



Glenelg Shire Council
Minutes of the Statutory Council Meeting held on
Wednesday 11 November 2020 at 6.00pm
at Portland Customer Service Centre
Cliff Street, Portland

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PRESENT:

Cr Michael Carr, Cr Chrissy Hawker, Cr Scott Martin, Cr Anita Rank, Cr Jayden Smith, Cr Karen Stephens and Cr Gilbert Wilson.

Also, in attendance were the Chief Executive Officer (Mr Greg Burgoyne), Director Corporate Services (Mr David Hol) and Executive Officer Corporate Services (Ms Rachael Fellows).

OPENING PRAYER:

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

ABORIGINAL ACKNOWLEDGEMENT:

The Chief Executive Officer read the Aboriginal Acknowledgement.

CONFLICT OF INTEREST:

Nil.

RECEIPT OF APOLOGIES:

Nil.

A. MANAGEMENT REPORTS:**A1. OATH AND AFFIRMATION OF OFFICE**

CEO: Greg Burgoyne, Chief Executive Officer

Executive Summary

Section 30 of the *Local Government Act 2020* (the Act) states:

- (1) A person elected to be a Councillor is not capable of acting as a Councillor unless until the person has taken the oath or affirmation of office in the manner prescribed by the regulations.:
- (2) The oath or affirmation of office must be-
 - (a) Administered by the Chief Executive Officer; and
 - (b) Dated and signed before the Chief Executive Officer; and
 - (c) Recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council Meeting.

Recommendation

That Council:

1. Note the tabling of the Oaths and Affirmations of Office, made by Councillors before the Chief Executive Officer.
2. Record the Oaths and Affirmations of Office in the minutes of this meeting.

MOTION

MOVED Cr Wilson

That Council:

- 1. Note the tabling of the Oaths and Affirmations of Office, made by Councillors before the Chief Executive Officer.**
- 2. Record the Oaths and Affirmations of Office in the minutes of this meeting.**

SECONDED Cr Stephens

CARRIED

A1. OATH AND AFFIRMATION OF OFFICE

(continued)

Background/Key Information:

All Councillors have made an Oath or Affirmation of Office before the Chief Executive Officer on.

In accordance with section 30(2)(c) of the Act these Oaths and Affirmations are hereby tabled for incorporation in the minutes of this meeting.

a. **Council Plan Linkage and Policy Context**

Leading Glenelg – Create shared visions within the community ensuring agreed outcomes.

b. **Legislative, Legal and Risk Management Considerations**

Section 30(1)(2) of the *Local Government Act 2020*.

c. **Consultation and/or communication processes implemented or proposed**

The Oaths and Affirmations of Office are recorded in the minutes of this meeting.

d. **Financial and Resource Implications and Opportunities**

Councillor Allowances are accounted for in the 2020/2021 budget.

Separate Circulations – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Signed Oath of Office Councillor Anita Rank witnessed by the Chief Executive Officer taken on 6 November 2020	2757734
2.	Signed Oath of Office Councillor Jayden Smith witnessed by the Chief Executive Officer taken on 6 November 2020	2757737
3.	Signed Oath of Office Councillor Michael Carr witnessed by the Chief Executive Officer taken on 6 November 2020	2757732
4.	Signed Oath of Office Councillor Gilbert Wilson witnessed by the Chief Executive Officer taken on 6 November 2020	2757736
5.	Signed Oath of Office Councillor Scott Martin witnessed by the Chief Executive Officer taken on 6 November 2020	2757735
6.	Signed Oath of Office Councillor Karen Stephens witnessed by the Chief Executive Officer taken on 6 November 2020	2757733
7.	Signed Oath of Office Councillor Chrissy Hawker witnessed by the Chief Executive Officer taken on 6 November 2020	2757731

A2. OPPORTUNITY FOR COUNCILLORS TO ADDRESS THE MEETING FOLLOWING THE GENERAL ELECTION

Subsequent to the General Election and being the first Council Meeting of the new Council term, each Councillor was given an opportunity to address the meeting.

Each Councillor addressed the meeting.

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

A3. 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 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 Hawker

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

SECONDED Cr Martin

CARRIED

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;
- (5) 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
- (6) 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.

A4. ELECTION OF THE MAYOR

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.'

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 Wilson nominated Cr Stephens for position of Mayor for the 2020/2021 Mayoral term.**

The nomination was seconded by Cr Carr.

Those voting for Cr Stephens: Cr Carr, Cr Stephens and Cr Wilson.

- 2. Cr Hawker nominated Cr Rank for the position of Mayor for the 2020/2021 Mayoral term.**

The nomination was seconded by Cr Martin.

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

The Temporary Chairperson declared Cr Rank duly elected to the position of Mayor for the 2020/2021 Mayoral term.

The temporary chair Chief Executive Officer, Mr Burgoyne congratulated newly elected Mayor Cr Rank.

Mayor Cr Rank 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.

A4. ELECTION OF THE MAYOR

(continued)

The Chief Executive Officer will then invite the newly elected Mayor to assume the Chair.

The newly elected Mayor will address the meeting.

Separate Circulation – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	ECM
1.	Governance Rules adopted 25 August 2020	2726760

A5. ELECTION OF THE DEPUTY MAYOR

Director: David Hol, Director Corporate Services

Executive Summary

To elect a Deputy Mayor for the Glenelg Shire Council for the 2020/2021 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.

Recommendation

1. That Council resolves to appoint a Deputy Mayor or not appoint.
2. That Cr _____ is duly elected to the position of Deputy Mayor for a term of one year.

OR

3. That Cr _____ is duly elected to the position of Deputy Mayor for a term of two years.

1. **Cr Wilson nominated Cr Stephens for the position of Deputy Mayor for the 2020/2021 Mayoral term.**

The nomination was seconded by Cr Carr.

Those voting for Cr Stephens: Cr Martin, Cr Carr, Cr Stephens and Cr Wilson.

2. **Cr Rank nominated Cr Hawker for the position of Deputy Mayor for the 2020/2021 Mayoral term.**

The nomination was seconded by Cr Hawker.

Those voting for Cr Hawker: Cr Hawker, Cr Smith and Cr Rank.

The Chairperson declared that Cr Stephens duly elected to the position of Deputy Mayor for the 2020/2021 Mayoral term.

MOTION

MOVED Cr Wilson

That Council resolves to appoint a Deputy Mayor for a term of one year.

SECONDED Cr Carr

CARRIED

A5. ELECTION OF THE DEPUTY MAYOR

(continued)

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.

Separate Circulation – Non-Confidential

No.	<i>Separate Circulation Title, Date and Author as detailed on the separate circulation (where applicable)</i>	<i>ECM</i>
1.	Governance Rules adopted 25 August 2020	2726760

A6. ARRANGEMENTS FOR COUNCIL MEETINGS 2020/2021 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

1. That the Council Meetings for the 2020/2021 Mayoral Year be held on the following dates:

Tuesday 24 November 2020
Tuesday 15 December 2020
Wednesday 27 January 2021
Tuesday 23 February 2021
Tuesday 23 March 2021
Tuesday 27 April 2021
Tuesday 25 May 2021
Tuesday 22 June 2021
Tuesday 27 July 2021
Tuesday 24 August 2021
Tuesday 28 September 2021
Tuesday 26 October 2021
2. That a Statutory Council Meeting be held on Wednesday 10 November 2021 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 <locations>.
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.

A6. ARRANGEMENTS FOR COUNCIL MEETINGS 2020/2021 FOR THE MAYORAL YEAR

(continued)

MOTION

MOVED Cr Stephens

1. That the Council Meetings for the 2020/2021 Mayoral Year be held on the following dates:

Tuesday 24 November 2020
Tuesday 15 December 2020
Wednesday 27 January 2021
Tuesday 23 February 2021
Tuesday 23 March 2021
Tuesday 27 April 2021
Tuesday 25 May 2021
Tuesday 22 June 2021
Tuesday 27 July 2021
Tuesday 24 August 2021
Tuesday 28 September 2021
Tuesday 26 October 2021

2. That a Statutory Council Meeting be held on Wednesday 10 November 2021 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 Dartmoor and Casterton.
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.

SECONDED Cr Carr

CARRIED

A6. ARRANGEMENTS FOR COUNCIL MEETINGS 2020/2021 FOR THE MAYORAL YEAR

(continued)

MOTION

MOVED Cr Martin

1. That the Council Meetings for the 2020/2021 Mayoral Year be held on the following dates:

Tuesday 24 November 2020
Tuesday 15 December 2020
Wednesday 27 January 2021
Tuesday 23 February 2021
Tuesday 23 March 2021
Tuesday 27 April 2021
Tuesday 25 May 2021
Tuesday 22 June 2021
Tuesday 27 July 2021
Tuesday 24 August 2021
Tuesday 28 September 2021
Tuesday 26 October 2021

2. That a Statutory Council Meeting be held on Wednesday 10 November 2021 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 Heywood and Casterton.
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.

SECONDED Cr Hawker

The MOTION was PUT and LOST.

The original MOTION was PUT and CARRIED.

A5. ARRANGEMENTS FOR COUNCIL MEETINGS 2020/2021 FOR THE MAYORAL YEAR

(continued)

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 2020/2021 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

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 2020/2021.

INDEX – SEPARATE CIRCULATIONS TO REPORTS:

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

A1 (1) Signed Oaths and Affirmations of Office witnessed by the Chief Executive Officer

A4 and A5 (1) Governance Rules

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 Wilson

CARRIED

CLOSURE OF COUNCIL MEETING

THERE BEING NO FURTHER BUSINESS, THE MAYOR DECLARED THE MEETING CLOSED AT 6.20pm.

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

CR ANITA RANK

MAYOR

24 NOVEMBER 2020

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