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**Glenelg Shire Council**

**Minutes of the Statutory Council Meeting held on**

**Wednesday 7 November 2018 at 6.00pm at**

**Portland Customer Service Centre**

**Cliff Street, Portland**

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TIME:

6:00pm

PRESENT:

Cr Robert Halliday, Cr Chrissy Hawker, Cr Alistair McDonald, Cr Anita Rank, Cr Karen Stephens, Cr Geoff White and Cr Gilbert Wilson.

Also in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Director Community Services (Ms Edith Farrell), Director Assets (Mr Robert Alexander), Director Corporate Services (Mr David Hol), Council Support Coordinator (Mrs Kylie Walford) and Courtney Hoggan (Media and Communications Officer).

OPENING PRAYER:

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

ABORIGINAL ACKNOWLEDGEMENT:

The Chief Executive Officer, Mr Burgoyne read the Aboriginal Acknowledgement.

RECEIPT OF APOLOGIES:

Nil.

A. MANAGEMENT REPORTS:

**A1. MAYORAL REPORT 2017/18**

Cr Rank presented her Mayoral Report for the 2017/2018 Mayoral Year.

Councillors expressed their appreciation to former Mayor Cr Anita Rank.

Chief Executive Officer, Mr Burgoyne made a presentation to former Mayor Cr Anita Rank.

**A2. APPOINTMENT OF A TEMPORARY CHAIRPERSON**

Director: David Hol, Director Corporate Services

Report

The Chief Executive Officer will call for nominations from Councillors for the appointment of a Temporary Chairperson.

Recommendation

That Cr. \_\_\_\_\_ be appointed as the Temporary Chairperson to conduct the meeting until the Mayor is elected.

OR

That Council authorises the CEO to conduct the meeting until the Mayor is elected

**MOTION**

**MOVED Cr Wilson**

**That Cr Halliday be appointed as the Temporary Chairperson to conduct the meeting until the Mayor is elected.**

**SECONDED Cr Stephens**

**CARRIED**

*Cr Halliday assumed the position of Temporary Chairperson.*

**A3. DETERMINATION OF MAYORAL TERM OF OFFICE**

Director: David Hol, Director Corporate Services

**Executive Summary**

Section 71(1) of the *Local Government Act 1989* 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.'

**Recommendation**

That Council elects a Councillor to the position of Mayor for a term of one year.

OR

That Council elects a Councillor to the position of Mayor for the term of two years.

**MOTION**

**MOVED Cr White**

**That Council elects a Councillor to the position of Mayor for a term of one year.**

**SECONDED Cr McDonald**

**CARRIED**

**Background/Key Information**

'Glenelg Shire Council Election of the Mayor Procedure'. Clause 3.2 of this procedure states that the term of office for the Mayor can be for either one or two years.

In addition to the above, Section 71(2) of the *Local Government Act 1989* states *'that before the Mayor is elected the Council may resolve to elect a Mayor for a term of 2 years* and Section 71(3) provides that:

- (3) The Mayor is to be elected-
- (a) After the fourth Saturday in October but not later than 30 November in each year; or
  - (ab) 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
  - (b) As soon as possible 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.

**A4. ELECTION OF THE MAYOR**

Director: David Hol, Director Corporate Services

**Executive Summary**

Section 71(1) of the *Local Government Act 1989* 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.'

**Recommendation**

That Cr \_\_\_\_\_ is duly elected to the position of Mayor for a term of one year.

OR

That Cr \_\_\_\_\_ is duly elected to the position of Mayor for a term of two years.

- 1. Cr McDonald nominated Cr Rank for the position of Mayor for the 2018/2019 Mayoral Year.**

**The nomination was seconded by Cr Hawker.**

**Those voting for Cr Rank: Cr Rank, Cr White, Cr Hawker, Cr McDonald**

- 2. Cr Wilson nominated Cr Stephens for the position of Mayor for the 2018/2019 Mayoral term.**

**The nomination was seconded by Cr Halliday.**

**Those voting for Cr Stephens: Cr Stephens, Cr Wilson, Cr Halliday.**

**The Temporary Chairperson declared Cr Rank duly elected to the position of Mayor for a term of one year.**

*Mayor, Cr Rank assumed the position of Chairperson.*

*The CEO presented Mayor Cr Rank with the Mayoral Regalia.*

**Background/Key Information**

The Departmental Procedure titled 'Election of the Mayor', separately circulated with this report, specifies the way in which the Election of the Mayor is to be conducted and is outlined in summary below:

- 1. Procedure for voting for the election of Mayor – "Show of Hands"**
  - Temporary Chairperson calls for nominations for the position of Mayor.
  - All nominations must be moved and seconded to be accepted by the Temporary Chairperson;

**A4. ELECTION OF THE MAYOR**

(continued)

1. That Cr \_\_\_\_\_ be nominated for the position of Mayor.
  2. That Cr \_\_\_\_\_ be nominated for the position of Mayor.  
(etc)
- c. If only two nominations are received, the Temporary Chairperson proceeds by asking the Council to vote on the first nominated candidate and then the second nominated candidate. If one candidate has a majority of votes, that candidate is duly elected as the Mayor. If both candidates have the equal number of votes, the candidate to be duly elected is determined by lot (see item no. 2 of this report).
  - d. If more than two nominations are received, the Temporary Chairperson proceeds by asking the Council to vote on each candidate in the order of the nominations received.
  - e. When item 1(d) is completed, the candidate with the fewest number of votes cast must be eliminated (and if more than one of the candidates have the same amount of the least number of the votes cast, the candidate for exclusion is determined by lot (see item no. 2 of this report).
  - f. The names of the remaining candidates must be put to the vote again. This “exclusion process” must continue until there are only two candidates remaining.
  - g. When there are only two candidates remaining, the same procedure is conducted as specified in item 1(c) of this report.
2. Procedure for Draw of Lot
- a. Three or more candidates in Draw of Lot - conducted to determine who will not progress
    1. Each candidate gets one draw.
    2. Candidates will draw in alphabetical order of surnames. If two surnames are in identical order those candidates first names will determine order of the draw.
    3. Identical pieces of paper for the number of candidates are to be placed in the voting receptacle. One of these pieces of paper is to have ‘DEFEATED’ written on it.

*Example*

**A4. ELECTION OF THE MAYOR**

(continued)

4. The candidates each draw their piece of paper. The candidate who draws the paper with the word 'DEFEATED' on it shall be declared as defeated.
  5. A further vote shall then be conducted by show of hands on the remaining candidates.
- b. Two candidates only in Draw by Lot - conducted to determine who will be elected
1. Each candidate gets one draw.
  2. Candidates will draw in alphabetical order of surnames. If two surnames are in identical order those candidates first names will determine order of the draw.
  3. Identical pieces of paper for the number of candidates are to be placed in the voting receptacle. One of these pieces of paper is to have 'ELECTED' written on it.



4. The candidates each draw a piece of paper. The candidate who draws the paper with the word 'ELECTED' on it shall be declared duly elected.

**Conclusion**

Following the Election of the Mayor, the newly elected Mayor will be invited by the Temporary Chairperson to come forward to be presented with the mayoral regalia.

The Temporary Chairperson will then invite the newly elected Mayor to assume the chair and then return to his/her usual position at the Council table.

The newly elected Mayor will address the meeting.

**Separate Circulation – Non Confidential**

No.	Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)	ECM
1.	Departmental Procedure titled 'Election of the Mayor' as incorporated in the Glenelg Shire Council Governance Local Law 2013, Council Meeting Procedure.	1970097



**A5. ARRANGEMENTS FOR ORDINARY COUNCIL MEETINGS 2018/2019 FOR THE MAYORAL YEAR**

Director: David Hol, Director Corporate Services

**Executive Summary**

Section 83 of the *Local Government Act 1989* provides that:

The Council may hold-

- (a) Ordinary meetings at which general business of the Council may be transacted; and
- (b) Special meetings at which the business specified in the notice calling the meeting may be transacted.

**Recommendation**

1. That the Ordinary Council Meetings be held on the following dates.

Tuesday, 27 November 2018  
Tuesday, 11 December 2018  
Tuesday, 22 January 2019  
Tuesday, 26 February 2019  
Tuesday, 26 March 2019  
Tuesday, 23 April 2019  
Tuesday, 28 May 2019  
Tuesday, 25 June 2019  
Tuesday, 23 July 2019  
Tuesday, 27 August 2019  
Tuesday, 24 September 2019  
Tuesday, 22 October 2019

2. That a Statutory Council Meeting be held on Wednesday, 6 November 2019 commencing at 6.00pm in accordance with Section 71(3) of the *Local Government Act 1989* for the purpose of electing a new Mayor.
3. That the March and September Council Meeting be held at <locations>.
4. That Ordinary 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 Ordinary Meetings of Council be placed in the Portland Observer, Casterton News and on Council's website.

**A5. ARRANGEMENTS FOR ORDINARY COUNCIL MEETINGS 2018/2019 FOR THE MAYORAL YEAR**

(continued)

**MOTION**

MOVED Cr Hawker

1. That the Ordinary Council Meetings be held on the following dates.

Tuesday, 27 November 2018

Tuesday, 11 December 2018

Tuesday, 22 January 2019

Tuesday, 26 February 2019

Tuesday, 26 March 2019

Tuesday, 23 April 2019

Tuesday, 28 May 2019

Tuesday, 25 June 2019

Tuesday, 23 July 2019

Tuesday, 27 August 2019

Tuesday, 24 September 2019

Tuesday, 22 October 2019

2. That a Statutory Council Meeting be held on Wednesday, 6 November 2019 commencing at 6.00pm in accordance with Section 71(3) of the *Local Government Act 1989* for the purpose of electing a new Mayor.
3. That the March and September Council Meeting be held at Heywood and Cape Bridgewater.
4. That Ordinary 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 Ordinary Meetings of Council be placed in the Portland Observer, Casterton News and on Council's website.

SECONDED Cr White

**A5. ARRANGEMENTS FOR ORDINARY COUNCIL MEETINGS 2018/2019 FOR THE MAYORAL YEAR**

(continued)

**AMENDMENT**

**MOVED Cr Wilson**

1. That the Ordinary Council Meetings be held on the following dates.

Tuesday, 27 November 2018

Tuesday, 11 December 2018

Tuesday, 22 January 2019

Tuesday, 26 February 2019

Tuesday, 26 March 2019

Tuesday, 23 April 2019

Tuesday, 28 May 2019

Tuesday, 25 June 2019

Tuesday, 23 July 2019

Tuesday, 27 August 2019

Tuesday, 24 September 2019

Tuesday, 22 October 2019

2. That a Statutory Council Meeting be held on Wednesday, 6 November 2019 commencing at 6.00pm in accordance with Section 71(3) of the *Local Government Act 1989* for the purpose of electing a new Mayor.
3. That the March and September Council Meeting be held at Dartmoor and Cape Bridgewater.
4. That Ordinary 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 Ordinary Meetings of Council be placed in the Portland Observer, Casterton News and on Council's website.

**SECONDED Cr Stephens**

**The AMENDMENT was PUT and CARRIED.**

**A5. ARRANGEMENTS FOR ORDINARY COUNCIL MEETINGS 2018/2019 FOR THE MAYORAL YEAR**

(continued)

**Background/Key Information**

In accordance with previous Council decisions, Ordinary 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 Ordinary Council Meetings and Statutory Council Meeting for the 2018/2019 year.

In previous years Ordinary 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

Council may consider continuing this practice in order to give easier access to residents of the Shire to attend the Ordinary Council meetings in the Mayoral Year 2018/2019.

INDEX – SEPARATE CIRCULATIONS TO REPORTS

*Separate Circulation to Councillors, CEO, Directors and available to the Public*

A4. (1) Departmental Procedure titled 'Election of the Mayor'.

Recommendation

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

**MOTION**

**MOVED Cr Stephens**

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

**SECONDED Cr Halliday**

**CARRIED**

**CLOSURE OF SPECIAL COUNCIL MEETING**

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 6.21pm.

**I HEREBY CERTIFY THAT PAGES 1 TO 14 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.**

**CR ANITA RANK**  
MAYOR

**TUESDAY 27 NOVEMBER 2018**

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