



# Statutory Council Meeting Minutes

**Tuesday 17 November 2020 at 6:00 pm**

**Council Chambers  
East Gippsland Shire Council Corporate Centre  
273 Main Street, Bairnsdale 3875**

*Councillors*

*Crs Arthur Allen, Sonia Buckley, Tom Crook, Jane Greacen OAM,  
Mark Reeves, Trevor Stow, Mendy Urie (Mayor), Kirsten Van  
Diggele and John White*

## Our Vision

**East Gippsland is the most liveable region in Australia.** A place of natural beauty, enviable lifestyles, and opportunities.

## Our Mission

A leading local government that works together with our communities to make East Gippsland the most liveable region in Australia.

## Our Values

### **Accountability**

We will take responsibility for our actions and decisions in an open and transparent way.

### **Inclusion**

We will be accessible and active in engaging with our community. We will invite, listen to and seek to understand the views of others, and proactively share information about Council's plans, projects, services and activities.

### **Integrity**

We will honour our commitments and conduct ourselves in an honest, ethical way.

### **Respect**

We will value, support and help to develop our diverse community. We will respect the views and contributions of others and act with courtesy and consideration in all our interactions.

### **Resourcefulness**

We will turn the challenges faced by our community into opportunities by being flexible and innovative in our response. We will actively seek better and more cost-effective ways to achieve the best outcomes for East Gippsland

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**Anthony Basford**  
**Chief Executive Officer**

## **1. Procedural**

### **1.1 Chief Executive Officer presiding**

The Chief Executive Officer, Mr Anthony Basford, presided over the Statutory meeting until the determination of the Mayor.

The Chief Executive Officer is required under section 30 of the *Local Government Act* 2020 (the Act), refer **Attachment 3**, to administer the Oath or Affirmation of Office to Councillors-elect. Further, in accordance with section 25, the Chief Executive Officer must chair the election of the Mayor.

### **1.2 Opening and Recognition of Traditional Custodians**

The Chief Executive Officer, on behalf of Council, acknowledged the Gunaikurnai People, the Traditional Owners of the land on which the meeting was held. The Chief Executive Officer also paid respects to the Elders both past and present.

### **1.3 Apologies**

Nil

### **1.4 Declaration of Conflict of Interest**

Nil

### **1.5 Next meeting**

An Ordinary Council Meeting is scheduled to be held on Tuesday 1 December 2020, to be held at the Council Chambers, Corporate Centre, 273 Main Street, Bairnsdale commencing at 6.00 pm and will be livestreamed.

## 2. Councillor Oath or Affirmation of Office

In accordance with section 30 of the Act a person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office in the manner prescribed by regulation. A Councillor-elect can choose whether they wish to say an oath, or an affirmation, as outlined in **Attachment 1**.

The Act requires the oath or affirmation of office to be administered by the Chief Executive Officer and each Councillor will date and sign the oath or affirmation before the Chief Executive Officer (section 30).

Section 31 of the Act stipulates that the office of a Councillor becomes vacant if a person elected to be a Councillor fails to take the oath or affirmation of office within 3 months of the date the person was declared elected.

A Councillor-elect who does not take the oath or affirmation of office will be unable to vote in the election of Mayor or Deputy Mayor. Only Councillors can vote in the election of the Mayor or Deputy Mayor.

In accordance with section 30 of Act, the Oath or Affirmation of Office made by the following Councillors are recorded in the minutes of this meeting:

- Cr Arthur Allen
- Cr Sonia Buckley
- Cr Tom Crook
- Cr Jane Greacen OAM
- Cr Mark Reeves)
- Cr Trevor Stow
- Cr Mendy Urie
- Cr Kirsten Van Diggele
- Cr John White

## 3. Term of Office of Mayor

Section 26 of the Act requires that before the election of the Mayor a Council must determine by resolution whether the Mayor is to be elected for 1 or 2 years.

In addition, section 26 requires the election for the next Mayor to be held on a day that is close to the end of the term, decided as reasonably practicable.

### RECOMMENDATION

***That Council resolves to determine that the term of office of the Mayor will be for a one year or two-year term.***

***Cr Mark Reeves / Cr Trevor Stow***

***THAT COUNCIL RESOLVES TO DETERMINE THAT THE TERM OF OFFICE OF THE MAYOR WILL BE FOR A ONE YEAR TERM.***

***CARRIED UNANIMOUSLY 17/11/20***

#### 4. Election of Mayor

The Act, pursuant of section 25, requires that at a Council meeting that is open to the public the Councillors must elect a Councillor to be the Mayor of the Council. Any Councillor is eligible for election or re-election to the office of Mayor.

The election of the Mayor must occur within one month of the date of the general election.

The term of the Mayor elected at this meeting will end at 6.00 am on the next Statutory Meeting date (refer Item 3 of this agenda).

Section 25 of the Act stipulates that the Mayor must be elected by an absolute majority of the Councillors. An absolute majority as defined by section 25(7) of the Act means the number of Councillors which is greater than half the total number of the Councillors of a Council. Governance Rule 5.4 requires that the election of the Mayor must be carried out by a show of hands.

Nominations will be sought for the position of Mayor.

***Required wording of nomination:***

***I, Cr \_\_\_\_\_, nominate Cr \_\_\_\_\_ for the position of Mayor of East Gippsland Shire Council.***

***Or***

***I, Cr \_\_\_\_\_ nominate myself for the position of Mayor of East Gippsland Shire Council.***

Prior to calling for nominations for the position of Mayor, the Chief Executive Officer provided an outline of the role and responsibilities of the position.

The Chief Executive Officer then called for nominations for the position of Mayor of East Gippsland Shire Council. The following nominations were received:

Cr Jane Greacen OAM nominated Cr Mendy Urie for the position of Mayor. The nomination was accepted by Cr Mendy Urie.

Cr John White nominated Cr Sonia Buckley for the position of Mayor. The nomination was accepted by Cr Sonia Buckley

Cr Mendy Urie and Cr Sonia Buckley spoke on the Mayoral position.

As more than one nomination had been received, a vote of show of hands was taken with the following outcome:

Votes in support of the nomination for Cr Mendy Urie –

Crs Allen, Crook, Greacen OAM, Reeves, Stow, Urie and Van Diggele

Votes in support of the nomination for Cr Sonia Buckley –

Crs Buckley and White

The Chief Executive Officer declared Cr Mendy Urie duly elected Mayor for the 2020/21 Council year.

The Chief Executive Officer, on behalf of the East Gippsland Shire Council staff, congratulated Cr Mendy Urie on her election to the role of Mayor.

*The newly elected Mayor Cr Mendy Urie assumed the Chair at this juncture.*

Cr Mendy Urie thanked the Councillors and provided her acceptance speech.

In doing so, Councillors congratulated Cr Mendy Urie on her election to the role of Mayor.

Cr Mendy Urie acknowledged the Gunaikurnai People, the Traditional Owners of the land on which the meeting was held and paid respects to the Elders both past and present.

## **5. Election of Deputy Mayor**

The East Gippsland Shire Council traditionally elects a Deputy Mayor as this provides clarity to all Councillors regarding who steps in for the Mayor if they are unavailable. The Act, in section 21, provides that the Deputy Mayor must perform the role of the Mayor and may exercise any powers of the Mayor if:

- a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- b) the Mayor is incapable of performing the duties of the office of Mayor for any reason including illness; or
- c) the office of Mayor is vacant.

### **RECOMMENDATION**

***That Council resolves to establish the office of the Deputy Mayor or that Council does not establish the office of the Deputy Mayor.***

***Cr Arthur Allen / Cr Jane Greacen OAM***

***THAT COUNCIL RESOLVES TO ESTABLISH THE OFFICE OF THE DEPUTY MAYOR.***

***CARRIED 17/11/20***

*For: Crs Allen, Crook, Greacen OAM, Reeves, Stow, Urie, Van Diggele and White*

*Against: Cr Buckley*

In addition, the election for the next Deputy Mayor is required to be held on a day that is close to the end of the determined Mayoral term, as reasonably practicable. This will occur at the same time as the election of the Mayor.

The term of the Deputy Mayor elected at this meeting will end at 6.00 am on the next Statutory Meeting.

The election of the Deputy Mayor will be conducted by the Mayor in accordance with section 27 of the Act and the Governance Rules (Rule 5 – Election of Mayor) at **Attachment 2**. Governance Rule 5.4 requires that the election of the Deputy Mayor must be carried out by a show of hands.

***Required wording of nomination:***

***I, Cr \_\_\_\_\_, nominate Cr \_\_\_\_\_ to the position of Deputy Mayor of East Gippsland Shire Council.***

***Or***

***I, Cr \_\_\_\_\_ nominate myself for the position of Deputy Mayor of East Gippsland Shire Council.***

At this point in the meeting, the newly elected Mayor calls for nominations from Councillors for the position of Deputy Mayor.

The following nominations were received:

Cr Trevor Stow nominated Cr Mark Reeves for the position of Deputy Mayor. The nomination was accepted by Cr Mark Reeves

Cr John White nominated Cr Sonia Buckley for the position of Deputy Mayor. The nomination was accepted by Cr Sonia Buckley

Cr Mark Reeves and Cr Sonia Buckley spoke on the Deputy Mayor position.

As more than one nomination had been received, a vote of show of hands was taken with the following outcome:

Votes in support of the nomination for Cr Mark Reeves –

Crs Allen, Crook, Greacen OAM, Reeves, Stow and Urie

Votes in support of the nomination for Cr Sonia Buckley –

Crs Buckley, Van Diggele, and White

The Mayor declared Cr Mark Reeves duly elected as Deputy Mayor for the 2020/2021 Council Year.

Cr Mark Reeves thanked the Councillors and provided his acceptance speech.



## **Attachments**

1. Councillor Oath/Affirmation of Office signed copies are included in these minutes).
2. Extracts from the Governance Rules
3. Extracts from the *Local Government Act 2020*

## **6. Close of meeting**

Meeting closed at 7.04 pm.

Confirmed \_\_\_\_\_

Cr Mendy Urie, Mayor  
Date: 1 December 2020