

# **Annual Statutory Council Meeting**

## **Minutes**

**Monday 13 November 2023**

**Commenced at 7:00 PM**

**Council Chambers  
20 Siding Avenue, Officer  
Victoria**

**Members:** Cr Jeff Springfield  
Cr Graeme Moore  
Cr Kaye Cameron  
Cr Collin Ross  
Cr Stephanie Davies  
Cr Brett Owen  
Cr Tammy Radford  
Cr Carol Ryan  
Cr Jack Kowarzik

<b>Officers:</b>	Carol Jeffs	Chief Executive Officer
	Peter Benazic	General Manager Infrastructure and Environment
	Lili Rosic	General Manager Liveable Communities
	Debbie Tyson	General Manager Governance, Facilities and Economy
	Wayne Mack	General Manager Customer, People and Performance
	Peter Harris	Manager Governance, Safety & Property

Meeting opened at 7.00pm.

## Order of Business

<b>1 Opening And Prayer</b> .....	<b>4</b>
<b>2 Acknowledgements</b> .....	<b>4</b>
<b>3 Apologies</b> .....	<b>4</b>
<b>4 Declaration Of Interests</b> .....	<b>4</b>
<b>5 Ordinary Business</b> .....	<b>5</b>
5.1 Election Of The Mayor.....	5
5.2 Election Of The Deputy Mayor.....	8
5.3 Meeting Dates For 2024.....	11
<b>6 Urgent Business</b> .....	<b>13</b>

## **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**

Nil.

## **4 Declaration Of Interests**

## 5 Ordinary Business

### 5.1 Election of the Mayor

**Responsible GM:** Debbie Tyson  
**Author:** Doug Evans

#### **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 Council Election to be held on 26 October 2024.

#### **Attachments**

Nil

#### **Executive Summary**

To elect a Councillor to the position of Mayor for the forthcoming year.

#### **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

### **Policy Implications**

The election of the Mayor is undertaken in accordance with the Governance Rules.

### **Relevance to Council Plan**

#### **5.1 We practise responsible leadership**

5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

### **Climate Emergency Consideration**

There is no Climate Emergency consideration as part of this process

### **Consultation/Communication**

No consultation is required as part of this statutory process.

### **Financial and Resource Implications**

There are no financial or resource implication as part of this report

### **Conclusion**

Council is required to elect a Mayor for the coming year to serve until the Council Election to be held on 26 October 2024.

The Chief Executive Officer opened the meeting and called for nominations for the position of Mayor

Cr Ross nominated Cr Kowarzik seconded by Cr Moore

There being no further nomination Cr Kowarzik was duly elected Mayor and took the Chair

## 5.2 Election of the Deputy Mayor

**Responsible GM:** Debbie Tyson  
**Author:** Doug Evans

### 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 Council Election to be held on 26 October 2024.

### Attachments

Nil

### Executive Summary

To elect a Councillor to the position of Deputy Mayor.

### Background

Under Clause 3.69 of the Governance Rules, the procedures to be followed for the Election of the Deputy Mayor are the same procedures to elect the Mayor, other than Clause 3.67.5.1 where the newly elected Mayor will call for nominations for the Office of Deputy Mayor rather than the Chief Executive Officer acting as Returning Officer.

#### 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

3.67.5.6.2 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

### **Policy Implications**

The process to elect a Deputy Mayor is set out in Councils Governance Rules.

### **Relevance to Council Plan**

#### **5.1 We practise responsible leadership**

5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

### **Climate Emergency Consideration**

There are no Climate Emergency considerations as part of this process

### **Consultation/Communication**

No consultation is required for this statutory process

### **Financial and Resource Implications**

There are no financial or resources implications as part of this report

### **Conclusion**

Council is required to elect a Deputy Mayor to serve until the Council Elections to be held on 26 October 2024.

The Mayor called for nominations for the position of Deputy Mayor

Cr Graeme Moore nominated himself, seconded by Cr Jeff Springfield  
Cr Kaye Cameron nominated Cr Carol Ryan, seconded by Cr Collin Ross  
Cr Stephanie Davies nominated herself, seconded by Cr Collin Ross

Each candidate spoke to their nomination.

The Mayor then put the nominations to a vote.

No Councillor received an absolute majority of votes.

The Mayor declared the Councillor with the least number of votes, Cr Stephanie Davies, a defeated candidate

The Mayor then put the remaining candidates to a further vote and declared Cr Graeme Moore elected as Deputy Mayor.

## 5.3 Meeting dates for 2024

**Responsible GM:** Debbie Tyson  
**Author:** Doug Evans

### Recommendation(s)

That the following meeting timetable for 2024 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 5	February 19
March 4	March 18
No meeting - Easter Monday holiday	April 15
May 6	May 20
June 3	June 17
July 1	July 15
August 5	August 19
September 2	September 6
No meetings in October during Election Period	
	Statutory Council Meeting November 18
	November 25
December 2	December 16

### Attachments

Nil

### Executive Summary

This report sets out the schedule of meetings for the Calendar year 2024, and requests Councillors consider and adopt the timetable of dates proposed.

### Background

Council is required to set a schedule of meetings for the forthcoming calendar year.

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 adopted for the coming year.

It is noted that 2024 is an Election year and depending on when the results of the Election are declared the meeting proposed for November 2024 may need to be corrected.

### Policy Implications

There are no policy implications as part of this report

### Relevance to Council Plan

#### 5.1 We practise responsible leadership

5.1.5 Champion the collective values of the community through the Councillors’ governance of the shire.

**Climate Emergency Consideration**

There are no Climate Emergency considerations as part of this report

**Consultation/Communication**

No consultation is required for this statutory process.

**Financial and Resource Implications**

There are no financial or resource impacts for Council as part of this report.

**Conclusion**

It is appropriate for Council to settle on a preferred Meeting and Briefing cycle for 2024 and it is recommended that the same meeting and briefing protocol previously adopted be continued.

**Resolution**

Moved Cr Collin Ross, seconded Cr Carol Ryan.

That the following meeting timetable for 2024 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 5	February 19
March 4	March 18
No meeting - Easter Monday holiday	April 15
May 6	May 20
June 3	June 17
July 1	July 15
August 5	August 19
September 2	September 16
No meetings in October during Election Period	
	Statutory Council Meeting November 18
	November 25
December 2	December 16

Carried

**6 Urgent Business**

**7 Meeting Closure**