



Minutes

Statutory Council Meeting held at 6.00 PM on Monday 7 November 2022 in the Council Chamber, Pleasant Creek Historic Precinct, Stawell.

Present

Cr Lauren Dempsey
Cr Kevin Erwin
Cr Murray Emerson
Cr Trevor Gready
Cr Rob Haswell
Cr Eddy Ostarcevic PhD

Mr Trenton Fithall, Acting Chief Executive Officer

Affirmation

We recognise the traditional owners of the land.
We are inspired by the early pioneers and by those who gave their lives for our country.
We now ask God's blessing on our deliberations
and on our commitment to build a better lifestyle and environment.

To be confirmed at the meeting of Council on Monday 5 December 2022.

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1. Declare Open the Meeting

The Acting Chief Executive Officer, Trenton Fithall, declared the meeting open.

The Acting Chief Executive Officer advised that for the first part of the meeting he would act as Chairperson while several formal procedures were completed.

2. The Affirmation

The Chairperson, Trenton Fithall, asked all present to observe the Affirmation.

We recognise the traditional owners of the land.

We are inspired by the early pioneers and by those who gave their lives for our country.

We now ask God's blessing on our deliberations and on our commitment to build a better lifestyle and environment.

The Chairperson, Trenton Fithall, asked all present to resume their seats.

3. Apologies and Requests for Leave of Absence

The Chairperson, Trenton Fithall, called for advice of apologies or requests for leave of absence.

There were no apologies received.

The Chairperson advised the meeting that apologies from invited guests would be passed to Councillors.

4. Mayoral Term

The Council may resolve to elect a Mayor for a term of two years. This decision must be made before the Mayor is elected.

The Chairperson, Trenton Fithall, called for any motion.

RESOLUTION

That the term of Mayor be one year.

Moved: Cr Kevin Erwin

Seconded: Cr Murray Emerson

Carried

5. Office of Deputy Mayor

A Council may establish an office of Deputy Mayor. In the event that Council resolves to establish an office of Deputy Mayor, the incoming Mayor will facilitate the election of the Deputy Mayor in accordance with the *Local Government Act 2020* and the *Governance Rules*.

The Chairperson, Trenton Fithall, called for any motion.

RESOLUTION

That Council does not elect a Deputy Mayor for the next 12 months.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

CR DEMPSEY CALLED FOR A DIVISION

FOR THE MOTION – Crs Kevin Erwin, Murray Emerson, Rob Haswell and Trevor Gready

AGAINST THE MOTION – Crs Lauren Dempsey and Eddy Ostarcevic PhD

6. Election of Mayor

The Chairperson, Trenton Fithall, explained that according to Council's Governance Rules the Mayor must be elected by an absolute majority of the Councillors and that the election must be carried out by a show of hands.

Council's Governance Rules excerpt:

(6) In determining the election of the Mayor, the following will apply:

- 6.7.1 the nomination of a candidate for office must be moved and seconded by a *Councillor* other than the nominee and accepted by the nominee;
- 6.7.2 where only one *Councillor* is a candidate for *Mayor* the meeting must declare that *Councillor* to be duly elected as *Mayor*;
- 6.7.3 where two or more nominations are received, a *vote* must be taken and the *Councillor* who receives the number of *votes* equal to or greater than half the *Councillors* of the *Council* must be declared elected;
- 6.7.4 where two candidates have been nominated and no candidate receives the number of votes equal to half the *Councillors* of the *Council*, a second *vote* will be conducted;
- 6.7.5 where, after a second *vote*, two candidates have been nominated and no candidate receives the number of *votes* equal to half the *Councillors* of the *Council* the *Chief Executive Officer* will seek the meeting to resolve to conduct a new election at a meeting to be held at 6pm the following day;
- 6.7.6 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* present at the meeting must then *vote* for one of the remaining candidates;
- 6.7.7 if one of the remaining candidates receives an *absolute majority* of the *votes*, they are duly elected. If none of the remaining candidates receives an *absolute majority* of the *votes* and it is not resolved to conduct a new election at a later day and time, 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;
- 6.7.8 in the event of two or more candidates having an equality of votes and one of them having to be declared:
 - (a) a defeated candidate; and
 - (b) duly electedthe declaration will be determined by lot;
- 6.7.9 If a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:
 - (a) each candidate will draw one lot;
 - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the *Councillors* who received an equal number of *votes* except that if two or more such *Councillors'* surnames are identical, the order will be determined by the alphabetical order of the *Councillors'* first names; and
 - (c) as many identical pieces of paper as there are *Councillors* who received an equal number of *votes* must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the *Councillor* who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further *vote* must be taken on the remaining

candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected); and

6.7.10 no candidate can be elected unless they receive an *absolute majority* of the votes.

The Chairperson, Trenton Fithall, called for nominations for the office of Mayor.

Cr Rob Haswell nominated Cr Kevin Erwin for the position of Mayor for 2022/2023. Cr Trevor Gready seconded the nomination.

The Chairperson, Trenton Fithall, confirmed the acceptance of the nomination with Cr Kevin Erwin.

The Chairperson, Trenton Fithall, declared Cr Kevin Erwin duly elected as Mayor of the Northern Grampians Shire Council for 2022/23.

The Chairperson vacated the Chair and the Mayor assumed the Chair.

Mayor, Cr Kevin Erwin acknowledged the honour of being elected Mayor of the Northern Grampians Shire Council and thanked his fellow councillors for their faith in him to lead the Council. The Mayor paid respect to the late Tony Driscoll and acknowledged the departure of CEO, Liana Thompson. The Mayor said that his first priority was that housing gets done so that people can come to the shire to fill job vacancies and have somewhere to live in. The Mayor thanked Cr Murray Emerson for his term as Mayor and for filling in for Tony Driscoll.

STANDING ORDERS

The Mayor called for a motion to suspend Standing Orders to allow for a number of formal presentations.

RESOLUTION

That Standing Orders be suspended to allow for a number of formal presentations.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

Cr Murray Emerson presented the Mayor with a new gavel and base and congratulated him on his appointment on behalf of the citizens of the shire. The Mayoral chain was presented at this time.

Cr Rob Haswell presented the former Mayor, Cr Murray Emerson with the gavel and base presented to him at the start of his Mayoral term as a personal keepsake, as a token of the esteem and thanks and as a memento of his time in office. In addition to the gavel and base, a small token of gratitude for his service to the shire was also presented.

The former Mayor, Cr Murray Emerson responded briefly thanking the councillors for the opportunity to take over the position of Mayor from the late Tony Driscoll and hoped he had done the position justice for Tony and the shire. He wished Cr Kevin Erwin and Mrs Julie Erwin all the best in the 12 months ahead and thanked his wife, Wendy for her support.

Cr Kevin Erwin presented Mrs Wendy Emerson, with a gift of thanks for her support during the Mayor's term.

Cr Eddy Ostarcevic presented Mrs Julie Erwin with a gift as a gesture to recognise the esteem in which the position of the Mayor's partner is held and in recognition of the support that will be forthcoming for the Mayor over the next year.

The Mayor called for a motion to resume Standing Orders.

RESOLUTION

That Standing Orders be resumed.

Moved: Cr Rob Haswell

Seconded: Cr Murray Emerson

Carried

7. Close

The Mayor declared the meeting closed and invited those present to join Councillors for light refreshments.