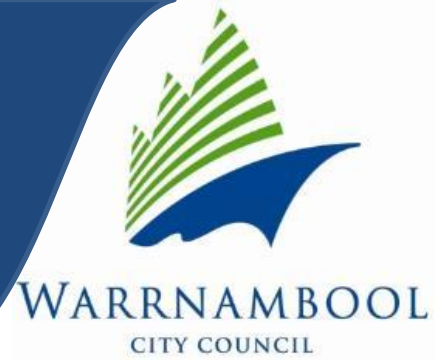


MINUTES

Annual (Statutory) Meeting
Warrnambool City Council
5.45pm - Monday 28 October 2019



VENUE:
Reception Room
25 Liebig Street
Warrnambool

COUNCILLORS

Cr. Tony Herbert (Mayor/Chairman)
Cr. Robert Anderson
Cr. Sue Cassidy
Cr. Kylie Gaston
Cr. Peter Hulin
Cr. Michael Neoh
Cr. David Owen

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can be obtained online at www.warrnambool.vic.gov.au

Peter B. Schneider
CHIEF EXECUTIVE OFFICER

AUDIO RECORDING OF COUNCIL MEETINGS

All Open and Special Council Meetings will be audio recorded, with the exception of matters identified as confidential items in the agenda. This includes public participation sections of the meeting. Audio recordings of meetings will be made available for download on the internet via the Council's website by noon the day following the meeting and will be retained and publicly available on the website for 12 months following the meeting date. The recordings will be retained for the term of the current Council, after which time the recordings will be archived and destroyed in accordance with applicable public record standards. By participating in Open and Special Council meetings, individuals consent to the use and disclosure of the information that they share at the meeting (including any personal/sensitive information), for the purposes of Council carrying out its functions.

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MINUTES OF THE ANNUAL (STATUTORY) MEETING OF THE WARRNAMBOOL CITY COUNCIL HELD IN THE RECEPTION ROOM, WARRNAMBOOL CIVIC CENTRE, 25 LIEBIG STREET, WARRNAMBOOL ON MONDAY 28 OCTOBER 2019 COMMENCING AT 5.45PM

PRESENT: Cr. Tony Herbert, Mayor/Chairman
Cr. Robert Anderson
Cr. Sue Cassidy
Cr. Kylie Gaston
Cr. Peter Hulin
Cr. Michael Neoh
Cr. David Owen

IN ATTENDANCE: Mr Peter B. Schneider, Chief Executive Officer

1. OPENING AND WELCOME

The Chief Executive Officer opened the meeting and welcomed everyone to the Annual (Statutory) Meeting.

The Chief Executive Officer advised that the Warrnambool Standard newspaper had requested to take photos during the meeting with Council having no objection to the request.

2. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

Almighty God
Grant to this Council
Wisdom, understanding and Sincerity of purpose
For the Good Governance of this City
Amen.

ORIGINAL CUSTODIANS STATEMENT

I wish to acknowledge the traditional owners of the land on which we stand and pay my respects to their Elders past and present.

3. APOLOGIES
Nil.

4. DECLARATION BY COUNCILLORS OF ANY CONFLICT OF INTEREST (INCLUDING DIRECT OR INDIRECT PECUNIARY INTEREST IN ANY ITEM ON THE AGENDA)

Nil.

5. TERM OF OFFICE OF MAYOR

PURPOSE

To determine the Term of Office of the Mayor.

Section 71(2) of the *Local Government Act 1989* provides that councils may determine the term of the position of Mayor (one or two years) before they elect a councillor as Mayor. It is necessary to determine the term before the election of the Mayor can occur.

Where the Mayor is elected for a 2 year term, the next election of the Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election.

As there is only 1 year left of the current Council term, the Term of Office for the Mayor can only be for 1 year.

MOVED: CR. ANDERSON
SECONDED: CR. HULIN

That the Term of Office of the Mayor for Warrnambool City Council be for 1 year.

CARRIED – 7:0

6. PROCEDURE FOR ELECTION OF MAYOR

PURPOSE

This report is to give information regarding the procedure for Election of the Mayor.

INTRODUCTION

- 1) The election of the *Mayor* will be conducted in accordance with the provisions of *the Act* and Governance (Meeting Procedures) Local Law No. 1 – 2016.
- 2) The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected.
- 3) Before nominations for the office of *Mayor* are invited by the *Chief Executive Officer*, the *Council* must resolve if the term of the *Mayor* is to be for one (1) year or two (2) years.
- 4) Any nominations for the office of *Mayor* must be made verbally by *Councillors* present at the meeting.
- 5) A nomination for *Mayor* does not require a seconder.
- 6) If there is only one nomination, the *Councillor* nominated is deemed to be elected.
- 7) If there is more than one nomination, a vote must be taken to elect one of the candidates nominated.
- 8) Before a vote is conducted, each of the candidates shall be invited to speak to their nomination in alphabetical order of their surnames. No candidate may speak for more than three (3) minutes.
- 9) If a candidate receives a *Majority of the votes*, that candidate is declared to have been elected.
- 10) If no candidate receives a *Majority of the votes*, the candidate with the fewest number of votes is declared to be a defeated candidate. A further vote will then be taken for the remaining candidates. This process shall continue until one of the candidates has received a *Majority of the votes*. That candidate is then declared elected.
- 11) In the event of two (2) or more candidates having an equality of votes and one (1) of them having to be declared a defeated candidate, the result must be determined by lot.

- 12) The following provisions apply to the conduct of the lot:
- a) each candidate will draw one (1) lot;
 - b) the order of drawing lots will be determined by the alphabetical order of the surnames of the *Councillors* who received an equal number of votes except that if two (2) or more such *Councillors*' surnames are identical, the order will be determined by the alphabetical order of the *Councillors*' first names;
 - c) as many identical pieces of paper as there are *Councillors* who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be *Written* on one (1) of the pieces of paper, and the *Councillor* who draws the paper with the word "Defeated" *Written* on it must be declared the defeated candidate;
 - d) if only one candidate remains, that candidate is deemed to be elected; and
 - e) if more than one candidate remains, a further vote must be taken on the remaining candidates and the above process repeated if necessary, in which case that candidate will be declared duly elected.
- 13) The *Chief Executive Officer* will declare the result of the election and the successful candidate.

MOVED: CR. HERBERT
SECONDED: CR. NEOH

That this report be received.

CARRIED– 7:0

7. NOMINATIONS TO BE CALLED FOR THE POSITION OF MAYOR

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

If more than one candidate is nominated, before a vote is conducted, each of the candidates shall be invited to speak to their nomination in alphabetical order of their surnames. No candidate may speak for more than three (3) minutes.

- Cr. Anderson nominated Cr. Sue Cassidy for the position of Mayor.
- Cr. Owen nominated Cr. Tony Herbert for the position of Mayor.

Each candidate nominated for the position of Mayor was given the opportunity to speak for 3 minutes in with Cr. Cassidy speaking first followed by Cr. Herbert.

REQUEST FOR EXTENSION OF SPEAKING TIME FOR MAYORAL CANDIDATE CR. SUE CASSIDY

MOVED: CR. HULIN
SECONDED: CR. ANDERSON

That an extension of speaking time of 5 minutes be given for Mayoral Candidate Cr. Sue Cassidy.

CARRIED – 7:0

REQUEST FOR EXTENSION OF SPEAKING TIME FOR MAYORAL CANDIDATE CR. TONY HERBERT

MOVED: CR. GASTON
SECONDED: CR. NEOH

That an extension of speaking time of 5 minutes be given for Mayoral Candidate Cr. Tony Herbert.

CARRIED – 7:0

8. ELECTION OF MAYOR

The Chief Executive Officer advised that the Mayoral nominations would be placed before the Council in alphabetical order.

- Councillor Sue Cassidy's nomination was placed before the Council:

Cr Cassidy was supported by Crs. Anderson, Hulin and Cassidy

- Councillor Tony Herbert's nomination was placed before the Council:

Cr. Herbert was supported by Crs. Neoh, Gaston, Owen and Herbert.

As Councillor Tony Herbert received 4 votes and Councillor Cassidy 3 votes, Cr. Tony Herbert was duly elected as Mayor for 2019/20 Council Term.

9. PRESENTATION TO INCOMING MAYOR

- a) The Mayoral Pendant and Gavel were presented to the Mayor.

The Mayoral Pendant is a Badge of the office of Mayor, and is a token of the Mayor's authority in the Civic life of the community. May it remind you, and all who wear it, of the solemn duties, obligations and responsibilities of the Office of Mayor.

- b) Congratulations and support were conveyed from Cr. Anderson, Cr. Neoh, Cr. Cassidy, Cr. Owen, Cr. Gaston, Cr. Hulin and the Chief Executive Officer.
- c) The elected Mayor for 2019/20, Cr. Tony Herbert addressed the meeting.

10. CEREMONIAL MOTIONS**PURPOSE**

This report lists various ceremonial motions to be considered at the Council's Annual Meeting on 28 October 2019.

a) MOTION OF LOYALTY

MOVED: CR. GASTON
SECONDED: CR. OWEN

That Warrnambool City Council declare its loyalty and allegiance to Australia, the State of Victoria and the citizens of Warrnambool.

CARRIED – 7:0

b) MOTION TO PREVIOUS MAYORS & COUNCILLORS

MOVED: CR. ANDERSON
SECONDED: CR. OWEN

That Warrnambool City Council places on record its appreciation to past Mayors and Councillors who have served on the Warrnambool City Council.

CARRIED – 7:0

c) MOTION TO PARLIAMENTARIANS

MOVED: CR. CASSIDY
SECONDED: CR. GASTON

That the Warrnambool City Council places on record its appreciation to the Federal and State Members of Parliament who represent the Warrnambool area and who have willingly contributed to the governance and well being of the City and its services through their roles as Members of Parliament.

CARRIED – 7:0

d) MOTION COMMUNITY MEMBERS OF ADVISORY COMMITTEES AND VOLUNTEERS

MOVED: CR. OWEN
SECONDED: CR. ANDERSON

That the Warrnambool City Council places on record its appreciation to the Citizens of this City and district who have willingly contributed to the governance and well being of the City and its services through their service as community members of advisory committees and as volunteers, assisting in many Council and community activities.

CARRIED – 7:0

e) **MOTION TO RECOGNISE THE SISTER CITY RELATIONSHIP WITH MIURA, JAPAN & CHANGCHUN, CHINA**

MOVED: CR. NEOH
SECONDED: CR. ANDERSON

That Warrnambool City Council place on record its commitment to international peace and understanding by its participation in the Sister City Relationship with Miura, Japan and Changchun, China.

CARRIED – 7:0

f) **MOTION OF RECOGNITION OF WORKING RELATIONSHIPS WITH COUNCILS OF THE GREAT SOUTH COAST REGION**

MOVED: CR. CASSIDY
SECONDED: CR. OWEN

That Warrnambool City Council place on record its desire to work for the well being of the region through co-operation with councils of the Great South Coast region.

CARRIED – 7:0

11. CLOSE OF MEETING

The meeting closed at 6.37pm with Councillors, senior officers, special guests and members of the community in the public gallery invited to join the Mayor and Councillors for light refreshments at the conclusion of the Annual Meeting in the foyer of the Lighthouse Theatre.

CHAIRMAN

I certify that these minutes were confirmed at a subsequent meeting of Council.

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CR. TONY HERBERT
MAYOR