



# Minutes

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Statutory Council Meeting held at 12.30 PM on the Monday 15 August 2022 in the Council Chamber, Pleasant Creek Historic Precinct, Stawell.

## Present

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

Ms 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 5 September 2022.

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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 rise 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, Liana Thompson, asked all present to resume their seats.

## 3. Apologies and Requests for Leave of Absence

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

There were no apologies received.

## 4. Mayoral Term

Section 26(8) of the *Local Government Act 2020* (LGA 2020) states that a Councillor elected to fill a vacancy in the office of Mayor caused other than by the expiration of a one year or a 2 year term serves the remaining period of the previous Mayor's term.

As Mayor Cr Driscoll was elected for a period of one year it was announced that the election of the Mayor would be for the remainder of his term, until the Statutory Council meeting on 7 November 2022.

## 5. Election of Mayor

The Chairperson, Liana Thompson, explained that according to Council's *Governance Rules* she must facilitate the election of the Mayor. She stated that 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 read out the following excerpt from the Governance Rules for determining the election of the Mayor.

*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).*

The Chairperson, Liana Thompson, called for nominations for the office of Mayor.

Cr Trevor Gready nominated Cr Murray Emerson for the position of Mayor to serve the remaining period of the previous Mayor's term for 2021/2022.

Cr Rob Haswell seconded the nomination.

Cr Eddy Ostarcevic nominated Cr Lauren Dempsey for the position of Mayor to serve the remaining period of the previous Mayor's term for 2021/2022.

The nomination was lost for want of a seconder.

The Chairperson, Liana Thompson, confirmed the acceptance of the nomination with Cr Murray Emerson.

The Chairperson, Liana Thompson, declared Cr Murray Emerson duly elected as Mayor of the Northern Grampians Shire Council for the remaining period of the previous Mayor's term for 2021/2022.

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

The Mayor thanked his fellow councillors for their support and stated that it was an important time for councillors to come together to carry on the work that Cr Tony Driscoll had put in place leading up to his courageous fight with cancer.

## **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 Eddy Ostarcevic**

**Seconded: Cr Kevin Erwin**

**Carried**

Cr Eddy Ostarcevic presented the Mayor with a new gavel and base and congratulated him on his appointment on behalf of the citizens of the Shire.

The Mayor, Cr Murray Emerson responded that he was privileged and proud to represent the Northern Grampians Shire again and more privileged to continue the late Cr Tony Driscoll's work.

Cr Murray Emerson acknowledged the former Mayor and Councillor, the late Tony Driscoll, for his contribution to Council over the last nine years.

Cr Lauren Dempsey thanked Mrs Annette Driscoll for her support to the late Cr Tony Driscoll during his terms as Mayor and for his many years as a councillor. She said that a gift would be presented to her at a later date as a token of appreciation.

Cr Eddy Ostarcevic acknowledged the spouse of the newly appointed Mayor, Mrs Wendy Emerson, 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 Chief Executive Officer delivered a supportive message to Mrs Wendy Emerson on behalf of the late Cr Tony Driscoll's wife, Mrs Annette Driscoll.

The Mayor called for a motion to resume Standing Orders.

## **RESOLUTION**

**That Standing Orders be resumed.**

**Moved: Cr Rob Haswell**

**Seconded: Cr Kevin Erwin**

**Carried**

## **6. Close**

**The Mayor declared the meeting closed at 12.52pm.**

Confirmed



CR MURRAY EMERSON  
MAYOR

Date: 5 September 2022