



# **SPECIAL COUNCIL MEETING**

## **MINUTES**

**Election of the Mayor, Election of Deputy Mayor,  
Appointment of Delegates and Adoption of Meeting Schedule**

**WEDNESDAY 13 NOVEMBER 2019  
COMMENCING AT 6.30PM**

**Wycheproof Supper Room  
367 Broadway, Wycheproof**

**Anthony Judd  
Chief Executive Officer  
Buloke Shire Council**

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## **ORDER OF BUSINESS**

### **1. OPENING OF THE MEETING**

The Chief Executive Officer opened the meeting and called for the nomination of a Temporary Chairperson.

**Cr Milne nominated Cr Warren as Temporary Chairperson.**

**No further nominations received.**

### **2. ELECTION OF A TEMPORARY CHAIRPERSON**

**MOTION:**

That Cr Daryl Warren be elected as Temporary Chairperson of the Meeting until election of the Mayor.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR CAROLYN STEWART**

**CARRIED.**

**R656/19**

### **3. WELCOME**

The Temporary Chairperson welcomed VIP's, Councillors and their families, staff, representatives of local community organisations, representatives of the Press and members of the public.

The Temporary Chairperson acknowledged "the traditional owners of the land on which we are meeting and pays our respect to their Elders and to the Elders from other communities who may be here today".

### **4. RECEIPT OF APOLOGIES**

The Temporary Chairperson read the following apologies received by the Chief Executive Officer and asked Councillors if they were aware of any other apologies.

Former Councillor John Shaw  
Past Mayor Reid Mather  
Past Mayor Eddie Lee  
Dr Brian Walklate OAM  
Glenis Bryan OAM  
Advance Sea Lake - Alison McClelland  
Advance Sea Lake - Rachael Pearce  
Charlton Forum - Alan Getley

## 5. COUNCILLOR SERVICE AWARDS

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/06/09

**Attachments:** Nil

The following presentations were made by Ruth Gstrein, Deputy President Rural, Municipal Association Board.

- MAV 10 Year Councillor Service Award for both Cr Ellen White and Cr David Pollard; and the
- MAV Mayor Emeritus Award for Cr Pollard.

### **Executive Summary**

The Municipal Association of Victoria (MAV) recognises the contribution of all Councillors and continues the tradition of conferring awards for long serving Councillors.

#### 2019 MAV Councillor Service Awards – 10 Years

The 2019 MAV Councillor Service Awards program comprises six awards. Long service is recognised at the levels of 10, 15, 20, 25, 30 and 35 years' service.

Applicants must be from current councillors.

Service can be accumulated for multiple Victorian municipalities and does not have to be completed in consecutive years.

Cr Ellen White and Cr David Pollard were both elected to Buloke Shire Council in November 2008 have served as Councillors with this Council for 10 consecutive years.

Cr White and Pollard have both been awarded an MAV 2019 10 Year Councillor Service Award.

#### 2019 MAV Mayor Emeritus Award

The award of Mayor 2019 MAV Emeritus recognises Councillors that have served three full terms or more as Mayor.

Applicants must be from current Councillors.

Service can be accumulated for multiple Victorian municipalities and does not have to be completed in consecutive years.

Cr Pollard served Buloke Shire Council as Mayor for one year from November 2011 to November 2012. He then was again elected as Mayor for two consecutive terms from November 2016 to November 2018.

## 6. ELECTION OF MAYOR AND DEPUTY MAYOR

### 6.1 ELECTION OF MAYOR

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/07/06

**Attachments:** Nil

#### **Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

**Cr Pollard nominated Cr Stewart as the Mayor.**

**No further nominations were received.**

#### **MOTION:**

That Council elects Councillor Cr Carolyn Stewart as Mayor of the Shire of Buloke for the year commencing 13 November 2019 until Council is out of office for the 2020 Local Government Elections.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**R657/19**

#### **1. Executive Summary**

In accordance with the *Local Government Act 1989* and the Buloke Shire Council Local Law Meetings Procedure and Common Seal 2019, Council is required to elect a Mayor.

#### **2. Discussion**

The election of the Mayor procedure is determined by Council's Meetings Procedure and Common Seal 2019, adopted by Council 8 May 2019.

The procedure documented for determining the Election of Mayor is as follows:

##### **Determining the Election of Mayor**

- (1) The temporary Chairperson will invite nominations for the office of Mayor.
- (2) Every nomination shall require a seconder.
- (3) Any Councillor nominated may refuse nomination. If there is only one nomination received, the candidate nominated shall be declared the elected Mayor.
- (4) Where two or more nominations are received, the method of voting will be by show of hands and the Councillor with the absolute majority of votes cast shall be declared elected.

- (5) Where there are two or more nominations and all votes cast equally divided between two or more nominees, the election must be determined by lot.
- (6) If no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated as a candidate and a further poll conducted between the remaining candidates. If there are several candidates, the procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared Mayor.
- (7) If for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by simple majority vote.
- (8) If there is an equality of votes with respect to the candidate to be eliminated, the candidate to be eliminated shall be determined by lot.

### **Determining by Lot**

If a lot is required, the Chief Executive Officer will conduct the lot and the following provisions will apply:

- (1) Each candidate shall draw one (1) lot.
- (2) The order of drawing lots shall be determined by the alphabetical order of the surname of the Councillors who received an equal number of votes, except that if two or more such Councillors' surnames are identical, the order shall be determined by the alphabetical order of the Councillors' first names.
- (3) As many identical pieces of paper as there are Councillors who received an equal number of votes shall be placed in a receptacle by the Chief Executive Officer.
- (4) If the lot is being conducted to determine which candidate is a defeated candidate, the word "Defeated" shall be written on one (1) of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it shall be declared the defeated candidate (in which event a further vote shall be taken on the remaining candidates); or
- (5) If the lot is being conducted to determine which candidate is to be elected, the word "Elected" shall be written on one (1) of the pieces of paper, and the Councillor who draws the paper with the word "Elected" written on it shall be declared to have been duly elected.

### **Mayor to Take Chair**

- (1) After the election of the Mayor is determined, the Mayor must take the Chair.
- (2) The Mayor must take the Chair at all Council meetings at which he or she is present unless precluded from doing so because of a conflict of interest. In the absence of the Mayor, a Councillor must be appointed Acting Chairperson but in making that appointment, the Council must give preference to appointing the Deputy Mayor, if there is one.
- (3) Where neither the Mayor nor a Deputy Mayor is present at a meeting, or the Mayor or Deputy Mayor are precluded from taking the Chair because of a conflict of interest, then the Chief Executive Officer will conduct an election for a temporary Chair in accordance with clause 15 of this Local Law.

## **3. Financial Implications**

There are no financial implications arising as a result of this report.

**4. Cost Shift Considerations**

There are no cost shift considerations as a result of this report

**5. Community Consultation**

No community consultation was required in writing this report

**6. Internal Consultation**

No internal consultation was required in writing this report

**7. Legislative / Policy Implications**

This report enables Council to meet its obligations under the *Local Government Act 1989* and the Meetings Procedure and Common Seal Local Law 2019.

**8. Environmental Sustainability**

There are no environmental sustainability considerations as a result of this report.

**9. Conflict of Interest Considerations**

No officer involved in the preparation of this report had a conflict of interest.

**10. Conclusion**

That Council elects a Mayor for the Buloke Shire Council for the year commencing 13 November 2019 until the Statutory Meeting of 2020.

## 6.2 ELECTION OF DEPUTY MAYOR

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/07/06

**Attachments:**

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

**Cr Milne nominated Cr Pollard as Deputy Mayor.**

**No further nominations were received.**

### **MOTION:**

That Council elects Councillor David Pollard as Deputy Mayor of the Shire of Buloke for the year commencing 13 November 2019 until Council is out of office for the 2020 Local Government Elections.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**R658/19**

### 1. Executive Summary

The *Local Government Act 1989* does not document a requirement for Councils to elect a Deputy Mayor, however it has become customary practice for Buloke Shire Council to do so.

The Election of a Deputy Mayor allows the Council to appoint a Councillor to undertake the role of Chair, during periods of absence of the Mayor.

### 2. Discussion

There is no direct reference to the Election of a Deputy Mayor in the *Local Government Act 1989* however reference is made to this role in the Buloke Shire Council Meetings Procedure and Common Seal Local Law 2019.

Point 2 of the following abstract recognises that the Deputy Mayor will be given preference to take the chair during periods of the Mayor's absence.

#### **Mayor to Take Chair**

- (1) After the election of the Mayor is determined, the Mayor must take the Chair.
- (2) The Mayor must take the Chair at all Council meetings at which he or she is present unless precluded from doing so because of a conflict of interest. In the absence of the Mayor, a Councillor must be appointed Acting Chairperson but in making that appointment, the Council must give preference to appointing the Deputy Mayor, if there is one.



- (3) Where neither the Mayor nor a Deputy Mayor is present at a meeting, or the Mayor or Deputy Mayor are precluded from taking the Chair because of a conflict of interest, then the Chief Executive Officer will conduct an election for a temporary Chair in accordance with clause 15 of this Local Law.

### **3. Financial Implications**

There are no financial implications arising as a result of this report.

### **4. Cost Shift Considerations**

There are no cost shift considerations as a result of this report.

### **5. Community Consultation**

No community consultation was required in writing this report.

### **6. Internal Consultation**

No internal consultation was required in writing this report.

### **7. Legislative / Policy Implications**

This report enables Council to meet its obligations in accordance with its Meetings Procedure and Common Seal Local Law 2019.

### **8. Environmental Sustainability**

There are no environmental sustainability considerations as a result of this report.

### **9. Conflict of Interest Considerations**

No officer involved in the preparation of this report had a conflict of interest.

### **10. Conclusion**

This report enables the Election of a Deputy Mayor in accordance with the Buloke Shire Council Meetings Procedure and Common Seal Local Law 2019.

## **7. STATEMENTS FROM MAYOR AND COUNCILLORS**

The Mayor and Councillors were provided the opportunity to make a Statement.

The Mayor Cr Stewart and Deputy Mayor Cr Pollard both made statements.

## **8. MOTION OF THANKS TO PREVIOUS MAYOR**

**MOTION:**

That Councillor Stewart be thanked for her service as Mayor of the Shire of Buloke for the period 14 November 2018 to 13 November 2019.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR BRONWYN SIMPSON**

**CARRIED.**

**R659/19**

## 9. OTHER BUSINESS

### 9.1 REPORT OF COUNCIL MEETING SCHEDULE

**Author's Title:** Governance Officer

**Department:** Corporate Services

**File No:** GO/05/02

**Attachments:** |

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

#### **MOTION:**

That Council adopts the following Council Meeting Schedule for the current Mayoral Year:

**MOVED: CR DAVID VIS**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**

**R660/19**

Month	Briefing Commencing 5 pm	Ordinary Meeting Commencing 7 pm	Briefing Commencing 3 pm
November 2019		Wycheproof (13)	Charlton (20)
December 2019	Wycheproof (4)	Wycheproof (11)	-
January 2020	-	-	-
February 2020	Birchip (5)	Wycheproof (12)	Donald (19)
March 2020	Sea Lake (4)	Wycheproof (11)	Wycheproof (18)
April 2020	Donald (1)	Wycheproof (8)	Watchem (15)
May 2020	Charlton (6)	Wycheproof (13)	Berriwilllock (20)
June 2020	Birchip (3)	Wycheproof (10)	Wycheproof (17)
July 2020	Sea Lake (1)	Wycheproof (8)	Wycheproof (15)
August 2020	Birchip (5)	Wycheproof (12)	Charlton (19)
September 2020	Sea Lake (2)	Wycheproof (9)	Nullawil (16)
October 2020	Culgoa (7)	Wycheproof (14)	Nandaly (21)

Month	Briefing Commencing 5 pm	Ordinary Meeting Commencing 7 pm	Briefing Commencing 3 pm
November 2020	Donald (4)	Wycheproof (11)  (Ordinary meeting commencing 7:00pm and Statutory Meeting, commencing 6.30pm)	

### 1. Executive Summary

In accordance with section 21 of the Buloke Shire Council Meetings Procedure and Common Seal Local Law No 2019, at its Statutory Meeting Council must fix the date, time and place of Council Meetings and any other meetings required by Council for the Mayoral year.

The proposed Council Meeting Schedule for the Mayoral period is tabled for Council review and consideration.

### 2. Discussion

The proposed Schedule continues to list an Ordinary Meeting on the second Wednesday of each month and a Councillor Briefing on the first and third Wednesday to consider strategic issues, future agendas and hear presentations.

Councillors cannot make decisions at Councillor Briefings but can be briefed on matters being tabled for Council consideration at Ordinary Council Meetings. Councillors can also obtain clarification on issues from staff, address strategic issues and hear presentations from the community and other parties.

As the *Local Government Act 1989* states that the Statutory Meeting must occur after the fourth Saturday in October but not later than 30 November in each year, it is proposed that the Statutory Meeting occur on Wednesday 11 November 2020 preceding the Ordinary Meeting at 6:30pm.

### 3. Financial Implications

Nil.

### 4. Cost Shift Considerations

Nil.

### 5. Community Consultation

The adopted Meeting Schedule will be published in the "Community Matters" in the local papers and placed on Council's website.

Community presentations at the Councillor Briefings will allow key stakeholders, individuals, regional and community organisations to address or present to Councillors on new initiatives, matters before Council, comment on draft policies, strategies, local laws, etc.

Advice will be sent to community forums and development groups to notify them of the adopted Schedule, and invite representatives from their group to address Councillors at the Councillor Briefing scheduled for their district.

**6. Legislative / Policy Implications**

The proposed Council Meeting Schedule has been developed in accord with the provisions of the *Local Government Act 1989* and Council's Meetings Procedure and Common Seal Local Law 2019.

**7. Environmental Sustainability**

Nil.

**8. Conflict of Interest Considerations**

No staff member involved in the preparation of this report had a conflict of interest.

**9. Conclusion**

It is recommended that Council adopts the meeting schedule as listed

## 9.2 REPORT OF APPOINTMENT OF COUNCIL DELEGATES

**Author's Title:** Governance Officer

**Department:** Corporate Services

**File No:** GO/06/06

**Attachments:**

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

### MOTION:

That Council adopts the following list of Council Delegates for appointment.

Organisation	Representative(s)
Audit Committee	Mayor (or Deputy Mayor)
Australian Livestock Saleyards Association Inc.	Cr. Pollard
Buloke and Northern Grampians Landcare Network	Cr. White
Calder Highway Improvement Committee	Cr. Pollard
Central Murray Regional Transport Forum	Cr. White
Central Vic Greenhouse Alliance	Cr. Pollard
Charlton Community Theatre Pty Ltd Board	Cr. Warren
Charlton Park Committee of Management	Cr. Stewart
Charlton Stadium Committee	Cr. Pollard
CFA – Municipal Fire Management Planning Committee	Cr. Milne, Cr. White, Cr. Simpson
Donald 2000 Inc	Cr. Warren
Economic Development and Tourism Committee	Cr. Vis, Cr. Stewart, Cr. Milne
Loddon Mallee Waste and Resource Recovery Group	Cr. Warren
Library Advisory Committee	Cr. White, Cr. Simpson, Cr. Milne
Municipal Association of Victoria	Mayor (or Deputy Mayor)
Municipal Emergency Management Planning Committee	Cr. Pollard, Cr. White
Municipal Flood Management Committee	Cr. Warren, Cr. Pollard
North Central Local Learning Employment Network	Cr. Simpson
North West Municipalities Association	Cr. Warren
Rail Freight Alliance	Cr. Milne

Recreational Water Users Alliance	Cr. Stewart
Rural Councils Victoria	Cr. Pollard
Sunraysia Highway Improvement Committee	Cr. Milne
Watchem Progress Association	Cr. Milne
Wimmera Mallee Tourism Association	Cr. Milne, Cr. Vis (deputy)
Wimmera Southern Mallee Transport Group	Cr. Warren
Workspace Australia	Cr. Warren
Wycheproof Recreation Reserve Committee of Management	Cr. Pollard

**MOVED: CR DARYL WARREN**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**  
**R661/19**

### 1. Executive Summary

The Buloke Shire Council Meetings Procedure and Common Seal Local Law 2019 states that the agenda for the Statutory Meeting must include the following item:

- The appointment of Councillors to any Special or Advisory Committees of the Council, other Committees of Council, as delegates to peak bodies or Council representatives on affiliated organisations or community organisations.

A proposed list of Council Delegates for appointment is tabled for Council consideration.

The following organisations require more than one representative:

- CFA – Municipal Fire Management Planning Committee: One Councillor representative from each Ward
- Municipal Emergency Management Planning Committee: Two Councillor representatives
- Library Advisory Committee: One Councillor representative from each Ward
- Economic Development and Tourism Committee: Three Councillor representatives

### 2. Discussion

Council is represented on a diverse range of state, regional and local organisations. Some of these organisations are established by state statute, or under the *Associations Incorporation Reform Act 2012* or are effectively informal gatherings of individuals.

The distinctions are important in terms of the status of a Councillor as a member of the respective organisation, the nature of the appointment and their powers to commit Council to expenditure or other action.

Many of the organisations will arrange separate insurance cover for Councillor members.

### 3. Financial Implications

There are no capital or recurrent financial implications from this report.

**4. Cost Shift Considerations**

Nil

**5. Community Consultation**

There has been no community consultation to administer this report.

**6. Internal Consultation**

The current list of organisations and committees was reviewed to determine its relevance to Council involvement.

**7. Legislative / Policy Implications**

The Buloke Shire Council Meetings Procedure and Common Seal Local Law 2019 states that the agenda for the Statutory Meeting must include the appointment of Councillors to any Special or Advisory Committees of the Council, other Committees of Council, as delegates to peak bodies or Council representatives on affiliated organisations or community organisations.

**8. Environmental Sustainability**

Council Delegates for environmental organisations have been recommended in this report.

**9. Conflict of Interest Considerations**

No Officer involved in the preparation of this report had a conflict of interest.

**10. Conclusion**

It is recommended that Council appoint Councillors in accordance with the tabled list of Council Delegates.



## **10. MEETING CLOSE**

Meeting closed at 6.41pm.

## **NEXT MEETING**

The next Ordinary Meeting of Council is to be held at 7.00pm of Wednesday 13 November 2019 in the Wycheproof Supper Room.