



STATUTORY COUNCIL MEETING

Tuesday 21 November 2023

6pm

AGENDA

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EXPLANATORY NOTES

Under section 25 of the Local Government Act 2020

(3) The election of the Mayor must—

- (a) be chaired by the Chief Executive Officer; and
- (b) subject to this section, be conducted in accordance with the Governance Rules.

Council's Governance Rules require The Chief Executive Officer to:

- facilitate the election of the Mayor in accordance with the provisions of the Act.
- open the meeting at which the Mayor is to be elected, and invite nominations for the office of Mayor.

Council's convention has been for the sitting Mayor to make a report on the past year, prior to the Mayoral election, and this is provided for at item 3.

1. COMMENCEMENT OF MEETING AND WELCOME

The commencement of the meeting and welcome will be conducted by the CEO.

2. APOLOGIES

3. MAYOR'S REPORT ON THE PAST YEAR

The sitting Mayor will present a report on the past year in accordance with Governance Rule 22.

4. ELECTION OF MAYOR

Author: Chief Executive Officer

Responsible Officer: Chief Executive Officer

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

In accordance with section 25(3)(a) of the *Local Government Act 2020*, the CEO will take the Chair until the Mayoral election concludes.

SUMMARY/PURPOSE

The purpose of this report is to provide for Council to set the Mayoral term at one or two years, and to elect a Councillor to the office of Mayor.

At its meeting on 21 November 2022, Council resolved not to elect a Deputy Mayor for the remainder of the current term.

S26 Clause 3 of the *Local Government Act* states that “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.” As there is only one year left in this term of Council, only a one-year term of Mayor can be determined.

Motion for Term of Mayoral term

RECOMMENDATION:

That Council determine the length of term of the Mayor to be set at one year.

Motion for Election of Mayor

RECOMMENDATION:

That nominations be called for the office of Mayor.

After nominations are called for and provided, the election of the Mayor will take place in accordance with the Governance Rules, as described below.

Immediately following the election of the Mayor, the Mayor may wish to call for a motion for suspension of standing orders to allow them to address the meeting, and for photographs to be taken.

RECOMMENDATION:

That standing orders be suspended to allow for the incoming Mayor to address the meeting, and for photographs to be taken.

RECOMMENDATION:

That standing orders be resumed.

BACKGROUND

The Local Government Act 2020 provides that:

Section 25 Election of Mayor

- (1) At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.
- (3) The election of the Mayor must—
 - (a) be chaired by the Chief Executive Officer; and
 - (b) subject to this section, be conducted in accordance with the Governance Rules.
- (4) Subject to subsections (5) and (6), the Mayor must be elected by an absolute majority of the Councillors.
- (5) 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.
- (6) If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.
- (7) In this section, "absolute majority" means the number of Councillors which is greater than half the total number of the Councillors of a Council.

Section 26 When is a Mayor to be elected?

- (1) A Mayor is to be elected no later than one month after the date of a general election.
- (2) (*refers to the Greater Geelong City Council*)

(3) 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.

- 5.1 The Council to determine if the term of Mayor is to be for one or two years.
- 5.2 The Chief Executive Officer to invite nominations for position of Mayor.
- 5.3 Councillors to vote on the election of the Mayor.
- 5.4 The Chief Executive Officer to declare the position of Mayor.
- 5.5 The Chief Executive Officer to be invited to present newly elected Mayor with the Mayor medallion.
- 5.6 The newly elected Mayor to take the Chair.

Determining the election of the Mayor

Following the nomination of Mayoral candidate/s, the election will be conducted in accordance Council's Governance Rule 6 as follows:

6. Determining the election of the Mayor

- 6.1. The Chief Executive Officer must open the meeting at which the Mayor is to be elected, and invite nominations for the office of Mayor.
- 6.2. Any nominations for the office of Mayor must be:
 - 6.2.1. seconded by another Councillor; and
 - 6.2.2. accepted by the nominee.
- 6.3. Once nominations for the office of Mayor have been received, the following provisions will govern the election of the Mayor:
 - 6.3.1. if there is only one nomination, the candidate nominated must be declared to be duly elected;
 - 6.3.2. if there is more than one nomination, the Councillors in attendance at the meeting must vote for one of the candidates;
 - 6.3.3. in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;
 - 6.3.4. in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors in attendance at the meeting will then vote for one of the remaining candidates;
 - 6.3.5. if one of the remaining candidates receives an absolute majority of the votes, that candidate is duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives

an absolute majority of the votes. That candidate must then be declared to have been duly elected;

6.3.6. in the event of two or more candidates having an equality of votes and one of them having to be declared:

- a defeated candidate; and
- duly elected the Council may resolve to conduct a new election at a later specified time and date.

Election of Deputy Mayor

The *Local Government Act 2020* allows Councils to determine whether or not to elect a Deputy Mayor.

At its meeting on 21 November 2022, Council resolved not to elect a Deputy Mayor for the remainder of the current Council term.

5. APPOINTMENT OF REPRESENTATIVES TO COMMITTEES AND ORGANISATIONS

Author: Manager Governance Property and Risk

Responsible Officer: General Manager Corporate Performance

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

Councillors have the option to be appointed to various committees and statutory or regional bodies.

The purpose of this report is to provide information to Council regarding current Committees of Council, Council representation committees and to seek appointments to these bodies.

RECOMMENDATION

That Council nominate its representatives to the committees and organisations as detailed in the table below.

External Committees

Committee/Statutory Body	Proposed Representatives
Municipal Association of Victoria	<i>Cr De Villiers Cr Long (alternative)</i>
Audit and Risk Committee	<i>Cr Murphy, Cr De Villiers</i>
Australia Day Committee	<i>All Councillors</i>
Rural Councils Victoria	<i>Cr Sproull</i>
CEO Employment Matters Advisory Committee	<i>Cr Long, Cr Meddows-Taylor, Cr Lovett</i>
Central Victoria Greenhouse Alliance	<i>Cr Sproull</i>
Municipal Emergency Management Committee	<i>Cr Sproull</i>
Energy Breakthrough Committee	<i>Cr Long</i>
Climate Action Collaboration	<i>Cr Long, Cr Sproull</i>
Walking and Cycling Committee	<i>Cr La Vella</i>

Community Asset Committees (CAC)

Committee	Proposed Representatives
Daisy Hill Community Centre Committee	<i>Cr Meddows-Taylor</i>
Adelaide Lead Hall Committee	<i>Cr Meddows-Taylor</i>
Talbot Town Hall Committee	<i>Cr Meddows-Taylor</i>
Talbot Community Homes Committee	<i>Cr Meddows-Taylor</i>
Dunolly Historic Precinct Management Committee	<i>Cr Long</i>

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025:

Strategy objective: Leading Change

Strategic Priority: Provide financial sustainability and good governance

BACKGROUND INFORMATION

Currently there are 14 committees which Central Goldfield Shire Council may wish to have representation on.

REPORT

It is appropriate for Council to have representation on various committees, especially where significant policy and strategy matters are being considered.

In considering who should be appointed, Councillors are encouraged to consider their personal interests to ensure both that conflicts can be managed appropriately, and that Council can be represented through these positions.

The following tables list the committees to which Councillors have historically been appointed.

External Committees

Current committees include Associations and Regional Alliances which have a board position available for a member of Central Goldfields Shire Council.

Committee/Statutory Body	Type of Committee	Current Representatives	Proposed Representatives
Municipal Association of Victoria	Association	<i>Cr De Villiers Cr La Vella (Alternate)</i>	<i>Cr De Villiers Cr Long (alternative)</i>
Audit and Risk Committee	Statutory	<i>Cr Murphy and Cr Lovett</i>	<i>Cr Murphy, Cr De Villiers</i>
Australia Day Committee	Advisory	<i>All Councillors</i>	<i>All Councillors</i>
Rural Councils Victoria	Association	<i>Cr Sproull</i>	<i>Cr Sproull</i>
CEO Employment Matters Advisory Committee	Advisory	<i>Cr La Vella, Cr Meddows-Taylor and Cr Lovett</i>	<i>Cr Long, Cr Meddows-Taylor, Cr Lovett</i>
Central Victoria Greenhouse Alliance	Association	<i>Cr Sproull (as previously resolved)</i>	<i>Cr Sproull</i>
Municipal Emergency Management Committee	Statutory	<i>Cr De Villiers</i>	<i>Cr Sproull</i>
Energy Breakthrough	Management	<i>Cr Long</i>	<i>Cr Long</i>

Committee			
Climate Action Collaboration	Advisory	<i>Cr Long and Cr Sproull</i>	<i>Cr Long and Cr Sproull</i>
Walking and Cycling	Advisory	<i>Cr Long</i>	<i>Cr La Vella</i>

Community Asset Committees

Community Asset Committees (CACs) are established to manage a specific community asset. Not all community assets are subject to or appropriate for oversight by a CAC, and some may be managed by The Department of Energy, Environment and Climate Action (DEECA).

Council currently has five CACs, and a Councillor representative is usually appointed to a CAC established within their ward.

Committee	Ward Representative
Daisy Hill Community Centre Committee	<i>Cr Meddows-Taylor</i>
Adelaide Lead Hall Committee	<i>Cr Meddows-Taylor</i>
Talbot Town Hall Committee	<i>Cr Meddows-Taylor</i>
Talbot Community Homes	<i>Cr Meddows-Taylor</i>
Dunolly Historic Precinct Management Committee	<i>Cr Long</i>

CONSULTATION / COMMUNICATION:

No consultation is required for this report.

FINANCIAL & RESOURCE IMPLICATIONS:

There are no financial implications outside of the standard Councillor allowance for travel and expenses.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices. Considered appointments to these committees increases their effectiveness and benefit for the community.

CONCLUSION

Council has a number of committees and is associated with or represented on various organisations that require nomination of either Councillors or officers.

ATTACHMENTS

Nil