00am on the date of the November 2021 Special Council Meeting to Elect the Mayor.

Recommendation

That Council resolve that the Mayor be elected for a term of one year.

MOTION

Moved: Cr Beattie

Seconded: Cr Jungwirth

That the Mayor be elected for a term of one year.

Carried

7.1 Election of the Mayor

The Chief Executive Officer called for nominations for the position of Mayor of the Loddon Shire Council for 2020/21 in accordance with the Governance Rules and section 26 of the Local Government Act 2020.

The Chief Executive Officer called for nominations for the position of Mayor of the Loddon Shire Council for 2020/21.

Cr Holt nominated Cr Beattie. Cr Beattie accepted the nomination.

The Chief Executive Officer invited other nominations and no further nominations were made.

The Chief Executive Officer declared Cr Beattie elected as Mayor.

8. FORMAL ADDRESS

The Chief Executive Officer invited the Mayor to deliver his acceptance speech.

The Mayor gave his acceptance speech.

Cr Beattie thanked councillors for bestowing the honour upon him.

He thanked the outgoing Mayor Cheryl McKinnon for the outstanding job she has done as Mayor on behalf of all Loddon residents and said that she can look back on the job she has done with pride.

Cr Beattie made special mention of Councillor Condliffe and Councillor Curnow, expressing appreciation for the wonderful job they have done during the years they spent as councillors for Loddon Shire.

The Mayor welcomed new councillors, Wendy, Linda and Dan – and congratulated them on their election. He commented that it will be refreshing to have new faces in the Council Chambers, with new ideas and as new representatives of our community. He noted that they will be supported in their roles by an excellent executive team who will be very helpful if they need to call on them.

Cr Beattie made special thanks to Phil and his staff over the last twelve months, noting that it has been a difficult year for the organisation with a lot of staff working remotely, with issues such as IT connectivity making it challenging. He congratulated all the staff for doing a great job under such difficult circumstances.

On Loddon's future – the Mayor commented that we have a bright future, a good team, we are strong financially, we have a lot of good projects coming up and it will be exciting to see them progress and completed.

The Mayor thanked all involved.

Cheryl McKinnon presented Cr Beattie with the Shire Gavel.

The CEO invited other Councillors to respond, who congratulated Cr Beattie and stated they were looking forward to working with him as Mayor.

The CEO responded on behalf of staff, expressing congratulations to Cr Beattie as Mayor. There are a lot of projects underway, and still a lot of work to be done. It was noted that Council has been fortunate to receive grants to help deliver several projects and provide additional staff in the short term under Working for Victoria. On behalf of staff, the CEO indicated that he looks forward to a collaborative relationship with Councillors.

The Mayor assumed the Chair.

7.2 Deputy 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.

Recommendation

That Council appoint an Acting Mayor as required and in accordance with sections 20B of the Local Government Act 2020.

MOTION

Moved: Cr Jungwirth

Seconded: Cr Holt

That the Council appoint an Acting Mayor as required and in accordance with sections 20A, 20B and 21 of the Local Government Act 2020.

Carried

9. MUNICIPAL COMMITTEES

These committees are largely advisory or management committees established by Council or external committees on which it is appropriate that Council has representation. Should Council be asked to nominate representatives for any further Committees, nominations may be made at any time of the year.

Election to Committees.

Recommendation

That Council adopts the appointments to committees as listed.

The mover Cr Beattie stated Council's appreciation for the work of the committees.

MOTION

Moved: Cr Straub

Seconded: Cr Murphy

That Council adopt the appointments to committees as listed.

Carried

COUNCIL REPRESENTATION ON COMMITTEES (2020/21)

SPECIAL COMMITTEES OF COUNCIL (SECTION 65 COMMUNITY ASSET COMMITTEES)	
Boort Aerodrome Community Asset Committee	Cr Beattie Boort Ward
Boort Memorial Hall Community Asset Committee	
Boort Park Community Asset Committee	
Korong Vale Mechanics Hall Community Asset Committee	
Korong Vale Sports Centre Community Asset Committee	
Little Lake Boort Community Asset Committee	
Yando Public Hall Community Asset Committee	
Bridgewater on Loddon Memorial Hall Community Asset Committee	Cr Murphy Inglewood Ward
Campbells Forest Hall Community Asset Committee	
Inglewood Community Sports Centre Community Asset Committee	
Inglewood Community Elderly Persons Units Community Asset Committee	
Inglewood Town Hall Hub Community Asset Committee	
Jones Eucalyptus Distillery Site Community Asset Committee	
East Loddon Community Centre Community Asset Committee	Cr Straub Terricks Ward
Pyramid Hill Memorial Hall Community Asset Committee	
Pyramid Hill Swimming Pool Kiosk Community Asset Committee	
Donaldson Park Community Asset Committee	Cr Holt Wedderburn Ward
Wedderburn Community Centre Community Asset Committee	
Wedderburn Engine Park and Market Square Reserve Community Asset Committee	
Wedderburn Mechanics and Literary Institute Hall Community Asset Committee	
Hard Hill Reserve Community Asset Committee	

COMMITTEES EXTERNAL TO COUNCIL	
AFL Central Victoria Project Control Group	Manager Community Support
Bendigo Regional Tourism Board	Manager Executive and Commercial Services Tourism and Marketing Officer
Bendigo Loddon Primary Care Partnership Board	Director Community Wellbeing
Buloke Loddon Gannawarra Health Network	Director Community Wellbeing
Calder Highway Improvement Committee (1 representative, 1 substitute)	Cr Murphy Cr Holt (substitute)
Early Years Compact	Director Community Wellbeing
Loddon Mallee Local Government Waste Forum	Cr Jungwirth Assistant Manager Works
L2P Steering Committee	Children and Youth Coordinator
Local Government Womens Charter	Cr Murphy Cr Straub (substitute) Manager Organisation Development
Loddon Campaspe Councils	Mayor Chief Executive Officer
Loddon Healthy Eating Active Living network	Manager Community Wellbeing Children & Youth Coordinator Wellbeing Officer
Loddon Shire Family Violence Network	Manager Community Wellbeing Wellbeing Officer
Municipal Association of Victoria (1 representative, 1 substitute)	Cr Holt Cr Beattie (substitute)
Murray River Group of Councils	Mayor Chief Executive Officer
North Central Goldfields Regional Library (2 representatives: one councillor, one officer)	Cr Straub Chief Executive Officer
North Central Local Learning and Employment Network	Cr Straub
Rail Freight Alliance	Cr Beattie
Strong Families Strong Children network program management group	Director Community Wellbeing Manager Community Wellbeing

ADVISORY COMMITTEES, STEERING COMMITTEES, ETC	
Audit and Risk Committee (1 substantive, 1 alternate representative)	Cr Holt Cr Beattie (substitute)
Australia Day Committee (1 Councillor representative)	Cr Murphy
Central Victorian Greenhouse Alliance	Cr Jungwirth

ADVISORY COMMITTEES, STEERING COMMITTEES, ETC	
Healthy Minds Network (1 representative and 1 staff member)	Cr Murphy Director Community Wellbeing
Loddon Campaspe Transport Working Group	Manager Assets and Infrastructure
Municipal Emergency Management Plan Committee (1 representative)	Cr Jungwirth
North Central Catchment Partnership	Director Operations

Rural Councils Victoria Incorporated (RCV) calls for nomination for the Committee

The Committee has called for nominations for a CEO and/or a Councillor Representative for each MAV Region. Loddon Shire Council is in the rural north-central Region and the following councils make up this Region:

- Campaspe Shire Council
- Central Goldfields Shire Council
- Gannawarra Shire Council
- Loddon Shire Council
- Macedon Ranges Shire Council
- Mount Alexander Shire Council

A Council may only nominate its own CEO or one of its own Councillors to be a representative on the Committee. The Rules stipulate the general duties of Committee members (Rule 44) and specific duties for officer bearers (Rule 45 to 48) and provide for four year terms.

If there is more than one nomination for each position, the members of that Region will be entitled to vote on their preferred representative in accordance with Rule 52.

Recommendation

That Council nominates a Councillor to be the Councillor Representative for the rural north central region of the Rural Councils Victoria Incorporated Committee.

MOTION

Moved: Cr Murphy

Seconded: Cr Holt

That Council resolves that no nomination be put forward to be the Councillor Representative for the rural north central region of the Rural Councils Victoria Incorporated Committee.

Carried

10. VOTE OF THANKS

The Mayor called on Phil Pinyon, Chief Executive Officer, who made a presentation of a gift to the outgoing Mayor, Cheryl McKinnon and thanked outgoing Councillors in recognition of their contribution and support over the previous term.

The Chief Executive Officer also acknowledged the Councillors' partners of 2019/2020 in recognition of their contribution and support over the past twelve months, and noted that gifts will be delivered to all partners in the coming days as a token of appreciation.

11. CLOSE

The Mayor declared the meeting closed at 5.43pm.



Oath of Office

The *Local Government (Governance and Integrity) Regulations 2020* Section 5 as prescribed for the purposes of the *Local Government Act 2020* Section 30 for the governance and integrity of the oath or affirmation of office requires the oath of office be taken in accordance with the requirements under section 8 of the *Oaths and Affirmations Act 2018*.

Local Government Act 2020

Section 30 Oath or affirmation of office

- (1) *A person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office in the manner prescribed by the regulations.*
- (2) *The oath or affirmation of office must be—*
 - (a) *administered by the Chief Executive Officer; and*
 - (b) *dated and signed before the Chief Executive Officer; and*
 - (c) *recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council meeting.*

Oath

"I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* and any other Act to the best of my skill and judgement."

Affirmation

"I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* and any other Act to the best of my skill and judgement."



Affirmation of Office

Councillor Dan Straub

"I, Dan Straub, solemnly and sincerely declare and affirm that will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."

A handwritten signature in blue ink, appearing to be "Dan Straub", written over a horizontal dotted line.

19/11/2020

Councillor Dan Straub

A handwritten signature in blue ink, appearing to be "Phil Pinyon", written over a horizontal dotted line.

Sworn before the
Chief Executive Officer, Phil Pinyon
this 19th day of November in the year 2020.



Affirmation of Office

Councillor Wendy Murphy

"I, Wendy Murphy, solemnly and sincerely declare and affirm that will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."



Councillor Wendy Murphy

19 / 11 / 2020



Sworn before the
Chief Executive Officer, Phil Pinyon
this 19th day of November in the year 2020.



Affirmation of Office

Councillor Linda Jungwirth

"I, Linda Jungwirth, solemnly and sincerely declare and affirm that will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."

A handwritten signature in blue ink, appearing to read "L. Jungwirth", written over a horizontal dotted line.

Councillor Linda Jungwirth

19/11 /2020

A handwritten signature in blue ink, appearing to read "Pinyon", written over a horizontal dotted line.

Sworn before the
Chief Executive Officer, Phil Pinyon
this 19th day of November in the year 2020.



Affirmation of Office

Councillor Gavan Holt

"I, Gavan Holt, solemnly and sincerely declare and affirm that will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."

A handwritten signature in blue ink, appearing to read "Gavan Holt", written over a horizontal dotted line.

19 / 11 / 2020

Councillor Gavan Holt

A handwritten signature in blue ink, appearing to read "Pinyon", written over a horizontal dotted line.

Sworn before the
Chief Executive Officer, Phil Pinyon
this 19th day of November in the year 2020.



Affirmation of Office

Councillor Neil Beattie

"I, Neil Beattie, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."

Neil Beattie

19 / 11 / 2020

Councillor Neil Beattie

Phil Pinyon

Sworn before the
Chief Executive Officer, Phil Pinyon
this 19th day of November in the year 2020.