

SPECIAL COUNCIL MEETING AGENDA

Wednesday, 21 October 2026
5:30 PM

Glasshouse, Kerang



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GEOFF ROLLINSON
CHIEF EXECUTIVE OFFICER

1 WELCOME TO COUNTRY

Playing of the Welcome to Country video clip.

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

Cr Keith Link

4 DECLARATION OF CONFLICT OF INTEREST

General Conflict of Interest

Unless exempt under section 129 of the *Local Government Act 2020* (the Act) or regulation 7 of the *Local Government (Governance and Integrity) Regulations 2020*, a Councillor or member of Council staff has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests (as defined in section 127(2) of the Act) could result in that person acting in a manner that is contrary to their public duty.

Material Conflict of Interest

Unless exempt under section 129 of the *Local Government Act 2020* or regulation 7 of the *Local Government (Governance and Integrity) Regulations 2020*, a Councillor or member of Council staff has a material conflict of interest in respect of a matter if an affected person (as defined in section 128(3) of the Act) would gain a benefit or suffer a loss depending on the outcome of the matter.

Disclosure of a Conflict of Interest

A Councillor who has a conflict of interest and is attending a meeting of the Council must make a full disclosure of that interest by either advising:

- a) the Council at the meeting immediately before the matter is considered at the meeting; or
- b) the Chief Executive Officer in writing before the meeting –

whether the interest is a general conflict of interest or a material conflict of interest; and the nature of the interest.

Note: If a Councillor advises the Chief Executive Officer of the details under b) above, the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

In accordance with section 130 of the Act, a Councillor who has disclosed a conflict of interest in respect of a matter must exclude themselves from the decision-making process in relation to the matter, including any discussion or vote on the matter at any Council meeting, and any action in relation to the matter.

Failure to comply with section 130 of the Act may result in a penalty of 120 penalty units.

5 BUSINESS REPORTS FOR DECISION

5.1 OUTGOING MAYORAL ADDRESS

Author: Dylan Taylor, Governance Officer
Authoriser: Amanda Wilson (Director Corporate Services)

RECOMMENDATION

That Council receive and note the Outgoing Mayoral Address of Cr Garner Smith, Mayor 19 November 2025 – 30 September 2026.

EXECUTIVE SUMMARY

The Chief Executive Officer will invite the 2025/2026 Mayor, Cr Garner Smith, to provide an overview of his period serving as Mayor.

PURPOSE

The purpose of this report is to provide an opportunity for the former Mayor to address Council and reflect on his period as Mayor.

DISCUSSION

The Outgoing Mayoral Address provides an opportunity for Cr Garner Smith to reflect on Council's achievements, activities and key matters during his period as Mayor and to formally address Council prior to the election of the Mayor to fill the current vacancy.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Council may receive the outgoing Mayoral Address.

SUSTAINABILITY IMPLICATIONS

The report has no material economic, social, environmental or climate change implications.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The report has no material financial implications for Council.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Goal 3: Sustainability - Achieve long-term financial and environmental sustainability.

4. Ensure transparent, inclusive decision-making through effective leadership.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council Meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in this matter.

ATTACHMENTS

Nil

5.2 ELECTION OF MAYOR

Author: Dylan Taylor, Governance Officer
Authoriser: Amanda Wilson (Director Corporate Services)

RECOMMENDATION

That Council elect a Councillor to be Mayor of the Gannawarra Shire Council for the remainder of the current Mayoral term, ending 18 November 2026.

EXECUTIVE SUMMARY

Cr Garner Smith resigned as Mayor of Gannawarra Shire Council effective 30 September 2026, resulting in the position of Mayor becoming vacant.

In accordance with section 26 of the *Local Government Act 2020* (the Act) and Rule 7 of Council's Governance Rules, Council is required to elect a Councillor to fill the vacancy in the office of Mayor.

The Councillor elected will hold the office of Mayor for the remainder of the current Mayoral term, ending 18 November 2026.

The process for the election of the Mayor is detailed in the Act and Gannawarra Shire Council's Governance Rules.

The election of the Mayor is chaired by the Chief Executive Officer, and once elected, the Mayor will take the chair for the remainder of the meeting.

PURPOSE

The purpose of this report is to facilitate the election of a Councillor to fill the vacancy in the office of Mayor for the remainder of the current Mayoral term.

DISCUSSION

Cr Garner Smith resigned as Mayor, resulting in the position of Mayor becoming vacant from 1 October 2026. The Deputy Mayor is currently serving as Acting Mayor.

Council is required to elect a Councillor to the vacant position of Mayor for the remainder of the Mayoral term, which concludes on 18 November 2026, and that election is required by 29 October 2026 in accordance with section 26 (6).

Section 25 of the Act provides that the election of a Mayor must be conducted at a Council meeting that is open to the public, that the election must be chaired by the Chief Executive Officer and that the election must be conducted in accordance with the Governance Rules.

Previous elections of the Mayoral and Deputy Mayoral positions have been conducted in accordance with the Governance Rules Part 2, clause 8 provides the process for the Election of Mayor as follows:

1. Any meeting to elect the Mayor must be chaired by the Chief Executive Officer.
2. The election of the Mayor must be undertaken by a show of hands.
3. In determining the election of the Mayor, the following will apply:
 - a. Subject to paragraphs c) and d), the Mayor must be elected by an absolute majority of the Councillors.
 - b. If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.
 - c. However, if only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.
 - d. In this clause, absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council.
 - e. Where there are more than two nominations received and the result has not been determined under paragraphs (b) or (c) the nominee with the fewest number of votes cast must be eliminated (and if more than one of them, the nominee determined by lot) and the names of the remaining nominees must be put to the vote again.
 - f. The procedure in paragraph (e) must be repeated until the circumstances in paragraph (c) apply or until there are only two nominees remaining in which case a further vote must be taken and the nominee with an absolute majority will be declared elected.

In the event that the current Deputy Mayor is elected as Mayor, the process above is repeated to elect a Deputy Mayor for the remainder of the Mayoral term, in accordance with Part 2, Clause 11 of the Governance Rules.

RELEVANT LAW

- *Local Government Act 2020*
- *Gannawarra Shire Council Governance Rules*

RELATED COUNCIL DECISIONS

At the Mayoral Election in November 2025, Council resolved the Mayoral term to be a one-year period, ending 18 November 2026.

Council further resolved that Cr Garner Smith be elected as Mayor, and Cr Ross Stanton be elected as Deputy Mayor for the term.

OPTIONS

To remain compliant with the *Local Government Act 2020 section 26 (6)*, the only option is to elect a Mayor within one month after any vacancy in the office of Mayor to serve the remaining period of the current Mayoral term.

The Mayoral Election can be conducted by lot as an alternate method, in accordance with Part 2, clause 9 of the Governance Rules.

SUSTAINABILITY IMPLICATIONS

The election of the Mayor has no material economic, environmental or climate change implications.

The election supports effective civic leadership and governance of the municipality.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The election of the Mayor has no material financial implications for Council. Any Mayoral allowance will be provided in accordance with the applicable legislative requirements and Council's adopted budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Goal 3: Sustainability - Achieve long-term financial and environmental sustainability.
4. Ensure transparent, inclusive decision-making through effective leadership.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council Meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in this matter.

ATTACHMENTS

Nil

5.3 INCOMING MAYORAL ADDRESS

Author: Dylan Taylor, Governance Officer
Authoriser: Amanda Wilson (Director Corporate Services)

RECOMMENDATION

That Council receive and note the incoming Mayoral address.

EXECUTIVE SUMMARY

The newly elected Mayor will address the meeting following their election to the office of Mayor.

PURPOSE

The purpose of this report is to provide an opportunity for the newly elected Mayor to address Council following their election to the office of Mayor.

DISCUSSION

The Incoming Mayoral Address provides an opportunity for the elected Mayor to formally address Council following their election.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Preceding this report, Council elected a Mayor for the remainder of the current term, until 18 November 2026 to fill the vacant role in accordance with the legislation.

OPTIONS

Council may receive the Incoming Mayoral Address.

SUSTAINABILITY IMPLICATIONS

The report has no material sustainability implications.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The report has no material financial implications for Council.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Goal 3: Sustainability - Achieve long-term financial and environmental sustainability.

4. Ensure transparent, inclusive decision-making through effective leadership.

TRANSPARENCY OF COUNCIL DECISIONS

This report will be considered in an open Council Meeting.

CONFLICT OF INTEREST

The officer preparing this report declares that they have no conflict of interest in this matter.

ATTACHMENTS

Nil