



Statutory Meeting Agenda

Tuesday 26 November 2024 at 6:00 pm
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875



Acknowledgement to country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidjawan people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

Council information

East Gippsland Shire Council live streams, records and publishes its meetings via webcasting (youtube.com/c/EastGippyTV) to enhance the accessibility of its meetings to the broader East Gippsland community.

These recordings are also archived and available for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, any members of the gallery who are addressing the council will have their image, comments or submissions recorded.

No other person has the right to record Council meetings unless approval has been granted by the Chair.

The Victorian Government has amended the *COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Act 2020* that enables Council meetings to be conducted by electronic means (videoconferencing) until 26 April 2022. The Minister for Local Government re-issued the Ministerial Good Practice Guideline for Virtual Meetings on 20 October 2020 outlining the provisions relating to the Local Government Act 2020 allow Councillors to attend Council meetings electronically, and the requirement where Council meetings are open to the public will be satisfied where the meeting is livestreamed. The amendments do not preclude Councillors from attending a meeting in person in the Council chambers.

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

Councillors

Cr Arthur Allen
Cr Jodie Ashworth
Cr Sonia Buckley
Cr Tom Crook
Cr Barry Davis
Cr Joanne Eastman
Cr Bernie Farquhar
Cr Ian Trevaskis
Cr John White

Executive Leadership Team

Fiona Weigall Chief Executive Officer
Stuart McConnell General Manager Assets and Environment
Sarah Johnston General Manager Business Excellence
Chris Stephenson General Manager Place and Community

Purpose of Council meetings

- (1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee meetings are open to the public and the community are able to attend.
- (3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
 - (a) there are clear reasons for particular matters to remain confidential; or
 - (b) a meeting is required to be closed for security reasons; or
 - (c) it is necessary to enable the meeting to proceed in an ordinary manner.
- (4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
 - (a) the meeting may be adjourned; or
 - (b) a recording of the proceedings may be available on the Council website.

Governance Rules

A copy of East Gippsland Shire Council's governance rules can be found at <https://www.eastgippsland.vic.gov.au/council/council-policies>

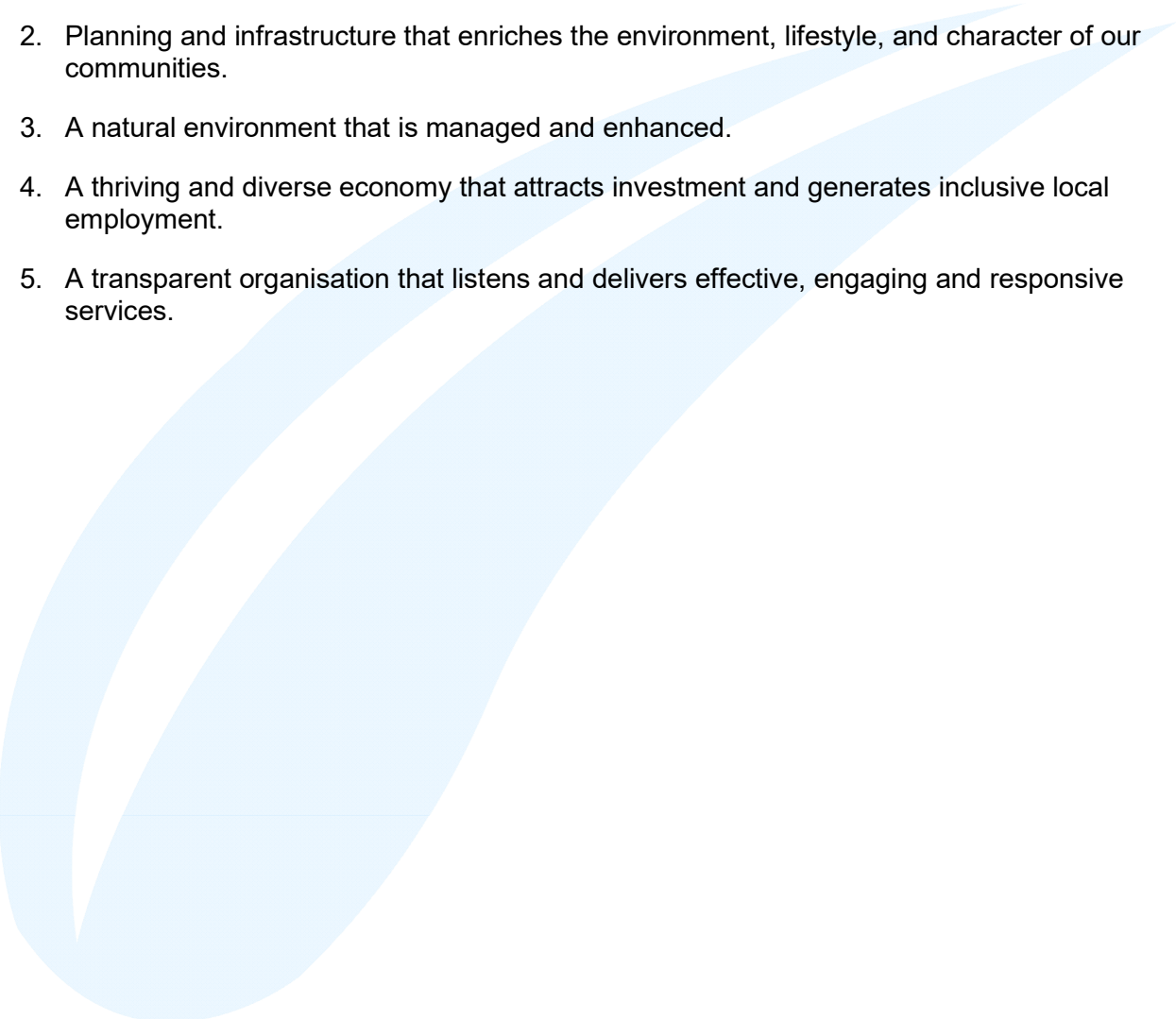
Councillors pledge

As Councillors of East Gippsland Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity.
 2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
 3. A natural environment that is managed and enhanced.
 4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
 5. A transparent organisation that listens and delivers effective, engaging and responsive services.
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1 Procedural

1.1 Chief Executive Officer presiding

In accordance with section 25(3)(a) of the *Local Government Act* 2020 (the Act) the Chief Executive Officer, Fiona Weigall, will chair the meeting until the election of the Mayor.

1.2 Recognition of Traditional Custodians

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

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1.3 Apologies

1.4 Next meeting

The next Council Meeting is scheduled to be held on Tuesday 3 December 2024 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

2 Term of Office of Mayor

Section 26 of the *Local Government Act 2020* (Act) requires that before the election of the Mayor a Council must determine by resolution whether the Mayor is to be elected for one or two years.

In addition, section 26 requires the election for the next Mayor to be held on a day that is close to the end of the term, decided as reasonably practicable.

Recommendation

That Council resolves to determine that the term of office of the Mayor will be for a one year or two-year term.

3 Election of Mayor

The Act, pursuant of section 25, requires *at a Council meeting that is open to the public the Councillors must elect a Councillor to be the Mayor of the Council.*

Any Councillor is eligible for election to the office of Mayor.

The election of the Mayor must occur within one month of the date of the general election. The term of the Mayor elected at this meeting will end at 6.00 am on the next Statutory Meeting date (refer Item 2 of this agenda).

Section 25 of the Act stipulates that *the Mayor must be elected by an absolute majority of the Councillors*. An absolute majority as defined by section 25(7) of the Act *means the number of Councillors which is greater than half the total number of the Councillors of a Council*. Governance Rule 6.4 requires that the election of the Mayor must be carried out by show of hands.

The Chief Executive Officer will call for nominations from Councillors for the position of Mayor.

Required wording of nomination:

I, Cr _____, nominate Cr _____ for the position of Mayor of East Gippsland Shire Council.

Or

I, Cr _____ nominate myself for the position of Mayor of East Gippsland Shire Council.

Procedural note

The newly elected Mayor will assume the Chair at this stage of the meeting.

4 Office of Deputy Mayor

4.1 Establishment of Office of Deputy Mayor

East Gippsland Shire Council traditionally elects a Deputy Mayor as this provides clarity to all Councillors regarding who steps in for the Mayor if they are unavailable. The Act, in section 21, provides *that the Deputy Mayor must perform the role of the Mayor and may exercise any 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.*

Recommendation

That Council resolves to establish the office of the Deputy Mayor or that Council does not establish the office of the Deputy Mayor.

In addition, the election for the next Deputy Mayor is required to be held on a day that is close to the end of the determined Mayoral term, as reasonably practicable. This will occur at the same time as the election of the Mayor.

The term of the Deputy Mayor elected at this meeting will end at 6.00 am on the next Statutory Meeting.

Procedural Note

If Council resolves to establish the office of Deputy Mayor, the Mayor will proceed to Item 4.2, Election of the Deputy Mayor. If Council does not resolve to establish the office of Deputy Mayor, the meeting will be declared closed.

4.2 Election of Deputy Mayor

The election of the Deputy Mayor will be conducted by the Mayor in accordance with section 27 of the Act and the Governance Rules (Rule 6 – Election of Mayor), specifically, Governance Rule 6.4 which states that the election of the Deputy Mayor must be carried out by show of hands.

The Mayor will call for nominations from Councillors for the position of Deputy Mayor.

Required wording of nomination:

I, Cr _____, nominate Cr _____ for the position of Deputy Mayor of East Gippsland Shire Council.

Or

I, Cr _____ nominate myself for the position of Deputy Mayor of East Gippsland Shire Council.

5 Close of Meeting

