

AGENDA

SPECIAL COUNCIL MEETING OF THE HORSHAM RURAL CITY COUNCIL

To be held on

8 November 2018

At 7.00pm

In the

Council Chambers, Civic Centre

18 Roberts Avenue, HORSHAM

COUNCILLORS are respectfully requested to attend the Special Council Meeting of the Horsham Rural City Council to be held in the Municipal Chambers, Civic Centre, Horsham at 7.00pm on 8 November 2018.

Order of Business

1. PRESENT

2. OPENING

3. PRAYER

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

4. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

The Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Wergaia, Jupagalk, Jaadwa and Jadawadjali people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

5. WELCOME

Welcome to distinguished guests or persons in the public gallery.
The public are advised that the Council meeting will be recorded to maintain an audio archive.

6. APOLOGIES

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.

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CLOSE



SUNIL BHALLA

Chief Executive Officer

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.

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.

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.

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.

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.

Close: There being no further items of business the meeting closed at __pm.