



**WELLINGTON**  
SHIRE COUNCIL

*The Heart of Gippsland*

## **COUNCIL MEETING AGENDA SPECIAL MEETING**

**Meeting to be held at**

**Wellington Centre – Wellington Room**

**Foster Street, Sale and via MS Teams**

**Monday 18 November 2024, commencing at 5:00 PM**

**or join Wellington on the Web:  
[www.wellington.vic.gov.au](http://www.wellington.vic.gov.au)**

**ORDINARY MEETING OF COUNCIL  
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## **COUNCIL MEETING INFORMATION**

*Members of the Public Gallery should note that the Council records and publishes Council meetings via YouTube to enhance the accessibility of Council meetings to the broader Wellington community. These recordings are also archived and may be published on Council's Website for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, members of the gallery may address the Council at which time their image, comments or submissions will be recorded.*

*Members of the public who are not in attendance at the Council meeting but who wish to communicate with the Council via the online webform should lodge their questions or comments early in the meeting to ensure that their submissions can be dealt with at the end of the meeting.*

*Please could gallery visitors, Councillors and invited online attendees ensure that mobile phones and other electronic devices are turned off or in silent mode for the duration of the meeting.*

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## **MISSION STATEMENT**

*Working together to make a difference. We listen and lead to provide quality services that improve life for all.*

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## **ACKNOWLEDGEMENT OF COUNTRY**

*“Wellington Shire Council acknowledges our offices are located on the traditional lands of the Gunaikurnai nation. We pay our deep respects to their Elders past, present and future and acknowledge their ongoing cultural and spiritual connections to their land and waters.”*

## 1. APOLOGIES

## 2. DECLARATION OF CONFLICT/S OF INTEREST

## 3. CHIEF EXECUTIVE OFFICER

### 3.1. COUNCILLORS TO TAKE THE OATH OR AFFIRMATION OF OFFICE

#### ACTION OFFICER: CHIEF EXECUTIVE OFFICER

#### PURPOSE

In order to undertake the role of a Councillor, all persons elected as councillors must take the oath or affirmation of office.

#### BACKGROUND

In accordance with section 30 of the *Local Government Act 2020*, 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 regulation 5 of the *Local Government (Governance and Integrity) Regulations 2020*.

In taking the oath or affirmation of office, councillors-elect must have read the Model Councillor Code of Conduct and make a declaration stating that they will abide by the Councillor Code of Conduct and uphold the standards set out in the Councillor Code of Conduct.

The following councillors-elect will now take the oath or affirmation of office, administered by the Chief Executive Officer:

- Scott Rossetti - Central Ward
- Liz Foat - Central Ward
- Geoff Wells - Central Ward
- Garry Stephens - Coastal Ward
- Catherine Bannerman - Coastal Ward
- Cindy Madeley - Coastal Ward
- Edward Lowe - Northern Ward
- Carmel Ripper - Northern Ward
- John Tatterson - Northern Ward

### **3.2. SETTING THE TERM OF OFFICE FOR THE MAYOR AND TO ESTABLISH THE OFFICE OF DEPUTY MAYOR**

#### **ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

#### **PURPOSE**

To establish an office of Deputy Mayor and determine the Mayoral term of office in accordance with the *Local Government Act 2020* and Council's Governance Rules.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

#### **RECOMMENDATION**

***That Council:***

- 1. Resolve to establish an office of Deputy Mayor.***
- 2. Determine that the term of office of the Mayor and Deputy Mayor will be from 18 November 2024 to as close to the end of a \_\_\_\_\_ year term as is reasonably practicable.***

#### **BACKGROUND**

##### **Establishment of an office of Deputy Mayor**

In accordance with the *Local Government Act 2020* ('the Act') section 20A(1) a Council may establish an office of Deputy Mayor.

Should Council resolve to establish an office of Deputy Mayor, the term of the newly elected Deputy Mayor will continue for either a term of one or two years.

Should Council decide not to continue with the office of Deputy Mayor, an Acting Mayor may be appointed when the Mayor is unable to attend a Council meeting or part of a Council meeting; the Mayor is incapable of performing the duties of the office of Mayor for any reason; or if the office of Mayor is vacant in accordance with section 20B(1) of the Act.

##### **Term of Office of the Mayor and Deputy Mayor**

Section 26(3) of the Act provides that before a Mayor or Deputy Mayor is elected, Council must determine by resolution whether they are elected for a one year or a two year term.

Section 26(4) of the Act provides that if the Mayor or Deputy Mayor is elected for a one year term, the next election must be held on a day to be determined by the Council that is as close to the end of the one year term as is reasonably practicable.

Section 26(5) of the Act further provides that if the Mayor or Deputy Mayor is elected for a two year term, the next election must be held on a day to be determined by the Council that is as close to the end of the two year term as is reasonably practicable.

## **ATTACHMENTS**

Nil

## **OPTIONS**

Council has the following options available:

1. That Council resolve to establish an office of Deputy Mayor and determine that the Mayor and Deputy Mayor are to be elected for a term of one year from 18 November 2024 to as close to the end of the term as is reasonably practicable,
2. That Council resolve to establish an office of Deputy Mayor and determine that the Mayor and Deputy Mayor are to be elected for a term of two years from 18 November 2024 to as close to the end of the term as is reasonably practicable; or
3. That Council resolve not to establish an office of Deputy Mayor and determine that the Mayor be elected for a term of one year or two years from 18 November 2024 to as close to the end of the term as is reasonably practicable.

## **PROPOSAL**

That Council resolve to establish an office of Deputy Mayor and determine that the Mayor and Deputy Mayor are to be elected for a term of either one or two years.

## **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## **FINANCIAL IMPACT**

In accordance with section 39 of the *Local Government Act 2020*, Councillors are entitled to receive an allowance while performing their duty as a Councillor. The Mayor and Deputy Mayor receive a higher allowance.

The framework and values of the base allowance are determined in accordance with the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Councils are divided into three categories with Wellington Shire Council recognised as a category two council.

The costs associated with the payment of the allowances are funded through the 2024/25 budget and funds will also be provided in future financial years.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

In accordance with the *Local Government Act 2020* section 20A(1) a Council may establish an office of Deputy Mayor.

The *Local Government Act 2020* section 26(3) provides that before a Mayor or Deputy Mayor is elected, Council must determine by resolution whether the Mayor is to be elected for a one year or a two year term.

### **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **COUNCIL PLAN IMPACT**

While this report does not meet a specific Council Plan strategic outcome, it aligns with good governance.

### **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### 3.3. ELECTION OF THE MAYOR

#### ACTION OFFICER: CHIEF EXECUTIVE OFFICER

#### PURPOSE

For Council to elect a Councillor to be Mayor at a meeting that is open to the public in accordance with the *Local Government Act 2020*.

#### PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY

#### RECOMMENDATION

*That Councillor \_\_\_\_\_ be elected as Mayor from 18 November 2024 to as close to the end of the \_\_\_\_\_ year term as is reasonably practicable.*

#### BACKGROUND

In accordance with the *Local Government Act 2020* ('the Act') section 20(a) the office of Mayor is vacant and a Mayor must be elected by an absolute majority of the Councillors.

The proposed term of the newly elected Mayor will continue to as close to the end of the one or two year term as is reasonably practicable.

#### ATTACHMENTS

Nil

#### OPTIONS

Council has the following options available:

1. Elect a Councillor to be Mayor at a meeting that is open to the public; or
2. Consider the election of a Mayor at a later meeting of Council as soon as reasonably practicable

#### PROPOSAL

For Council to elect a Councillor to be Mayor at a meeting that is open to the public in accordance with the *Local Government Act 2020* section 25(1).

#### CONFLICT OF INTEREST

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.



## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The *Local Government Act 2020* section 25(1) provides that Council select a Councillor to be Mayor at a meeting that is open to the public.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

While this report does not meet a specific Council Plan strategic outcome, it aligns with good governance.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

### 3.4. ELECTION OF THE DEPUTY MAYOR

#### **ACTION OFFICER: CHIEF EXECUTIVE OFFICER**

#### **PURPOSE**

For Council to elect a Councillor to be Deputy Mayor at a meeting that is open to the public in accordance with the *Local Government Act 2020*.

#### **PUBLIC QUESTIONS AND COMMENTS FROM THE GALLERY**

#### **RECOMMENDATION**

***That Councillor \_\_\_\_\_ be elected as Deputy Mayor from 18 November 2024 to as close to the end of the \_\_\_\_\_ year term as is reasonably practicable.***

#### **BACKGROUND**

In accordance with the *Local Government Act 2020* ('the Act') section 20A(1) a Council may establish an office of Deputy Mayor.

The proposed term of the newly elected Deputy Mayor will continue to as close to the end of the one or two year term as is reasonably practicable.

#### **ATTACHMENTS**

Nil

#### **OPTIONS**

Council has the following options available:

1. Elect a Councillor to be Deputy Mayor at a meeting that is open to the public; or
2. Consider the election of a Deputy Mayor at a later meeting of Council as soon as reasonably practicable.

#### **PROPOSAL**

For Council to elect a Councillor to be Deputy Mayor at a meeting that is open to the public in accordance with the *Local Government Act 2020* section 27.

#### **CONFLICT OF INTEREST**

No staff and/or contractors involved in the compilation of this report have declared a conflict of interest.

## **FINANCIAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNICATION IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **LEGISLATIVE IMPACT**

The *Local Government Act 2020* ('the Act') section 20A(1) provides that Council may establish an office of Deputy Mayor.

Section 27 of the Act provides that the same provision for Election of Mayor applies to the Election of Deputy Mayor, however the election of the Deputy Mayor is not required to be chaired by the Chief Executive Officer.

## **COUNCIL POLICY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COUNCIL PLAN IMPACT**

While this report does not meet a specific Council Plan strategic outcome, it aligns with good governance.

## **RESOURCES AND STAFF IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **COMMUNITY IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENVIRONMENTAL IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **ENGAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

## **RISK MANAGEMENT IMPACT**

This impact has been assessed and there is no effect to consider at this time.

**4. CLOSURE OF MEETING**