

# AGENDA

SPECIAL MEETING OF THE  
**HORSHAM RURAL CITY COUNCIL**

To be held on  
**7 November 2019**  
At 5.30pm

In the  
**Council Chamber, Civic Centre**  
**18 Roberts Avenue, HORSHAM**



**Horsham Rural City**  
Council urban rural balance

**COUNCILLORS are respectfully requested to attend the Special Meeting  
of the Horsham Rural City Council to be held on 7 November 2019  
in the Municipal Chambers, Civic Centre, Horsham at 5.30pm**

**Order of Business**

**PRESENT**

**ALSO IN ATTENDANCE**

**1. 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

**2. 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.

**3. OPENING AND 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.

**4. APOLOGIES**

## 5. 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.

<b>6. OFFICERS REPORTS.....</b>	<b>5</b>
6.1 ELECTION OF TEMPORARY CHAIRPERSON .....	5
6.2 TERM OF THE MAYOR.....	6
6.3 ELECTION OF THE MAYOR .....	7
6.4 ADDRESS BY THE INCOMING MAYOR.....	9

**CLOSE**



SUNIL BHALLA  
Chief Executive Officer

## 6. OFFICERS REPORTS

### 6.1 ELECTION OF TEMPORARY CHAIRPERSON

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A05/000001

#### Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* –  
Section 80C:

Yes  No

**Reason:** Nil

#### Status

Information classified confidential in accordance  
with *Local Government Act 1989* – Section 77(2)(c):

Yes  No

**Reason:** Nil

#### 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 for this Special Council Meeting.

## 6.2 TERM OF THE MAYOR

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A05/000001

### Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* – Section 80C:

Yes  No

**Reason:** Nil

### Status

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes  No

**Reason:** Nil

### Appendix

Nil

### Purpose

To determine the term of the next Mayor for the Horsham Rural City Council.

### Summary

Council may resolve to elect the Mayor for a term of one or two years. This decision must be made before the Mayor is elected [*Local Government Act 1989, section 71(2)*]. If no decision is made, the term of the Mayor will remain as one year.

The requirements for election of the Mayor of the Council and the term for which the Mayor is elected is set out in the *Local Government Act 1989, section 71*, as follows:

- (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.

As there is only one year left in current Council term, the Mayor can be elected only for one year.

### Recommendation

That Council elect the Mayor for a term of one year.

### 6.3 ELECTION OF THE MAYOR

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A05/000001

**Officer Direct or indirect Conflict of Interest**

In accordance with *Local Government Act 1989* – Section 80C:

Yes  No

**Reason:** Nil

**Status**

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes  No

**Reason:** Nil

#### Appendix

Nil

#### Purpose

To elect a Mayor for the Horsham Rural City Council.

#### Summary

Council may resolve to elect the Mayor for a term of one or two years. This decision must be made before the Mayor is elected [*Local Government Act 1989, section 71(2)*]. If no decision is made, the term of the Mayor will remain as one year.

The requirements for election of the Mayor of the Council and the term for which the Mayor is elected is set out in the *Local Government Act 1989, section 71*, as follows:

- (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
  - (c) 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 *Local Government Act 1989* states 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.



## 6.4 ADDRESS BY THE INCOMING MAYOR

<b>Author's Name:</b>	Diana McDonald	<b>Director:</b>	Graeme Harrison
<b>Author's Title:</b>	Co-ordinator Governance	<b>Directorate:</b>	Corporate Services
<b>Department:</b>	Governance and Information	<b>File Number:</b>	F19/A05/000001

### Officer Direct or indirect Conflict of Interest

In accordance with *Local Government Act 1989* – Section 80C:

Yes  No

Reason: Nil

### Status

Information classified confidential in accordance with *Local Government Act 1989* – Section 77(2)(c):

Yes  No

Reason: Nil

### 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 incoming Mayor's address.