



Minutes

Statutory Council Meeting held at 6.00 PM on the Monday 9 November 2020, online via Zoom.

Present

Cr Murray Emerson (Mayor)
Cr Lauren Dempsey
Cr Tony Driscoll
Cr Kevin Erwin
Cr Rob Haswell

Liana Thompson, 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.

Confirmed at the meeting of Council on Monday, 7 December 2020.

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1. Declare Open the Meeting

The Chief Executive Officer, Liana Thompson, declared the meeting open.

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

2. The Affirmation

The Chairperson, Liana Thompson, 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.

3. Apologies and Requests for Leave of Absence

The Chairperson, Liana Thompson, called for advice of apologies or requests for leave of absence.

The Chairperson advised the meeting that earlier in the day Karen Hyslop had tendered her resignation as a councillor of the Northern Grampians Shire Council and would not be in attendance at the statutory meeting.

4. Oath or Affirmation of Office

The Chairperson, Liana Thompson, explained section s 30 of the *Local Government Act 2020* that a person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office specified in the manner prescribed by the regulations.

Under the new Local Government (Governance and Integrity) Regulations 2020:-

- *the oath or affirmation of office can be taken in person, or with the approval of the Chief Executive Office, remotely by means of audio-visual link*

The Chairperson, Liana Thompson, called on each Councillor in turn (alphabetically) to take the Oath or Affirmation of Office.

Lauren Pamela Dempsey	Affirmation
Anthony Gerard Driscoll	Oath
Brian Murray Emerson	Oath
Kevin Alfred Erwin	Oath
Robert John Hamilton Haswell	Affirmation

Each Councillor read aloud the Oath or Affirmation of Office and made a declaration that they had read and would abide by the Northern Grampians Shire Councillor Code of Conduct.

As the Oath or Affirmation of Office was taken by Councillors remotely by means of an audio-visual link, the documentation will be signed and dated by each Councillor and the Chief Executive Officer as required following the meeting.

The Chairperson, Liana Thompson, stated:

'You are now sworn in as Councillors of the Northern Grampians Shire Council. I congratulate all Councillors on being elected and on behalf of the staff we look forward to working with you during your term of office.'



AFFIRMATION OF OFFICE OFFICE OF COUNCILLOR

Lauren Pamela Dempsey

'I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community. I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct. I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgment.'

A handwritten signature in black ink that reads "Lauren Dempsey".

Signed

A handwritten signature in purple ink that reads "Liana Thompson".

Liana Thompson, Chief Executive Officer

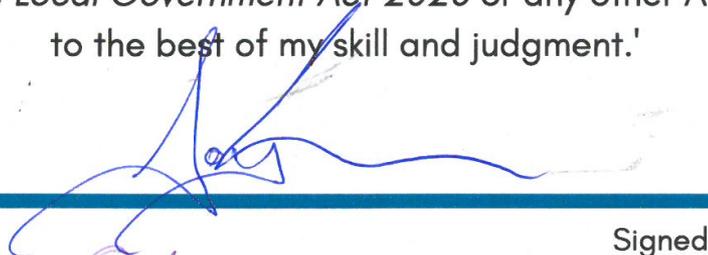
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OATH OF OFFICE OFFICE OF COUNCILLOR

Anthony Gerard Driscoll

'I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community. I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct. I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgment.'



Signed



Liana Thompson, Chief Executive Officer

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OATH OF OFFICE OFFICE OF COUNCILLOR

Brian Murray Emerson

'I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community. I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct. I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgment.'

A handwritten signature in black ink, appearing to be "B. Murray Emerson", written over a blue horizontal line.

Signed

A handwritten signature in purple ink, appearing to be "Liana Thompson", written over a blue horizontal line.

Liana Thompson, Chief Executive Officer

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OATH OF OFFICE OFFICE OF COUNCILLOR

Kevin Alfred Erwin

'I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community. I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct. I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgment.'

A handwritten signature in black ink, appearing to read "Kevin Erwin", positioned above a solid blue horizontal line.

Signed

A handwritten signature in purple ink, appearing to read "Liana Thompson", positioned above a solid blue horizontal line.

Liana Thompson, Chief Executive Officer

9 November 2020



AFFIRMATION OF OFFICE OFFICE OF COUNCILLOR

Robert John Hamilton
Haswell

'I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community. I will abide by the Councillor Code of Conduct and uphold the standards of conduct set out in the Councillor Code of Conduct. I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgment.'

A handwritten signature in black ink, appearing to read 'R. Hamilton', is written over a solid blue horizontal line.

Signed

A handwritten signature in purple ink, appearing to read 'Liana Thompson', is written over a solid blue horizontal line.

Liana Thompson, Chief Executive Officer

9 November 2020

5. 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, Liana Thompson, called for a motion.

RESOLUTION

That Council elect a Mayor for a one year term.

Moved: Cr Murray Emerson

Seconded: Cr Kevin Erwin

Carried

6. Election of Mayor

The Chairperson, Liana Thompson, 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.

The Chairperson, Liana Thompson, called for nominations for the office of Mayor. Nominations must be moved and seconded by a Councillor other than the nominee and accepted by the nominee.

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, he or she 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;*
- 6.7.8 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).*

Cr Rob Haswell nominated Cr Murray Emerson for the position of Mayor for 2020/2021. Cr Tony Driscoll seconded the nomination.

Cr Murray Emerson accepted the nomination.

The Chairperson, Liana Thompson, asked Councillors to vote with a show of hand for the nomination. The nomination was carried unanimously.

The Chairperson, Liana Thompson, declared Cr Murray Emerson duly elected as Mayor of the Northern Grampians Shire Council for 2020/2021.

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

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 Kevin Erwin

Seconded: Cr Tony Driscoll

Carried

Cr Tony Driscoll congratulated the Mayor on his appointment on behalf of the citizens of the Shire and explained that a new gavel and base would be presented to the Mayor at a later date.

The Mayor responded by expressing that it is both a pleasure and a privilege to be put into the Mayoral position for the Northern Grampians Shire and appreciated the opportunity.

Cr Kevin Erwin thanked the Mayor for his service over the last 12 months.

Cr Rob Haswell congratulated the Mayor for his service and thanked Mrs Wendy Emerson for her support during the Mayor's term.

Cr Emerson responded briefly on his previous Mayoral term and the challenges faced throughout the year dealing with the COVID-19 pandemic. The Mayor thanked his fellow Councillors and the CEO and her staff for their support throughout the year.

The Mayor called for a motion to resume Standing Orders.

RESOLUTION

That Standing Orders be resumed.

Moved: Cr Kevin Erwin

Seconded: Cr Rob Haswell

Carried

7. Close

The Mayor declared the meeting closed at 6.20pm.

Confirmed

A handwritten signature in black ink, appearing to read 'Murray Emerson', is written over a light grey rectangular background.

CR MURRAY EMERSON
MAYOR

Date: 7 December 2020