



## **GLEN EIRA CITY COUNCIL**

### **SPECIAL COUNCIL MEETING**

under s84(3) of the Act

**WEDNESDAY 1 NOVEMBER 2017**

### **AGENDA**

**Meeting to be held in the Council Chamber,  
Corner Hawthorn & Glen Eira Roads, Caulfield  
at 7.30 pm**

*"The primary object of a Council  
is to endeavour to achieve  
the best outcomes for the local community  
having regard to the  
long term and cumulative effects of decisions."*

- s3c(1) Local Government Act

**Councillors:** Councillor Tony Athanasopoulos  
Councillor Clare Davey  
Councillor Mary Delahunty  
Councillor Margaret Esakoff  
Councillor Jamie Hyams  
Councillor Jim Magee  
Councillor Joel Silver  
Councillor Dan Sztrajt  
Councillor Nina Taylor

**Chief Executive Officer:** Rebecca McKenzie

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**SPECIAL MEETING OF GLEN EIRA CITY COUNCIL  
to be held in the Council Chamber, Glen Eira Council Offices,  
corner Hawthorn Road and Glen Eira Road, Caulfield  
at 7.30pm on Wednesday 1 November 2017**

**ELECTION OF CHAIRPERSON**

**1. ACKNOWLEDGEMENT**

In the spirit of respect Council acknowledges the people and elders of the Boon Wurrung people of the Kulin Nation past and present who have traditional connections and responsibilities for the land on which Council meets.

**2. APOLOGIES**

**3. OATH OF OFFICE AND DISCLOSURE OF INTERESTS**

Councillors are reminded that we are bound by our Oath of Office to undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Glen Eira and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the Local Government Act or any other Act, to the best of our skill and judgement.

Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to the item listed for consideration on the Agenda, or which are considered at this meeting, in accordance with Sections 77 to 79 of the Local Government Act.

**4. ELECTION OF MAYOR AND DEPUTY MAYOR**

- 4.1 Election of the Mayor
- 4.2 Election of the Deputy Mayor

**ITEM 4. ELECTION OF THE MAYOR AND DEPUTY MAYOR****4.1 ELECTION OF THE MAYOR**

Clauses 211 and 212 of Council's Local Law 2009 regulate proceedings for the election of the Mayor in accordance with section 71 of the Local Government Act 1989 as follows:

211. *The Chief Executive Officer shall preside over the election of Mayor and Deputy Mayor.*

212.

- (1) *The Chief Executive must call for nominations, from those Councillors present at the meeting of Council called under section 71 of the Local Government Act 1989 for the purpose of election of the Mayor, for candidates for election as Mayor.*
- (2) *A Councillor may decline his or her nomination as a candidate.*
- (3) *If there is only one candidate, the Chief Executive must declare that candidate elected as Mayor.*
- (4) *If there is more than one candidate, the Chief Executive must conduct a poll, by show of hands, with voting to take place for each candidate in turn in the order in which his or her nomination was received.*
- (5) *The Chief Executive must declare elected as Mayor the candidate receiving an absolute majority of votes.*
- (6) *If no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated and a further poll conducted as in accordance with sub-clause 212(4). If there are several candidates, this procedure must be continued until a candidate receives an absolute majority of votes.*
- (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 lot by the Chief Executive Officer.*
- (8) *If where there are two candidates, the vote is tied such that neither candidate receives an absolute majority of votes, the Chief Executive must conduct a further poll to attempt to break the deadlock. If the second vote is also tied, the candidate to be declared as Mayor shall be determined by lot by the Chief Executive Officer.*
- (9) *For the purpose of this clause, an "absolute majority of votes" means a number of votes greater than one half of the total number of votes lawfully cast in the poll.*

**Election of the Mayor**

The Chief Executive Officer to call for nominations for the office of the Mayor.

In accordance with clauses 211 and 212 of Council's Local Law 2009, the Chief Executive Officer puts the nominations to the vote.

The Chief Executive Officer declares Cr ..... elected as Mayor of Glen Eira City Council for the 2017 / 18 Council year.

## 4.2 ELECTION OF THE DEPUTY MAYOR

Clauses 211 and 213 of Council's Local Law 2009 regulate proceedings for the election of the Deputy Mayor in accordance with section 71 of the Local Government Act 1989 as follows:

213.

- (1) *A Deputy Mayor must be elected at each meeting referred to in clause 212(1) of the Local Law after a Mayor has been declared elected under clause 212.*
- (2) *The Chief Executive must call for Councillors present at the meeting to nominate candidates for election as Deputy Mayor. Any Councillor, other than the Mayor is eligible for election or re-election to the office of Deputy Mayor and may be nominated.*
- (3) *A Councillor may decline his or her nomination as a candidate.*
- (4) *If there is only one candidate, the Chief Executive must declare that candidate elected as Deputy Mayor.*
- (5) *If there is more than one candidate, the Chief Executive must conduct a poll, by show of hands, with voting to take place for each candidate in turn in the order in which his or her nomination was received.*
- (6) *The Chief Executive must declare elected as Deputy Mayor the candidate receiving an absolute majority of votes.*
- (7) *If no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated and a further poll conducted in accordance with sub-clause 213(4). If there are several candidates, this procedure must be continued until a candidate receives an absolute majority of votes.*
- (8) *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 lot by the Chief Executive Officer.*
- (9) *If where there are two candidates, the vote is tied such that neither candidate receives an absolute majority of votes, the Chief Executive must conduct a further poll to attempt to break the deadlock. If the second vote is also tied, the candidate to be declared as Deputy Mayor shall be determined by lot by the Chief Executive Officer.*
- (10) *For the purpose of this clause, an "absolute majority of votes" means a number of votes greater than one half of the total number of votes lawfully cast in the poll.*
- (11) *The office of Deputy Mayor becomes vacant in the circumstances set out in relation to a Mayor in sections 72(1)(a)-(d) of the Local Government Act 1989.*
- (12) *If the office of Deputy Mayor becomes vacant for any reason prior to the date of each meeting referred to in clause 212(1) of the Local Law, then the Council may at an ordinary meeting elect a Deputy Mayor in accordance with sub-clauses 213(2) – (10).*
- (13) *During any period that the Mayor is absent or unable to act, the Deputy Mayor shall act as the Mayor. During any period that both the Mayor and the Deputy Mayor are absent or unable to act then the most recent former Mayor who is present and able to act shall act as Mayor.*

**Election of the Deputy Mayor**

The Chief Executive Officer to call for nominations for the office of the Deputy Mayor.

In accordance with clauses 211 and 213 of Council's Local Law 2009, the Chief Executive Officer puts the nominations to the vote.

The Chief Executive Officer declares Cr ..... elected as Deputy Mayor of Glen Eira City Council for the 2017 / 18 Council year.

**ITEM 5.1 APPOINTMENTS OF COUNCILLORS TO EXTERNAL COMMITTEES AND ADVISORY COMMITTEES****Author:** *Janice Pouw, Co-ordinator Councillor Business***File No:** *N/A***Attachments:** *Nil***PURPOSE AND SUMMARY**

To provide Councillors with an opportunity to consider Council representative and substitute appointments to external committees and appointments to Council's Advisory Committees for the 2017/18 Council year.

**RECOMMENDATION**

That Council appoints Councillors as their representatives and a substitute to the External Committees and Advisory Committees listed below for the 2017/18 Council year.

**External Committees**

<b>Committee</b>	<b>Date Appointed</b>	<b>Councillors Appointed 2016/17 year</b>
Metropolitan Local Government Waste Forum	13 December 2016	Cr Silver - representative
Metropolitan Transport Forum (MTF)	13 December 2016	Cr Athanasopoulos – representative Cr Silver – substitute
Municipal Association of Victoria (MAV)	13 December 2016	Cr Esakoff – representative Cr Taylor – substitute

**Council's Advisory Committees**

<b>Committee</b>	<b>Date Appointed</b>	<b>Councillors Appointed 2016/17 year</b>
Arts & Culture Advisory Committee	7 February 2017	Cr Esakoff Cr Delahunty Cr Hyams
Audit Committee	15 November 2016	Cr Magee Cr Athanasopoulos
CEO Employment Matters Committee	7 February 2017	Cr Delahunty Cr Magee Cr Silver
Citizen of the Year	15 November 2016	Cr Davey Cr Hyams Cr Silver



Community Consultation Advisory Committee	7 February 2017	Cr Athanasopoulos Cr Sztrajt Cr Hyams
Community Grants Advisory Committee	7 February 2017	Cr Sztrajt Cr Athanasopoulos Cr Taylor
Local Laws Advisory Committee	7 February 2017	No appointments (minimum 3 Councillors)
Recreation & Leisure Advisory Committee	7 February 2017	Cr Silver Cr Taylor Cr Hyams Cr Athanasopoulos
Strategic Transport Advisory Committee	7 February 2017	Cr Athanasopoulos Cr Davey Cr Magee
Sustainability Advisory Committee	7 February 2017	Cr Taylor Cr Davey Cr Delahunty

### **BACKGROUND**

Following the municipal election in October 2016, Councillors were appointed to external and advisory committees at meetings in November and December 2016 and in February 2017. All of the committees' terms of reference were to be reviewed prior to Councillor appointments to committees. However, some of the committees were required to meet shortly after the election to meet timelines.

### **ISSUES AND DISCUSSION**

It is proposed that, in future, all committee appointments will be made annually following the election of the Mayor and Deputy Mayor to align the committees with the Council year.

The Citizen of the Year Advisory Committee requires Councillors to be appointed in early November to enable the recommendation for award recipients to be presented to Council at the 28 November 2017 Council meeting.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no financial, resource or asset management implications associated with this report.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

There are no policy or legislative implications associated with this report.

### **COMMUNICATION AND ENGAGEMENT**

There was no communication and engagement associated with this report

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Five – Informed and Engaged

A transparent and accountable Council that engages its residents in decision-making.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

**CONCLUSION**

It is recommended that Councillors are appointed to the external and advisory committees listed in the recommendation for the 2017/18 Council year.

**6. CLOSURE OF MEETING**