

ORDINARY MEETING OF COUNCIL 3 OCTOBER 2018



14.4 ALTERATION TO 2018 COUNCIL MEETING CYCLE

EXECUTIVE MEMBER: KYLIE BENNETTS, DIRECTOR, OFFICE OF THE CEO

PREPARED BY: MURRAY CHICK, COORDINATOR GOVERNANCE

1. PURPOSE

To seek Council endorsement of a proposed alteration to the 2018 Council meetings timetable by rescheduling the:

- Special Council Meeting for the election of the Mayor from 14 November 2018 to 28 November 2018.
- Planning Committee Meeting from 28 November 2018 to 14 November 2018.

2. EXECUTIVE SUMMARY

- 2.1 The meeting schedule for Ordinary Council Meetings for 2018 was adopted by Council at its meeting held on 6 December 2017.
- 2.2 Council's Meetings Procedure Local Law No. 2/2009 requires Council to set the dates, time and places for Council and Planning Committee meetings. Council may by further resolution alter any such dates, times and places.
- 2.3 The Special Council meeting to elect the Mayor is scheduled to be held on 14 November 2018, which is within the caretaker period for the 2018 State election.
- 2.4 Moving the Special Council meeting out two weeks to the 28 November 2018 will result in the timing of the meeting to elect the Mayor being outside of the State Election Caretaker period but will still comply with the requirements of Local Government Act (i.e. Council must elect a Mayor by 30 November each year).
- 2.5 If the Special Council meeting to elect the Mayor is moved to 28 November 2018, the Planning Committee originally scheduled to be held on that date is recommended to be moved back two weeks and be held on 14 November 2018.

3. RECOMMENDATION

That Council

- 3.1 Reschedules the date and timing of the Special Council Meeting to elect the Mayor from 6.30pm Wednesday 14 November 2018 to 5.30pm Wednesday 28 November 2018, to be held in the St Kilda Town Hall.
- 3.2 Reschedules the date and timing of the Planning Committee Meeting from 6.30pm Wednesday 28 November 2018 to 6.30pm Wednesday 14 November 2018, to be held in the St Kilda Town Hall

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4. KEY POINTS/ISSUES

- 4.1 Council's current adopted meetings schedule states that a Special Council meeting to elect the Mayor will be held at 6.30pm on Wednesday 14 November 2018 at the St Kilda Town Hall.
- 4.2 The date of this Special Council meeting falls within the caretaker period for the 2018 State election. The caretaker period commences on 30 October 2018 until the election day of 24 November 2018.
- 4.3 Three Councillors have indicated that they will be nominating as candidates for the State election. Some or all of the Councillors who are standing at the State Election may decide to take a leave of absence from Council during the State Election caretaker period. It should be noted that there is no legal requirement for the Councillors to take a leave of absence. Any Councillor taking a leave of absence would be unable to attend the 14 November 2018 Special Council Meeting to elect the Mayor (and a Deputy Mayor if Council so determines). Ideally such an important meeting of Council should be scheduled at a time that gives all Councillors the best chance to attend.
- 4.4 To avoid this situation, this report recommends moving the Special Council Meeting from 14 November 2018 to 28 November 2018. The revised later date is after the State Election caretaker period and will give all Councillors the best opportunity to attend the meeting to elect the Mayor (and Deputy Mayor).
- 4.5 Given that Council has a Planning Committee scheduled to commence at 6.30pm on 28 November 2018, this report proposes that the Special Council meeting to elect the Mayor commence at 5.30pm. The Planning Committee is recommended to be rescheduled to 6.30pm 14 November 2018.
- 4.6 Council of course retains the option of making no change to the meetings timetable and hold the Special Council Meeting to elect the Mayor on 14 November 2018 as originally scheduled. This date complies with the Local Government Act and has been publicised on Council's website throughout the year. However, as previously detailed, there is a possibility that up to three Councillors would not be able to attend the meeting and therefore not be able to vote on the election of the Mayor or Deputy Mayor.
- 4.7 A further option is for Council to hold the election of the Mayor as the first item of business for the Ordinary Meeting of Council scheduled for 5 December 2018 which is outside of the State election caretaker period. However, this date is after 30 November which is the prescribed date under the Local Government Act by which Council needs to have elected a Mayor. It would also result in the elected Mayor having a shorter Mayoral term than usual.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 The potential rescheduling of the Special Council meeting to elect the Mayor has been discussed by the Councillors.



6. LEGAL AND RISK

- 6.1 Legal and risk implications are minimal. Council must give at least seven days public notice of Council meetings (unless urgent or extraordinary circumstances exist).
- 6.2 Under the Local Government Act Council is required to elect a Mayor after the fourth Saturday in October but not later than 30 November in each year. If the date of the meeting to elect the Mayor is moved to 28 November 2018, Council will still comply with the Local Government Act.

7. FINANCIAL IMPACT

- 7.1 The recommendation contained in this report will have no financial impact.

8. ENVIRONMENTAL IMPACT

- 8.1 The recommendation contained in this report will have no environmental impact.

9. COMMUNITY IMPACT

- 9.1 The intent of this report is to give all Councillors the best opportunity to represent their constituents by being able to attend the Special Council meeting to elect the Mayor.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The setting of dates, times and places for Council Meetings is consistent with Council's strategic direction and commitment to the community of a financially sustainable, high performing, well governed organisation that puts the community first.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

- 11.1.1 Council's website will be immediately updated and in mid-October a public notice will advise the community of the revised November Council meeting cycle.

11.2 COMMUNICATION

- 11.2.1 Advertisements are placed in the Leader newspaper on a monthly basis advising of upcoming Council meetings for that month.

12. OFFICER DIRECT OR INDIRECT INTEREST

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

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ATTACHMENTS Nil