

# **Annual Statutory Council Meeting**

## **Minutes**

**Monday 23 November 2020**

**Commenced at 7:00 PM**

**Council Chambers  
20 Siding Avenue, Officer**

**Members:** Cr Brett Owen                      Mayor  
                 Cr Jeff Springfield                Deputy Mayor  
                 Cr Ray Brown  
                 Cr Stephanie Davies  
                 Cr Jack Kowarzik  
                 Cr Collin Ross  
                 Cr Tammy Radford  
                 Cr Carol Ryan

**Officers:** Carol Jeffs                      Chief Executive Officer  
                 Doug Evans                                  Manager Governance  
                 Jack Coogan                                Governance Officer

The Chief Executive Officer acting as Temporary Chairman and Returning Officer, opened the meeting at 7pm.

## Order of Business

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## **1 Opening And Prayer**

Almighty God we humbly request that you bestow your blessings upon this Council, direct and prosper our deliberations to the advancement of your glory and to the betterment of the peoples of Cardinia Shire. Amen.

## **2 Acknowledgements**

Cardinia Shire Council acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past, present and emerging.

## **3 Apologies**

## **4 Declaration Of Interests**

Nil

## 5 Ordinary Business

### 5.1 Election of the Mayor

**Responsible GM:** Tom McQualter  
**Author:** Jack Coogan

#### **Recommendation(s)**

That Council proceed to elect the Mayor in accordance with the Cardinia Shire Council Governance Rules to serve for a period of one year, until the Statutory meeting held on 8 November 2021.

#### **Attachments**

Nil

#### **Executive Summary**

To elect a Councillor to the position of Mayor.

#### **Background**

The procedures to be followed for the Election of the Mayor are set out in the Council's Governance Rules, are as follows:

##### **3.67 Procedure for election of Mayor**

3.67.1 Councillors must elect a Councillor to be the Mayor.

3.67.2 The Mayor is to be elected at the Annual Statutory Meeting, and held:

3.67.2.1 after the fourth Saturday in October but not later than 30 November in each year; or

3.67.2.2 as soon as possible after there occurs a vacancy in the office of the Mayor.

3.67.3 Any Councillor is eligible for election or re-election to the office of Mayor.

3.67.4 Until the Mayor is elected, the Chief Executive Officer will be the temporary Chairperson and Returning Officer of the meeting at which the election of Mayor is to be conducted but will have no voting rights.

3.67.5 The election of Mayor is to be in accordance with the following procedure:

3.67.5.1 The Returning Officer must invite nominations for the office of Mayor.

3.67.5.2 If there is only one nomination (which must be seconded), the candidate nominated is deemed to be elected.

3.67.5.3 If there is more than one nomination (each of which must be seconded), the Councillors present at the meeting must vote by show of hands for one of the candidates.

3.67.5.4 If a candidate receives an absolute majority of the votes, that candidate is declared to have been elected.

3.67.5.5 If no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates by a further show of hands. This procedure shall continue until one of the candidates has an absolute majority.

3.67.5.6 In the event of two or more candidates having an equality of votes and one of them having to be declared:

3.67.5.6.1 a defeated candidate; or

3.675.6.2 duly elected

the result must be determined by lot.

3.67.5.7 If a lot is conducted, the Returning Officer has the conduct of the lot

### **Conclusion**

Council is required to elect a Mayor for the coming year to serve until the Statutory Meeting held on 8 November 2021.

## Resolution

The CEO called for nominations for the Office of Mayor

Cr Collin Ross nominated Cr Brett Owen, seconded by Cr Stephanie Davies.

Carried

The previous Mayor, Cr Jeff Springfield then assisted Cr Brett Owen to adorn the Mayoral robes of Office and Cr Owen then took the Chair.

The Mayor then thanked his colleagues for electing him to the position, advising that it was proud occasion and then congratulated the outgoing Mayor Cr Springfield for his term of Office during the uncertain times of 2020.

Cr Owen thanked family and friends for their support and advised that he was looking forward to the coming 12 months.

## 5.2 Election of the Deputy Mayor

**Responsible GM:** Tom McQualter  
**Author:** Jack Coogan

### Recommendation(s)

That Council elect a Deputy Mayor in accordance with the Cardinia Shire Council Governance Rules to serve for a period of one year, until the Statutory meeting held on 8 November 2021.

### Attachments

Nil

### Executive Summary

To elect a Councillor to the position of Deputy Mayor.

### Background

The procedures to be followed for the Election of the Deputy Mayor are the same procedures to elect the Mayor and are as follows:

#### 3.67 Procedure for election of Mayor

3.67.1 Councillors must elect a Councillor to be the Mayor.

3.67.2 The Mayor is to be elected at the Annual Statutory Meeting, and held:

3.67.2.1 after the fourth Saturday in October but not later than 30 November in each year; or

3.67.2.2 as soon as possible after there occurs a vacancy in the office of the Mayor.

3.67.3 Any Councillor is eligible for election or re-election to the office of Mayor.

3.67.4 Until the Mayor is elected, the Chief Executive Officer will be the temporary Chairperson and Returning Officer of the meeting at which the election of Mayor is to be conducted but will have no voting rights.

3.67.5 The election of Mayor is to be in accordance with the following procedure:

3.67.5.1 The Returning Officer must invite nominations for the office of Mayor.

3.67.5.2 If there is only one nomination (which must be seconded), the candidate nominated is deemed to be elected.

3.67.5.3 If there is more than one nomination (each of which must be seconded), the Councillors present at the meeting must vote by show of hands for one of the candidates.

3.67.5.4 If a candidate receives an absolute majority of the votes, that candidate is declared to have been elected.



3.67.5.5 If no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates by a further show of hands. This procedure shall continue until one of the candidates has an absolute majority.

3.67.5.6 In the event of two or more candidates having an equality of votes and one of them having to be declared:

3.67.5.6.1 a defeated candidate; or

3.675.6.2 duly elected

the result must be determined by lot.

3.67.5.7 If a lot is conducted, the Returning Officer has the conduct of the lot

### **3.69 Election of Deputy Mayor**

The procedure for the election of a Deputy Mayor is to be the same as the procedure under clause 3.67 for the election of Mayor.

### **Conclusion**

Council is required to elect a Deputy Mayor to serve until the Statutory Meeting held on 8 November 2021.

## **Resolution**

The Mayor called for nominations for the position of Deputy Mayor.

Cr Collin Ross nominated Cr Carol Ryan, seconded by Cr Ray Brown

Cr Stephanie Davies nominated Cr Jeff Springfield, seconded by Cr Jack Kowarzik

Cr Ryan and Cr Springfield then spoke to their nominations.

The Mayor then put the nominations to a vote, following which Cr Springfield was declared elected as Deputy Mayor.

## 5.3 Council Meeting Dates 2021

**Responsible GM:** Tom McQualter  
**Author:** Jack Coogan

### Recommendation(s)

That Council endorse the following:

1. Meetings for the balance of 2020 be held as follows:  
 7pm Monday 23 November, Council Meeting,  
 7pm Monday 7 December, Town Planning Committee Meeting, and  
 7pm Monday 14 December Council Meeting.
2. The following meeting timetable for 2021 be adopted with all meetings to commence at 7pm to be held in the Council Chamber, Civic Centre, Siding Avenue Officer, unless otherwise notified

Town Planning Committee Meeting	General Council Meeting
January No Meetings	
February 1	February 15
March 1	March 15
April 5	April 19
May 3	May 17
June 7	June 21
July 5	July 19
August 2	August 16
September 6	September 20
October 4	October 18
November 1	November 15
Statutory Council Meeting 8 November	
December 6	December 13

### Attachments

Nil

### Executive Summary

To consider a schedule of meetings for the forthcoming year.

### Background

Council needs to set a schedule of meetings for the balance of 2020 and for 2021.

It is recommended that the same meeting and briefing protocol of convening a Town Planning Committee meeting on the first Monday of each month and a General Council meeting on the third Monday of each month with briefing sessions on Mondays be continued for the coming year.

### **Conclusion**

It is appropriate for Council to settle on a preferred Meeting and Briefing cycle for 2021 and it is recommended that the same meeting and briefing protocol previously adopted be continued.

**Resolution**

Moved Cr Carol Ryan, seconded Cr Graeme Moore.

That Council endorse the following:

1. Meetings for the balance of 2020 be held as follows:  
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November 1	November 15
Statutory Council Meeting 8 November	
December 6	December 13

Carried

**WHITE RIBBON OATH**

Before closing the meeting the Mayor made mention of White Ribbon Day and the forthcoming 16 Days Activism Against gender based violence advising that all persons need to play a part in raising awareness and committing to action that prevents men’s violence against women. In workplaces, schools and communities all over Australia, we all should stand up, speak out and act to end gendered violence.

The Mayor asked all persons to stand and they took the following Oath

I will stand up, speak out and act to prevent men’s violence against women.

## 6 Meeting Closure

Meeting closed at 7:20pm.

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Minutes confirmed  
Chairman