



MINUTES

STATUTORY MEETING OF COUNCIL

Tuesday, 13 November 2018

To be held Swan Hill Town Hall
Council Chambers, 53-57
McCallum Street, Swan Hill
Commencing at 4:45 PM

COUNCIL:

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

Confirmed 20 November 2018

Chairperson.....

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COMMITTEE 19

SECTION A – PROCEDURAL MATTERS

- **Open**

The Chief Executive Officer, Mr John McLinden assumed the chair and declared the meeting open at 4.45pm.

- **Acknowledgement of Country**

The Chief Executive Officer, Mr John McLinden read the Acknowledgement of Country.

- **Prayer**

Cr Les McPhee read the prayer.

- **Apologies**

Nil

Recommendations

That the apologies be accepted.

- **2017/18 Mayoral report**

Councillors it has been a privilege to serve as Mayor of Swan Hill Rural City Council.

Work on Nyah Road, Swan Hill has continued into a full reconstruction which was a \$2 million dollar project that started in May 2017 and it is thanks to the Federal Government Roads to Recovery project.

Another significant event this year was the 100th Anniversary of the battle of Villers-Bretonneux which was held in Robinvale in April this year. The community banded together to commemorate the battle and the 100 year relationship with Villers-Bretonneux, France. The event included an official opening at the Robinvale/Euston Memorial Park, a Euston cenotaph re-consecration , RSL service and a community barbecue which was well represented. The Robinvale community are to be congratulated for the effort that they put into that and the on-going effort that they put into the sister city relationship.

A \$500,000 refurbishment funded by the Victorian Government's Living Heritage Program has breathed new life into the PS Gem. The project was completed in June, and included improving the condition of the vessel's hull and reducing leakage by recaulking the vessel and tightening up the butts and joins.

Also at the Pioneer Settlement, we launched the Hometown Hero program which is a great success.

We are becoming an Australian leader in solar energy generation. This past year saw us take some major steps forward. The Swan Hill solar farm was completed, and work continued to build large solar farms at Bannerton and Wemen they are 100 megawatts so we are talking 300,000 panels. We were especially pleased to see that the Bannerton solar farm will be one of two in Victoria to power the Yarra Tram network in Melbourne – Mallee sun powering city trams!

This year we had the successful launch of the Lake Boga Catalina Café. The building was completed and leased, a great addition to Lake Boga and to our region's liveability and tourism offering and you are lucky to get a seat when you go there for coffee. It's a great asset to our region.

Also we have worked with the Robinvale District Health Service to return Maternal and Child Health Services to Robinvale.

We also started a pro-active campaign to stamp out illegal rooming houses in Robinvale; and obtained funding to build the Robinvale town levee. Which I'm sure Councillor Katis has been arguing for many years about the levee and he would be very grateful of that. I didn't see him do cartwheels down the main street.

The redevelopment of our saleyards has also just commenced after a lot of community consultation we have got that right. It's a great project into the future.

Planning for the future has been a big part of our work this year as well. Council adopted plans for local recreation reserves, community access and inclusion, Aboriginal partnerships, creative strategy, economic development and public health, just to name a few.

There's also the work on Robinvale Early Learning Centre and Library which will be open for the start of the 2019 school year.

Advocacy

The year the Murray River Group of Councils is one advocacy group that we work strongly with. It's a great group respected by both State and Federal Politicians

We've been involved in the lobbying for the Swan Hill Needs a New Hospital Campaign and we are still lobbying to get Labour to come on board (we have still got time).

And obviously there is countless hours on the road with not only trips to Melbourne but trips to Canberra as well talking to Federal and State politicians.

Funding success

We've had a great deal of funding success over the last year

Riverfront Connection and Active Pay precinct

Funding for the Gallery designs

Regional Growth Fund progress – I think Heather Green (Director of Infrastructure) and her team should be congratulated for the regional growth fund the work they put into that on a regional basis involving seven councils, just on \$16 million dollars so

it's a great effort and a great amount of work done by the staff. I appreciated that Heather as I'm sure all of the Councillors do.

Fixing Country Roads - \$700,000 to fix the roads throughout the Municipality.

Lake Boga Preschool funding - the State Government announced \$340,000 to allow Council to undertake a significant upgrade of the Lake Boga Education Hub. Funding will include upgrades to the pre-school and the creation of an early learning consulting room for use by Maternal and Child Health nurses and other early years intervention specialists.

Most recently we've received an election commitment for the Lake Boga Swan Hill Trail

And finally, it was really touching that my last official duty as a mayor was laying a wreath at the Swan Hill Cenotaph for Remembrance Day. Celebrating the 100 years since armistice, it was a terrific event and great to see so many young children there.

And while I have the floor Mr CEO, everyone is aware that I will not be standing for the mayor's position this year and I would like to thank my fellow councillors for their support. To the Executive Leadership team, Mr CEO thank you very much for your support I think that we do work very well collaboratively as a team and I think that's what makes Swan Hill great. We can take different viewpoints and respect each other's view points and move on and I think that's a great thing we have here. You look a nearby council's and there's a lot of issues in the end because a lot of Councillors fight amongst themselves. We have a great Council here which assists in making this a great place to live and work.

In my final Mayoral Column I did mention the three girls that help the Mayor considerably in the Council, our minutes secretary Sharon Lindsay, our media department Felicia Chalmers and Makayla Rust thank you very much for your support throughout the time as mayor it's greatly appreciated.

I wish the new incoming mayor all the best (whoever that may be) and I will offer my support to that person whoever that will be, as I'm sure all Councillors will. I think if we continue to work as a team like we have in the past we will continue to make Swan Hill a great place to live and work.

So thank you for that every one and all the best.

One last thing, the most important person I forgot to mention, my wife. I did mention her in the paper. When I wrote the last mayoral column it was quite interesting, my wife said you don't have to mention me and I said "Yes, I do". The support that she has given me over the term as mayor and it's now time to spend a little more time with her. And as I told the media department girls when they also said you don't have to mention me I said "Yes, I do", because it's not just about one person, one person is not Council and one person will never be Council. I think it's important to remember all the work that's done by everyone around this table and everyone back at the office and the depot, they are the ones that make us look good and we should never forget that. We should never forget the people that have moved on such as the Directors that have done projects and had input into where we are today. Hopefully

we will have a lot of input into where we go into the future, so other councils in the future may be able to say thank you for your contribution as well.

Thank you and thank you Councillors.

97/18 Motion

MOVED Cr Johnson

That Council receive the Mayoral report

SECONDED Cr Norton

The Motion was put and CARRIED

The CEO Mr John McLinden in response to Councillor McPhee can I thank you for acknowledging the work that the staff do to really make this Council look good because how this Council looks is really how the mayor looks and for the last year or so they really haven't earned their money. You've made it really easy. So thank you.

Cr Katis also congratulated the former mayor, Councillor Les McPhee for his dedication and representation for the municipality. He stated that Cr McPhee has done a fantastic job over the past 12 months and the years before that. His determination to provide and chase the best service for our ratepayers. And he thanked him very much for that.

SECTION B – REPORTS

B.18.63 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 \$64,939.33 p.a. plus equivalent superannuation (allowed range up to \$78,051 p.a.). The Councillor allowance is \$24,447.13 p.a. plus equivalent superannuation (allowed range \$10,490 to \$25,225 p.a.). These

allowances are adjusted annually by the Minister for Local Government. The Minister has announced the allowance will increase by 2% from 1 December 2018.

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.

98/18 Motion

MOVED Cr Norton

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

SECONDED Cr Jeffery

The Motion was put and CARRIED

B.18.64 ELECTION OF MAYOR 2018/19

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.

The Chief Executive Officer called for nominations for the position of Mayor for the Swan Hill Rural City Council.

Cr Bill Moar nominated Cr Ann Young seconded by Cr Norton.

Cr Ann Young accepted the nomination.

Recommendation

That Council elect a Mayor for 2018/19

99/18 Motion

MOVED Cr Moar

That Council elect Cr Ann Young as Mayor for 2018/19

SECONDED Cr Norton

**As there were no other nominations, the CEO declared Cr Young
Elected as Mayor 2018/19**

100/18 Motion

MOVED Cr Johnson

That standing orders be suspended at 4.49pm to robe the Mayor.

SECONDED Cr Katis

The Motion was put and CARRIED

101/18 Motion

MOVED Cr Johnson

That Standing Orders be resumed at 5pm.

SECONDED Cr Jeffery

The Motion was put and CARRIED

The Mayor, Councillor Ann Young assumed the Chair and thanked all her fellow Councillors for nominating her for the position. She then went on to say it's been a really difficult year and she has got through it but, thank you for having faith in me to do the job, so thank you very much. From a Council perspective, it's been a really good year and as Les said we have got a united Council who works together really, really well. And also with our Directors, staff and CEO who have made the job very easy this year and Les is a pretty hard act to follow, he has been an excellent mayor. I have been watching him and thinking to myself can I come up to that standard, I am going to try Les. To which Cr McPhee replied "do it your way". The Mayor then stated that we have a really bright future with lots happening in all different sorts of areas. The tours that Councillors did in those different areas have been really important and viewed positively by the farming community, business community and the industrial estates. We have growth in the horticultural industry with the opening up of overseas markets and when people cannot buy land in Robinvale for housing because it's worth too much money to grow grapes, I think that things are pretty

good in the farming industry. Some areas are faced with drought, I was out on the weekend on a property sitting on a header going around a paddock and in a chaser bin and their barley crop was excellent so it's not everywhere that's in drought they did really really well. We have lots and lots of things on the agenda and I started to write down some of the things happening and I got that many that I thought I cannot really read all those out. Everything that's happening right throughout the Municipality starting with Kilter on the other side right up to Robinvale with what's happening there in industry, plus the developments around the town. Perhaps retail is having a bit of a downer at the moment but I think that they are going to have to look at other options for internet selling and all sorts of things like that because you cannot look at business without looking at change, and there is lots and lots of change out there and with that change is going to come a lot of opportunity. I think Swan Hill is definitely on an upward trend and having been born, grown up and educated (both primary secondary and tertiary qualifications in Swan Hill) I think it's a great place to live and I'm really looking forward to this time and we have a good future in front of us. Thank you.

B.18.65 ELECTION OF DEPUTY MAYOR 2018/2019

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.

102/18 Motion

MOVED Cr McPhee

That Council do not have a Deputy Mayor.

SECONDED Cr Katis

The Motion was put and CARRIED

B.18.66 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 (unless otherwise indicated on the table below), commencing at either 4pm or 6pm. One meeting was held in Robinvale.

The following table includes meeting locations for 2017 and 2018, and proposed meeting locations and times for 2019:

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	2017	2018	2019 3 rd Tuesday unless indicated.
January	No Meeting	No Meeting	No Meeting
February	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
March	Swan Hill 6pm	Swan Hill 6pm	Swan Hill 6pm

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April	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
May	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
June	Swan Hill 6pm (4 th Tuesday)	Swan Hill 6pm (4 th Tuesday) Due to NGA	Swan Hill 6pm (4 th Tuesday) Due to NGA
July	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
August	Robinvale 4pm	Swan Hill 4pm	Swan Hill 4pm
September	Swan Hill 4pm	Robinvale 4pm Robinvale Swapped due to Fairfax in Swan Hill	Robinvale 4pm Robinvale Swapped due to Fairfax in Swan Hill
October	Swan Hill 6pm	Swan Hill 4pm	Swan Hill 6pm
November	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
December	Swan Hill 4pm	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 2019 will be held at the locations, dates and times specified in the table in this report.

103/18 Motion

MOVED Cr McPhee

That Council determines that the Ordinary Meetings for 2019 will be held at the dates specified in the table in this report. Locations to be the same with an amendment of the location of the August meeting to be held in Robinvale and the September meeting to be held in Swan Hill and the times to all be held at 1pm.

The Motion LAPSED due to want of a seconder.

104/18 Motion

MOVED Cr Norton

That Council determines that the Ordinary Meetings for 2019 will be held at the locations, dates and times specified in the table in this report. With the amendment of the August meeting to be held in Robinvale and the September meeting to be held in Swan Hill.

REPORTS

13 November 2018

Month	2017	2018	2019 3 rd Tuesday unless indicated.
January	No Meeting	No Meeting	No Meeting
February	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
March	Swan Hill 6pm	Swan Hill 6pm	Swan Hill 6pm
April	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
May	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
June	Swan Hill 6pm (4 th Tuesday)	Swan Hill 6pm (4 th Tuesday) Due to NGA	Swan Hill 6pm (4 th Tuesday) Due to NGA
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August	Robinvale 4pm	Swan Hill 4pm	Robinvale 4pm
September	Swan Hill 4pm	Robinvale 4pm Robinvale Swapped due to Fairfax in Swan Hill	Swan Hill 4pm
October	Swan Hill 6pm	Swan Hill 4pm	Swan Hill 6pm
November	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm
December	Swan Hill 4pm	Swan Hill 4pm	Swan Hill 4pm

SECONDED Cr Jeffery

The Motion was put and CARRIED

B.18.67 APPOINTMENT OF TWO COUNCILLORS TO AUDIT COMMITTEE

Responsible Officer: Director Corporate Services
File Number: 42-02-03
Attachments: Nil.

Declarations of Interest:

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

Summary

This purpose of this report is to seek Councils permission to extend the appointment date of the two current Councillors on the Audit Committee.

Discussion

Council has two Councillors appointed to the Audit Committee for a two year term.

This term expires on 15 November 2018 and as the appointments of new committee members will not be made until the Ordinary Meeting of Council on 18 December 2018 this would mean that they are unable to sit on the committee at the Audit Committee meeting scheduled for 13 December 2018.

The appointment of a Councillor to Audit Committee is mandatory.

Consultation

Not applicable.

Financial Implications

Not applicable.

Social Implications

Not applicable.

Economic Implications

Not applicable.

Environmental Implications

Not applicable.

Risk Management Implications

If the extension is not granted the Audit Committee may not have a quorum.

Council Plan Strategy Addressed

Governance and leadership - Effective and efficient utilisation of resources.

Options

Nil

Recommendation

That Council extend the appointment date of Councillor Ann Young and Councillors Lea Johnson until 18th December 2018.

105/18 Motion

MOVED Cr Norton

That Council extend the appointment date of Councillor Ann Young and Councillors Lea Johnson until 18th December 2018.

SECONDED Cr McPhee

The Motion was put and CARRIED

There being no further business the Mayor, Councillor Ann Young closed the meeting at 5.25pm.