

MINUTES of a Special Meeting (Statutory Meeting) of the Horsham Rural City Council, held in the Municipal Chambers, Civic Centre, Horsham at 7pm on Thursday 8 November 2018.

1. PRESENT

Cr Pam Clarke, Mayor; Cr Alethea Gulvin, Cr Josh Koenig, Cr Les Power, Cr David Grimble, Cr Mark Radford, Cr John Robinson

ALSO IN ATTENDANCE

Sunil Bhalla, Chief Executive Officer; Graeme Harrison, Director Corporate Services; John Martin, Director Infrastructure; Angela Murphy, Director Development Services; Kevin O'Brien, Director Community Wellbeing; Sue Frankham, Governance Officer (Minute Taker)

2. OPENING

The Chief Executive Officer, Sunil Bhalla, declared open this Special Council Meeting of the Horsham Rural City Council.

3. PRAYER

The Chief Executive Officer, Sunil Bhalla read the Civic Prayer.

4. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

The Chief Executive Officer, Sunil Bhalla read the Acknowledgement of Country Statement.

5. WELCOME

The Chief Executive Officer, Sunil Bhalla, welcomed the Councillors and all present in the Public Gallery.

Mr Bhalla advised the public that the Council meeting will be recorded to maintain an audio archive.

Mr Bhalla acknowledged distinguished guests in the gallery.

Mr Bhalla read the apologies received.

6. APOLOGIES

NIL

7. CONFLICTS OF INTEREST**Disclosure of Interest and Declarations of Conflict of Interest.**

A Councillor who has a conflict of interest and is attending the Council meeting must make a full disclosure of that interest.

(a) by either –

- (i) advising the Council at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
- (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and

(b) classifying the type of interest that has given rise to the conflict as either –

- (i) a direct interest under 77B; or
- (ii) an indirect interest and specifying the particular kind of indirect interest under:

Section 78 – close association

Section 78A – financial interest

Section 78B – conflicting duties

Section 78C – receipt of an applicable gift

Section 78D – consequence of becoming an interested party

Section 78E – impact on residential amenity; and

(c) describing the nature of the interest; and

(d) if the Councillor advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

Members of Staff

Under Section 80C of the Local Government Act 1989, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

NIL

8. OFFICERS REPORTS

8.1 ELECTION OF TEMPORARY CHAIRPERSON

Author's Name: Kerrie Bell

Director: Corporate Services

Author's Title: Manager Governance & Information **File No:** F19/A05/000001

Department: Governance & Information Management

Officer Declaration of Interest

No officer involved in the preparation of this report has any conflicts of interest.

Appendix

Nil

Purpose

To elect a temporary chairperson for this Special Council Meeting.

Summary

The Chief Executive Officer will call for nominations for a temporary chairperson.

Recommendation

That Council elect Cr _____ as temporary chairperson.

Moved Cr Koenig, Seconded Cr Gulvin that Council elect Cr Clarke as temporary chairperson.

CARRIED

The temporary chair Cr Clarke assumed the chair.

8.2 ADDRESS BY THE OUTGOING MAYOR

Author's Name: Kerrie Bell

Director: Corporate Services

Author's Title: Manager Governance & Information **File No:** F19/A05/000001

Department: Governance & Information Management

Officer Declaration of Interest

No officer involved in the preparation of this report has any conflicts of interest.

Appendix

Nil

Purpose

For the outgoing Mayor to address the meeting.

Summary

The outgoing Mayor will address the meeting.

Recommendation

That Council receive and note the address by Cr Pam Clarke, the outgoing Mayor.

The outgoing Mayor to addressed the meeting.

Moved Cr Power, Seconded Cr Koenig that Council receive and note the address by Cr Pam Clarke, the Outgoing Mayor.

CARRIED

Cr Power made a presentation to Cr Clarke, the outgoing Mayor.

Cr Gulvin made a presentation to Mr Michael Clarke.

8.3 TERM OF MAYOR

Author's Name: Kerrie Bell

Director: Corporate Services

Author's Title: Manager Governance & Information **File No:** F19/A05/000001

Department: Governance & Information Management

Officer Declaration of Interest

No officer involved in the preparation of this report has any conflicts of interest.

Appendix

Nil

Purpose

To consider and resolve on the term of the next Mayor.

Summary

The Council may resolve to elect a Mayor for a term of one or two years. This decision must be made before the Mayor is elected (s.71(2)). If no decision is made, the term of the Mayor remains as one year.

The Local Government Act 1989, Section 71, outlines the requirements relating to the election of the Mayor of the Council and the term for which a Mayor is elected.

Section 71 of the Local Government Act 1989 provides:

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected –
 - (a) after the fourth Saturday in October but not later than 30 November in each year; or
 - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
 - (b) as soon as possible after any vacancy in the office of Mayor occurs.

Recommendation

That Council elect the Mayor for a term of _____ year/s.

Moved Cr Grimble, Seconded Cr Gulvin that Council elect the Mayor for a term of one year.

CARRIED

8.4 ELECTION OF MAYOR

Author's Name: Kerrie Bell

Director: Corporate Services

Author's Title: Manager Governance & Information **File No:** F19/A05/000001

Department: Governance & Information Management

Officer Declaration of Interest

No officer involved in the preparation of this report has any conflicts of interest.

Appendix

Nil

Purpose

To elect a Mayor for the Horsham Rural City Council.

Summary

The Local Government Act 1989, section 71, outlines the requirements relating to the election of the Mayor of the Council and the term of which a Mayor is elected.

Section 71 of the Local Government Act 1989 provides:

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected –
 - (a) after the fourth Saturday in October but not later than 30 November in each year; or
 - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
 - (b) as soon as possible after any vacancy in the office of Mayor occurs.
- (4) The election of a Mayor after the period specified in this section does not invalidate the election.
- (5) Repealed
- (6) The Mayor of a Shire Council may be titled the President.
- (7) Any reference to Mayor includes a reference to Lord Mayor or President as the case may be.

Section 90(ca) of the LGA explains that "voting at a meeting that is open to members of the public must not be in secret".

Accordingly, the election of the Mayor must not be done by secret ballot, and will be done by show of hands.

The Chair will then call for nominations for Mayor for the ensuing 12 or 24 months as determined by separate resolution.

Recommendation

That Council duly elect Cr _____ to be the Mayor of the Horsham Rural City Council for the agreed term.

Cr Koenig nominated Cr Radford to be the Mayor of the Horsham Rural City Council for the agreed term. Cr Radford accepted the nomination.

Cr Clarke presented the Mayor, Cr Radford with the gavel and Mayoral Chain of office and wished him a very happy term in Office.

Cr Clarke expressed the hope that there will never be wanting people of sound judgement and learning, ready to undertake the work of local government as a vocation and that mutual service may unite all people of this municipality to work together for the common good.

Cr Clarke returned to the Council table.

Cr Koenig made a presentation to the Mayoress, Mrs Anne Radford.

8.5 ADDRESS BY THE INCOMING MAYOR

Author's Name: Kerrie Bell

Director: Corporate Services

Author's Title: Manager Governance & Information **File No:** F19/A05/000001

Department: Governance & Information Management

Officer Declaration of Interest

No officer involved in the preparation of this report has any conflicts of interest.

Appendix

Nil

Purpose

For the incoming Mayor to address the meeting.

Summary

The incoming Mayor will address the meeting.

Recommendation

That Council receive and note the address by the incoming Mayor.

Moved Cr Power, Seconded Cr Clarke that Council receive and note the address by the incoming Mayor, Cr Mark Radford.

CARRIED

On behalf of the organisation, Sunil Bhalla, Chief Executive Officer, welcomed the newly elected Mayor of the Horsham Rural City Council stating that he looks forward to working with him and will give his best support.

9. CLOSE

There being no further items of business the Mayor, Cr Radford declared the meeting closed at 7.37pm.



27 November 2018 | 2:03:25 PM AEDT

The Mayor, Cr M Radford
Chairperson