



Glenelg Shire Council
Minutes of the Statutory Council Meeting held on
Wednesday 26 October 2022 at 6:00 pm at
Portland Arts Centre
Glenelg Street

1. Present.....	3
2. Opening Prayer	3
3. Acknowledgement to Country	3
4. Recording of Meetings	3
5. Receipt of Apologies	3
6. Declarations of Conflict of Interest	3
7. Management Reports.....	4
7.1. Mayoral Report 2021/2022.....	4
7.2. Determination of Mayoral Term of Office	5
7.3. Election of the Mayor for 2022/2023	7
7.4. Election of the Deputy Mayor for 2022/2023	9
7.5. Arrangements for the Council Meetings 2022/2023 for the Mayoral Year	11
8. Separately circulated attachments	15
9. Closure of Council Meeting.....	15

1. PRESENT

In accordance with Section 25 (3) of the Local Government Act 2020 the meeting to elect the Mayor must be chaired by the Chief Executive Officer until such time as a new Mayor is elected. In accordance with Glenelg Shire Council's Governance Rules section 6.1.2 and 6.1.4.

The Chief Executive Officer, Mr Greg Burgoyne chaired the meeting.

In attendance were Cr Anita Rank (Mayor), Cr Scott Martin (Deputy Mayor), Cr Michael Carr, Cr Chrissy Hawker, Cr Jayden Smith, Cr Karen Stephens and Cr Gilbert Wilson.

Also in attendance were the Director Corporate Services (Mr David Hol), Acting Director Community Services (Ms Melanie Bennett), Director Assets (Mr Paul Phelan), Chief Information Officer (Ms Ann Kirkham) and Executive Assistant CEO Department (Ms Virginia Bobbitt) and/or Executive Assistant Corporate Services (Ms Rachael Currie).

2. OPENING PRAYER

The Chief Executive Officer opened the meeting with the Council Prayer.

3. ACKNOWLEDGEMENT TO COUNTRY

The Chief Executive Officer read the Acknowledgement to Country.

4. RECORDING OF MEETINGS

The Chief Executive Officer will enable an audio recording of the meeting conducted and the recording of that meeting may be made available to the public.

5. RECEIPT OF APOLOGIES

Nil.

6. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

7. MANAGEMENT REPORTS**7.1. MAYORAL REPORT 2021/2022**

Cr Anita Rank read her Mayoral Report for 2021/2022.

7.2. DETERMINATION OF MAYORAL TERM OF OFFICE

Director: David Hol, Director Corporate Services

Executive Summary

Section 26 (3) of the *Local Government Act 2020* provides that '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 and must be determined by resolution of Council whether the Mayor is to be elected for a 1 year or 2 year term.'

Recommendation

That Council:

1. Elects a Councillor to the position of Mayor for a term of one year.

OR

2. Elects a Councillor to the position of Mayor for the term of two years.

MOTION

MOVED Cr Carr

That Council:

Elects a Councillor to the position of Mayor for a term of one year.

SECONDED Cr Stephens

CARRIED

FOR: Cr Rank, Cr Stephens, Cr Wilson, Cr Carr, Cr Martin, Cr Smith and Cr Hawker

AGAINST: Nil

Background/Key Information:

Clause 6.1 of the 'Glenelg Shire Council Governance Rules, 'Election of the Mayor, Deputy Mayor and appointment of Acting Mayor'. states that the term of office for the Mayor can be for either one or two years.

In addition to the above, Section 26 (3) of the *Local Government Act 2020* states '*that before the election of the Mayor, a Council must determine by resolution whether a Mayor is to be elected for a 1 year or a 2 year term.*'

Section 26 provides that:

1. The Mayor is to be elected no later than one month after the date of a general election;

If the Mayor is to be elected for a 2-year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 2 year term as is reasonably practicable; and

A Mayor is to be elected within one month after any vacancy in the office of Mayor occurs.

The term of office for previous Mayors of the Glenelg Shire Council has traditionally been a one-year term.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Under section 26 (3) of the *Local Government Act 2020*, states before the election of the Mayor, a Council, other than the Greater Geelong City Council, must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

c. Consultation and/or communication processes implemented or proposed

Nil.

d. Financial Implications and Collaboration

The cost of Council Meetings are included in the Glenelg Shire Councils budget.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Nil

7.3. ELECTION OF THE MAYOR FOR 2022/2023

Director: David Hol, Director Corporate Services

Executive Summary

Section 25 (1) of the *Local Government Act 2020* provides that: '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.' The Chief Executive Officer will invite Councillors to nominate.

Cr _____ nominated Cr _____ for the position of Mayor for the 2022/2023.

The nomination was seconded by Cr _____.

Those voting for Cr _____:

Recommendation

Cr _____ is duly elected to the position of Mayor 2022/2023 for a term of one/two years.

Mayor Cr _____ assumed the Chair.

Cr Hawker nominated Cr Martin for the position of Mayor for 2022/2023.

The nomination was seconded by Cr Rank.

Cr Stephens nominated Cr Wilson for the position of Mayor for 2022/2023.

The nomination was seconded by Cr Carr.

Those voting FOR Cr Martin: Cr Rank, Cr Smith, Cr Martin and Cr Hawker.

Cr Martin is duly elected to the position of Mayor 2022/2023 for a term of one year.

Mayor Cr Martin assumed the Chair.

Background/Key Information:

The Departmental Procedure titled 'Election of the Mayor', included in the Governance Rules circulated with this report, specifies the way in which the Election of the Mayor is to be conducted.

Following the Election of the Mayor, the newly elected Mayor will be invited by the Chief Executive Officer to come forward to be presented with the mayoral medallion. The Chief Executive Officer will then invite the newly elected Mayor to assume the Chair.

The newly elected Mayor will address the meeting.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Under section 25 (1) of the *Local Government Act 2020*, states that at a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

c. Consultation and/or communication processes implemented or proposed

Nil.

d. Financial Implications and Collaboration

The cost of Council Meetings are included in the Glenelg Shire Councils budget.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

1. Glenelg Shire Council Governance Rules Adopted 27 September 2022 [7.3.1 - 82 pages]

7.4. ELECTION OF THE DEPUTY MAYOR FOR 2022/2023

Director: David Hol, Director Corporate Services

Executive Summary

To elect a Deputy Mayor for the Glenelg Shire Council for the 2022/2023 Mayoral year and be elected in accordance with Section 25 *Local Government Act 2020* and in line with 6.1.2 of the Glenelg Shire Council Governance Rules.

If Council resolves not to appointment a Deputy Mayor, an Acting Mayor will be appointed by resolution of Council when and if required.

Cr_____ nominated Cr_____ for the position of Deputy Mayor for the 2022/2023.

The nomination was seconded by Cr_____.

Those voting for Cr_____:

Recommendation

Cr _____ is duly elected to the position of Deputy Mayor 2022/2023 for a term of one/two years.

Cr Wilson nominated Cr Stephens for the position of Deputy Mayor for 2022/2023.

The nomination was seconded by Cr Carr.

Cr Rank nominated Cr Smith for the position of Deputy Mayor for 2022/2023.

The nomination was seconded by Cr Hawker.

The voting FOR Cr Smith: Cr Hawker, Cr Smith, Cr Rank and Cr Martin.

Cr Smith is duly elected to the position of Deputy Mayor for 2022/2023 for a term of one year

Background/Key Information:

Section 20A (1) of the *Local Government Act 2020* provides that a Council may establish an office of Deputy Mayor and provides provisions relating to the office of the Deputy Mayor.

The Governance Rules, separately circulated with this report, specifies the way in which the Election of the Mayor is to be conducted. The Election of the Deputy Mayor will follow the same procedure.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

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

c. Consultation and/or communication processes implemented or proposed

Not Applicable.

d. Financial Implications and Collaboration

The cost of Council Meetings are included in the Glenelg Shire Councils budget.

e. Governance Principles

Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Nil

7.5. ARRANGEMENTS FOR THE COUNCIL MEETINGS 2022/2023 FOR THE MAYORAL YEAR

Director: David Hol, Director Corporate Services

Executive Summary

In accordance with Glenelg Shire Council's Governance Rules section 2.2.1, Council must fix the date, time and place of all Council Meetings for a (12) twelve-month period at a meeting of Council which is to be held no earlier than the fourth Saturday in October and no later than 30 November in each year.

The date, time and place of all Council Meetings are to be made available to the public. Council may change the date, time and place of, or cancel, any Meeting which has been fixed and must provide notice of the change to the public.

Recommendation

That the Council Meetings for the 2022/2023 Mayoral Year be held on the following dates:

Tuesday 22 November 2022

Tuesday 13 December 2022

Tuesday 24 January 2023

Tuesday 28 February 2023

Tuesday 28 March 2023

Tuesday 25 April 2023

Tuesday 23 May 2023

Tuesday 27 June 2023

Tuesday 25 July 2023

Tuesday 22 August 2023

Tuesday 26 September 2023

Tuesday 25 October 2023

2. That a Statutory Council Meeting be held on Wednesday 1 November 2023 commencing at 6.00pm in accordance with Section 25 (1) of the *Local Government Act 2020* for the purpose of electing a new Mayor.
3. That the March and September Council Meeting be held at _____ and _____.
4. That Council Meetings commence at 7.00pm on the dates specified in item 1 of this recommendation unless resolved otherwise.
5. That the venue of Council Meetings be at the Portland Council Chamber unless resolved otherwise, as specified in Item 3 of this recommendation.
6. That public notice of the dates, times and location for the Council Meetings be placed in the Portland Observer, Casterton News and on Council's website.

MOTION**MOVER Cr Smith**

That the Council Meetings for the 2022/2023 Mayoral Year be held on the following dates:

**Tuesday 22 November 2022
Tuesday 13 December 2022
Tuesday 24 January 2023
Tuesday 28 February 2023
Tuesday 28 March 2023
Tuesday 25 April 2023
Tuesday 23 May 2023
Tuesday 27 June 2023
Tuesday 25 July 2023
Tuesday 22 August 2023
Tuesday 26 September 2023
Tuesday 25 October 2023**

- 2. That a Statutory Council Meeting be held on Wednesday 1 November 2023 commencing at 6.00pm in accordance with Section 25 (1) of the *Local Government Act 2020* for the purpose of electing a new Mayor.**
- 3. That the March and September Council Meetings be held at _____ and _____.**
- 4. That Council Meetings commence at 7.00pm on the dates specified in item 1 of this recommendation unless resolved otherwise.**
- 5. That the venue of Council Meetings be at the Portland Council Chamber unless resolved otherwise, as specified in Item 3 of this recommendation.**
- 6. That public notice of the dates, times and location for the Council Meetings be placed in the Portland Observer, Casterton News and on Council's website.**

Cr Stephens proposed an amendment to item 3. That March and September Council Meetings be held in Nelson and Casterton.

SECONDED Cr Rank**CARRIED****Background/Key Information:**

In accordance with previous Council decisions, Council Meetings have been held on the fourth Tuesday of each month except for December and subject to public holidays. Therefore, it is recommended that Council adopt the following dates for the monthly Council Meetings and Statutory Council Meeting for the 2022/2023 year.

In previous years Council meetings have been held in two locations around the Shire other than the Municipal Offices in Portland, as follows:

- 2013 (September) – Digby
- 2014 (February) Dartmoor - (September) Merino
- 2015 (March) Casterton - (September) Nelson
- 2016 (March) Digby - (September) Casterton
- 2017 (March) Narrawong - (August) Casterton
- 2018 (March) Heywood – (September) Casterton
- 2019 (March) Dartmoor – (September) Bridgewater
- 2020 – Due to COVID-19 Pandemic the meetings were held in Portland only
- 2021 – (March) - Dartmoor and due to COVID-19 Pandemic the Casterton meeting was held in Portland or via Microsoft Teams meeting.
- 2022 - (March) Casterton and (September) Heywood.

Council may consider continuing this practice in order to give easier access to residents of the Shire to attend the Council meetings in the Mayoral Year 2022/2023. It is expected that livestreaming of Council meetings will be available from early 2023.

a. Council Plan and Policy Linkage

Our Voice and Action - A highly engaged and capable local government, leading Glenelg to ensure the needs and aspirations of our community are realised.

b. Legislative, Legal and Risk Management Considerations

Not Applicable.

c. Consultation and/or communication processes implemented or proposed

Not Applicable.

d. Financial Implications and Collaboration

Council Meetings are included in the Glenelg Shire Councils adopted Budget each year.

e. Governance Principles

The transparency of Council decisions, actions and information is to be ensured.

Attachment List

Nil

8. SEPARATELY CIRCULATED ATTACHMENTS**Recommendation**

That the documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.

MOTION**MOVED Cr Stephens**

That the documents separately circulated to Councillors, CEO, Directors and to the Public, as listed above, be received.

SECONDED Cr Hawker**CARRIED**

FOR: Cr Rank, Cr Stephens, Cr Wilson, Cr Carr, Cr Martin, Cr Smith and Cr Hawker

AGAINST: Nil

9. CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 6.16pm.

I HEREBY CERTIFY THAT PAGES 1 TO 16 CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

CR SCOTT MARTIN
MAYOR

22 NOVEMBER 2022

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