



**Bass Coast Shire Council
Minutes for Special Meeting
Wednesday, 8 November 2017
Council Chamber, Bass Coast Civic Centre,
Baillieu Street East,
Wonthaggi
5.00pm**

- 1. These minutes are due to be confirmed on 15 November 2017**
- 2. Any decision included in these minutes is subject to change resulting from a rescission motion passed by Council.**

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Meeting commenced

The meeting commenced at 5.01pm

Acknowledgement: Cr Rothfield read the acknowledgement.

Statement: Cr Rothfield read the Councillor Statement.

A Present and Apologies

Councillors: Cr Pamela Rothfield, Island Ward (Mayor)
Cr Brett Tessari, Bunurong Ward (Deputy Mayor)
Cr Julian Brown, Bunurong Ward
Cr Les Larke, Bunurong Ward
Cr Stephen Fullarton, Island Ward
Cr Michael Whelan, Island Ward
Cr Geoff Ellis, Western Port Ward
Cr Clare Le Serve, Western Port Ward

Officers in Attendance:

Ms Allison Jones, Acting Chief Executive Officer
Mr Mark Brady, General Manager Finance and Organisation
Development
Mr David Elder, General Manager Healthy Communities and
Governance
Ms Felicity Sist, General Manager Infrastructure and Environment
Mr Peter Francis, Acting General Manager Advocacy, Character
and Economy
Mrs Lee-Anne Harmer, Governance Officer

Apologies: Cr Bruce Kent, Western Port Ward

B Mayoral Report

B.1 Mayoral Report - Cr Pamela Rothfield

I would like to thank my colleagues for the trust they have shown in me, enabling me to take up the position of Mayor for the last 12 months. It has been an honour and a privilege to represent my community both as a Councillor and as Mayor.

The past 12 months in the Chair has been an absolute delight. We have had our challenges, however we have achieved a great deal, putting us in a strong position to continue moving forward with our goals and objectives. I am so proud of you, my colleagues. I could not have hand-picked a more diverse, interesting and intelligent group.

Just as a brief summary of our achievements, I think we would all agree that this year's Council Plan was lifting the bar, insofar as community engagement goes. Our community spoke and we listened.

I also believe we have upheld the promises we all made during our election campaigns, although some may not be so apparent – but are nevertheless progressing in the background; we have constructed our financial plans within the parameters of a rate-capped environment; we have beefed up and made a real focus of advocacy, for which we have seen stunning results – namely the funding of the Wonthaggi Secondary College and the Cape Paterson Surf Life Saving Club. This continues now with our medical needs for both Wonthaggi with the much needed upgrade to its emergency department as well as a 24 hour medical solution for the Island.

We have also focussed on asset renewal reaching the desired 100%.

Our recreational objectives are underway, with the completion of the skate strategy, play space strategy and working towards a more inclusive and active Bass Coast. We have allocated resources to the refurbishment of the Wonthaggi Union Community Arts Centre and continue to support the many varied and valuable creative groups and initiatives locally.

We have continued to work through the milestones of the Phillip Island and San Remo Visitor Economy Strategy which ties in well to our environmental goals, where we have a very clear focus on mitigating our coastal erosion and protection of our natural environment including the increase in indigenous planting.

We successfully rolled out the Organics waste collection, which has seen a significant increase in waste diverted from Landfill, as our fight in the War on Waste continues.

We move into the year ahead, more experienced yet still with the desire to achieve all those objectives on our lists. Reviewing our Planning scheme will be one of our big objectives.

These achievements listed form only the tip of the iceberg for our 2017 progress. I did promise to be brief, so I won't go on, though I could easily fill an evening discussing what we have accomplished and are working towards.

A year ago – we were essentially nine individuals (almost strangers) coming together to form a Council. We complete this year being a cohesive body, comprising nine intelligent and strong friends, who respect each other's views. We now all know a great deal more about the operation of Council from the inside and also that each of us come from a position of community/environmental good in reaching our decisions.

In the year ahead we will enter the State Government election phase – this is a very important period for us, and one where our advocacy will reach its zenith. I look forward to being part of this team and building on what we have achieved this year.

Reports Requiring Council Decision

C Reports Requiring Council Decision

C.1 Election of Mayor

File No:	CM17/738
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

Section 71 of the *Local Government Act 1989* requires Councillors to elect a Mayor of the Council. All Councillors are eligible for election or re-election to the office of Mayor.

The Mayor can be elected for a one year or two year term, however this decision must be made before the Mayor is elected. If no decision is made, the term of the Mayor remains at one year.

Where two or more nominations are received an election will be held. Voting will be by show of hands in accordance with Section 90 of the *Local Government Act 1989*.

The election will be conducted by the Chief Executive Officer. Once the Mayor has been elected, he or she will Chair the remainder of the meeting.

Background

Section 73 of the *Local Government Act 1989* (Act) specifies that the Mayor must take precedence at all municipal proceedings within the municipal district and must chair all meetings at which he/she is present. If there is a vacancy in the position of Mayor, or the Mayor is absent from a meeting, Council must appoint another Councillor to be the acting Mayor. If Council chooses to appoint a Deputy Mayor, then the acting Mayor role will usually be filled by the Deputy Mayor. An acting Mayor may perform any function or exercise any power conferred on the Mayor.

Under s73AA of the Act the functions of the Mayor of a Council include:

- (a) providing guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65, and the observation of the Councillor conduct principles and the Councillor Code of Conduct by Councillors under sections 76B, 76BA and 76C; and
- (b) acting as the principal spokesperson for the Council; and
- (c) supporting good working relations between Councillors; and
- (d) carrying out the civic and ceremonial duties of office of Mayor.

Under Section 90 (1) (e) the Mayor receives a casting vote where necessary.

Strategic Basis**Council Plan Objective:**

Governance – *Increase transparency*

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
- Be diligent in ensuring services meet community need and are cost effective
- Manage our financial resources and report on our performance
- Engage with the community on decisions that impact them
- Explore other alternatives for revenue opportunities

Strategic Indicator:

Strategic Indicators	Measures
Community Satisfaction with Council Decisions	Achieve the top quartile of Large Rural Councils
Transparency of Council decisions	Achieve the top quartile of Large Rural Councils
Community Satisfaction with Consultation and Engagement	Achieve the top quartile of Large Rural Councils
Community satisfaction with customer contact	Achieve the top quartile of Large Rural Councils
Local Government Performance Reporting Framework (LGPRF) – Financial Performance	Measures that are reported are within the top quartile for Large Rural Councils as identified in the LGPRF
Victorian Auditor General Office (VAGO) Financial Sustainability indicators	The Strategic Resource Plan and the Long Term Financial Plan to meet or better VAGO low risk indicators
Other financial and non-financial performance indicators	Adjusted underlying operation result aims to achieve an operating surplus Implementation of monthly and year to date financial reporting, with plain English version for our Community Implementation of monthly and year to date non-financial performance reporting, with plain English version for our Community Increased efficiencies as a result of information technology improvements

Strategic Indicators	Measures
Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Finances

The *Local Government Act 1989* requires Council to determine the level of Councillor and Mayoral allowance within six months of a general election. The Mayoral Allowance is currently set at \$76,521 per annum with a 9.5% superannuation guarantee.

All Councillors are entitled to resources and support as outlined in the Provision of Resources to Councillors Policy. In addition to this the Mayor is provided with high level administration support, a furnished Mayoral office with a desktop computer, and private use of a medium sized executive vehicle.

Stakeholders

All residents, ratepayers and visitors are stakeholders in the decision to elect the Mayor.

Statutory Requirements/Codes/Standards/Policies

Under s.71(2) of the *Local Government Act 1989* Council must elect a Mayor, but first determine whether the term of Mayor will be for one year or two years. Traditionally Council has decided on a one year term.

The election of the Mayor is conducted in accordance with Part 9 of Bass Coast Shire Council's Meeting Procedure Local Law 2009.

Other Options

There are no other options as it is a requirement under the Act to elect a Mayor.

Recommendation

1. That Council determine the term of office for the Mayor as being for either one year or two years.
2. That the term of office for the Mayor commence immediately following the election and conclude at 6am on the date of the Special Meeting in one year, or two years, subject to the outcome of recommendation one.
3. That nominations be invited for the election of the Mayor.

Attachments

There are no attachments for this report

Council Decision

Moved: Cr. Michael Whelan / Seconded: Cr. Stephen Fullarton

- 1. That the term of office for the Mayor of Bass Coast Shire Council commencing this evening be for one year concluding at 6.00am on the day of the Council Meeting at which the next Mayor is elected.**
- 2. That Cr Rothfield be nominated as Mayor of Bass Coast Shire Council for the 2017/18 term.**

CARRIED UNANIMOUSLY

The Acting Chief Executive Officer removed herself from the position of Chair. Cr Pamela Rothfield assumed position of Chair.

C.2 Election of the Deputy Mayor

File No:	CMI7/739
Division:	Healthy Communities and Governance
Council Plan Strategic Objective:	Governance
	We are responsive, open, transparent and financially sustainable

Declaration

The author has no direct or indirect interests in relation to this report.

Summary

The *Local Government Act 1989* does not recognise the role of Deputy Mayor other than the need to appoint an acting Mayor in the event of the Mayor being absent, incapable of acting, or resigning in accordance with Section 73 of the *Local Government Act 1989*.

However, the Council may agree to appoint to the position of Deputy Mayor and undertake an election in line with Bass Coast Shire Council's Meeting Procedure Local Law 2009.

Background

The role of Deputy Mayor in the past has included:

- Deputising for the Mayor at civic functions, Mayoral engagements and other meetings at which the Mayor is required to represent Council.
- Being nominated to chair Council Meetings in the absence of the Mayor
- Acting as Council spokesperson under Council's Communication and Engagement Strategy in the absence of the Mayor.

Strategic Basis**Council Plan Objective:**

Governance – *Increase transparency*

Council Plan Objective:

Governance – *We are responsive, open, transparent and financially sustainable*

Strategic Outcome:

- Provide equitable distribution of resources across the Shire
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Strategic Indicator:

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Communications and Engagement Strategy 2015-18 actions implemented	Complete Strategy implementation by June 2018
Develop and Implement a Revenue Strategy	Strategy developed and actions implemented

Finances

The *Local Government Act 1989* (Act) requires Council to determine the level of Councillor and Mayoral allowance within six months of a general election. The Councillor Allowance is currently valued at \$24,730 per annum with a 9.5% superannuation guarantee.

All Councillors are entitled to resources and support as outlined in the Provision of Resources to Councillors Policy.

Stakeholders

All residents, ratepayers and visitors are stakeholders in the decision to elect the Deputy Mayor.

Statutory Requirements/Codes/Standards/Policies

The Bass Coast Shire Council Meeting Procedure Local Law 2009 does set out the procedure used for electing a Deputy Mayor if Council determines the position of Deputy Mayor is required.

Other Options

The Council could decide not to create a position of Deputy Mayor.

Recommendation

- 1. That Council determine if the position of Deputy Mayor is to be continued.**
- 2. That subject to the outcome of Recommendation 1, Council determine the term of office for the Deputy Mayor as being for either one year or two years.**
- 3. That the term of office for the Deputy Mayor commence immediately following the election and conclude at 6am on the date of the Special Meeting in one year, or in two years, subject to the outcome of Recommendations 1 and 2.**
- 4. That subject to the outcome of Recommendation 1, nominations be invited for the election of the Deputy Mayor.**

Attachments

There are no attachments for this report

Council Decision

Moved: Cr. Stephen Fullarton / Seconded: Cr. Clare Le Serve

- 1. That Council determine the position of Deputy Mayor is to be continued.**
- 2. That the term of office for the Deputy Mayor of Bass Coast Shire Council commencing this evening be for one year concluding at 6.00am on the day of the Council Meeting at which the next Mayor is elected.**
- 3. That Cr Brett Tessari be nominated as Deputy Mayor of Bass Coast Shire Council for the 2017/18 term.**

CARRIED UNANIMOUSLY

Mayoral Announcement Of Next Meeting Of Council

The next **Ordinary Council meeting** will be held on Wednesday, 15 November 2017 in the Bass Coast Civic Centre Council Chamber, Baillieu Street East, Wonthaggi commencing at 5.00pm.

Meeting closed

The meeting closed at 5.22pm