

# Borough of Queenscliffe

## Special Meeting of Council

### Minutes

Monday 25 November 2024 at 5:30PM

Queenscliff Town Hall



**Borough of Queenscliffe**  
Queenscliff & Point Lonsdale, Victoria, Australia



## Community Vision

The Borough is a special and restorative place, renowned for its distinctive coast, rich living heritage and vibrant culture. Our community is caring, and welcoming to visitors. We have a deep respect for the Wadawurrung People and are taking action to protect Country.

## Our Values

1. **Integrity:** We take ownership and responsibility for our decisions and are accountable for all that we do.
2. **Respect:** We treat everyone with dignity, fairness and empathy, look out for the safety and wellbeing of others, and nurture positive and inclusive relationships.
3. **Community Focus:** We always work with our community's experience in mind and take pride in supporting our community.
4. **Sustainability:** We place climate change risks at the core of our decision-making, and take extensive action to protect our natural environment.
5. **Openness:** We actively engage with our community and are transparent in our decision-making.

## Acknowledgement of Country

*Bellawiyn* is the Wadawurrung name for the lands where the Borough of Queenscliffe is located.

Council acknowledges the Traditional Owners of these lands, waters and skies, the Wadawurrung People.

We acknowledge and respect their continuing connections to their lands, waters, skies, culture and the contribution they make to the life and spirit of our community.

We pay respect to their past and present Elders and extend this respect to all Aboriginal and Torres Strait Islander peoples.



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## 1. Opening of Meeting

Martin Gill, Chief Executive Officer, declared the meeting open at 5:34pm.

### 1.1 Chair of The Meeting

Consistent with clause 7 of the Borough of Queenscliffe Governance Rules, the Chief Executive Officer will temporarily chair the meeting until the election of the Mayor is appointed and assumes the Chair.

### 1.2 Record of Councillor Oath or Affirmation of Office

Section 30(1) of the *Local Government Act 2020* ('the Act') states that '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 the [Local Government (Governance and Integrity)] regulations'.

The Act also states that 'the oath or affirmation of office must be administered by the Chief Executive Officer and dated and signed before the Chief Executive Officer and recorded in the minutes of the Council.'

In accordance with the Act and Part 2 of the *Oaths and Affirmations Act 2018*, a person elected to be a Councillor takes the Affirmation of Office by stating the following words before the Chief Executive Officer.

**On 13 November 2024, Councillor Hélène Cameron made the following oath:**

*"I, Hélène Cameron, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.*

*I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.*

*I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."*





Councillor Cameron signed and dated the Oath of Office before the CEO (Attachment 1.2.1).

**On 13 November 2024, Councillor Donnie Grigau made the following oath:**

*"I, Donnie Grigau, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.  
I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.  
I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."*

Councillor Grigau signed and dated the Oath of Office before the CEO (Attachment 1.2.2).

**On 13 November 2024, Councillor Brendan Monahan made the following affirmation:**

*"I, Brendan Monahan, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.  
I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.  
I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."*

Councillor Monahan signed and dated the Affirmation of Office before the CEO (Attachment 1.2.3).

**On 13 November 2024, Councillor Di Rule made the following affirmation:**

*"I, Di Rule, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.  
I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct."*



*I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."*

Councillor Rule signed and dated the Affirmation of Office before the CEO (Attachment 1.2.4).

**On 13 November 2024, Councillor Isabelle Tolhurst made the following affirmation:**

*"I, Isabelle Tolhurst, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community. I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct. I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the Local Government Act 2020 and any other Act to the best of my skill and judgement."*

Councillor Tolhurst signed and dated the Affirmation of Office before the CEO (Attachment 1.2.5).



## 2. Present & Apologies

### **Present:**

Cr Hélène Cameron  
Cr Donnie Grigau  
Cr Brendan Monahan, Deputy Mayor  
Cr Di Rule, Mayor  
Cr Isabelle Tolhurst  
Martin Gill, Chief Executive Officer  
Jenni Walker, HR & Governance Coordinator  
Jackie Fletcher, EA to the CEO, Mayor & Councillors  
Makenna Bryon, Communications Coordinator

### **Apologies:**

Nil.

## 3. Conflict of Interest Disclosures

Councillors must disclose a conflict of interest in accordance with section 130 of the *Local Government Act 2020*.

Councillors:

Nil.

Officers:

Nil.

## 4. Mayoral Election

### 4.1 Mayoral Election

#### **Introduction**

In accordance with Section 25(1) of the *Local Government Act 2020* ('the Act'), at a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.



In accordance with section 25(3)(a) of the Act and clause 7 of the Borough of Queenscliffe Governance Rules, the Chief Executive Officer will preside for the purposes of the election of the Mayor.

If the Mayor is elected for a 1 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable (section 26(4) of the Act).

Section 18 of the Act provides that the role of the Mayor is to:

- chair Council meetings
- be the principal spokesperson for the Council
- lead engagement with the municipal community on the development of the Council Plan
- report to the municipal community, at least once each year, on the implementation of the Council Plan
- promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct
- assist Councillors to understand their role
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings
- perform civic and ceremonial duties on behalf of the Council.

The Mayor is not eligible to be elected to the office of Deputy Mayor.

The Mayor has the following specific powers as per section 19 of the Act:

- to appoint a Councillor to be the chair of a delegated committee;
- to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business;
- to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.





## **Setting of Mayoral Term**

Before the election of the Mayor, the Council must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

### **RECOMMENDATION**

That Council set the Mayoral term for a 1 year or a 2 year term.

### **RESOLUTION**

#### **Cr Isabelle Tolhurst / Cr Di Rule**

That Council set the Mayoral term for a one (1) year term.

**CARRIED UNANIMOUSLY**



## **4.2 Election of Mayor**

In accordance with clauses 7 and 8 of the Borough of Queenscliffe Governance Rules, the Chief Executive Officer will call for nominations for the Office of the Mayor.

As per section 25(4) of the Act, the Mayor must be elected by an absolute majority of the Councillors. (An absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council; for the Borough of Queenscliffe this is 3 (three) Councillors.)

If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.

### **RECOMMENDATION**

That Council appoint a Councillor to the Role of Mayor.

### **MOTION**

**Cr Donnie Grigau / Cr Hélène Cameron**

That Council appoints Councillor Cr Donnie Grigau to the Role of Mayor.

**LOST**

### **RESOLUTION**

**Cr Isabelle Tolhurst / Cr Brendan Monahan**

That Council appoints Councillor Cr Di Rule to the Role of Mayor.

**CARRIED**

*The Chief Executive Officer vacated the Chair and the Mayor as elected assumed the Chair.*



### **4.3 Election of a Deputy Mayor**

Section 20A(1) of the Act provides that Council may establish an office of Deputy Mayor.

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if:

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

#### **RECOMMENDATION**

That Council determines whether it wishes to establish the role of Deputy Mayor for the Mayoral period.

#### **RESOLUTION**

**Cr Isabelle Tolhurst / Cr Brendan Monahan**

That Council establishes the role of Deputy Mayor for the Mayoral period of one (1) year.

**CARRIED UNANIMOUSLY**

### **4.4 Election of a Deputy Mayor**

If Council so determines, the Mayor will call for nominations for the position of Deputy Mayor.

As per sections 25(4) and 27(1) of the Act, the Deputy Mayor must be elected by an absolute majority of the Councillors.

If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.



If only one Councillor is a candidate for Deputy Mayor, the meeting must declare that Councillor to be duly elected as Deputy Mayor.

### **RECOMMENDATION**

If so determined, that Council appoint a Councillor to the Role of Deputy Mayor.

### **MOTION**

#### **Cr Donnie Grigau / Cr Hélène Cameron**

That Council appoints Councillor Cr Hélène Cameron to the Role of Deputy Mayor for the Mayoral Term.

**LOST**

### **RESOLUTION**

#### **Cr Isabelle Tolhurst / Cr Brendan Monahan**

That Council appoints Councillor Cr Brendan Monahan to the Role of Deputy Mayor for the Mayoral Term.

**CARRIED**



## **4.5 Incoming Mayoral Speech**

Mayor Di Rule gave the following speech:

Thank you Councillors, for the opportunity to serve the community I love. I grew up here. I went to Queenscliff Kindergarten, Queenscliff and Pt Lonsdale Primary Schools and Queenscliff High School. My family has been here for generations, and my daughter and grandson live here now making the sixth and seventh generation on the maternal and paternal sides of my family.

My mother was widowed at 35 and this community wrapped their arms around us and cared for and supported us. Nothing was too much trouble, and my brother and I never missed out on doing anything and what a haven it was to grow up in.

At an induction session last week, all Councillors recognised what a precious place this is. We all appreciated the privilege of living here and we all agreed we want to protect and maintain this beautiful space for now and the future, its environment and its heritage.

But the Borough is small, our biggest challenge is to remain relevant and independent and not be overtaken by neighbouring Councils. The Borough raises limited funds each year, so we need to make sure every dollar is spent carefully on doing what matters, such as the delivery of services that improve our lives and the management of our coastal and marine areas.

To do that we need tight governance, an efficient administration, transparent budgeting, streamlined systems and completion of quality projects on time and within budget. We need to fund more capital works by trimming costs and thinking outside the square to raise revenue.

But we can't do it all ourselves, we need this wonderful community to once again embrace us, support us, and tell us what they want. Only through extensive community engagement can we, as a Council, make informed decisions and make our twin towns an even more brilliant place to be.





## 5. Governance & Finance

|                                         |                                                                    |
|-----------------------------------------|--------------------------------------------------------------------|
| <b>5.1.</b>                             | <b>Appointment of Council Portfolios &amp; Delegates 2024-2025</b> |
| <b>Author:</b>                          | Chief Executive Officer                                            |
| <b>Portfolio:</b><br><b>Councillor:</b> | Governance & Finance<br>Vacant                                     |

### Purpose

The purpose of this report is to provide information to enable Councillors to allocate portfolio responsibilities and appoint Councillors as delegates to the various committees, representative bodies and community reference groups that Council participates in.

### Executive Summary

*Portfolio 5: Governance and Finance*

Strategic Objective: *To provide a financially viable Council that is accountable, transparent and practices good governance:*

*Priority 3: Accountable and transparent governance*

*Priority 6: Advocate and work in partnership with other levels government and the private sector on issues important to Borough residents*

The strategic objectives included in the Council Plan 2021–2025 are distributed between five portfolios:

- Health & Wellbeing
- Environment
- Local Economy
- Heritage, Planning & Infrastructure
- Governance & Finance

Historically, Council has determined that each Councillor will be assigned to a portfolio and take on a leadership role and act as the liaison person between the administration and Council.



Following the end of Council term each portfolio lead position is vacant. The other delegate positions are also vacant. As such, Council needs to determine its Council Plan portfolio Councillor responsibilities as well as its representation on various Committees, representative bodies and Community Reference Groups.

## **RECOMMENDATION**

That Council:

- a) Determines the Councillor appointment to Portfolios for the next 12-month period;
- b) Determines the Councillor representatives on Council's Audit & Risk Committee;
- c) Determines its representatives on the CEO Employment & Remuneration Advisory Committee;
- d) Determines its delegates for the state, regional and local organisations as outlined in this report; and
- e) Determines its Councillor representation on the various reference groups outlined in this report.

## **RESOLUTION**

### **Cr Hélène Cameron / Cr Donnie Grigau**

That Council determines the Councillor appointment to Portfolios for the next 12-month period as follows:

- Health & Wellbeing – Cr Donnie Grigau
- Environment – Cr Hélène Cameron
- Local Economy – Cr Brendan Monahan
- Heritage, Planning & Infrastructure – Cr Di Rule
- Governance & Finance – Cr Isabelle Tolhurst

**CARRIED UNANIMOUSLY**



## **RESOLUTION**

### **Cr Isabelle Tolhurst / Cr Brendan Monahan**

That Council appoints the Councillor representatives on Council's Audit & Risk Committee as follows:

- Cr Di Rule
- Cr Isabelle Tolhurst

**CARRIED UNANIMOUSLY**

## **RESOLUTION**

### **Cr Hélène Cameron / Cr Donnie Grigau**

That Council appoints its representatives on the CEO Employment & Remuneration Advisory Committee as follows:

- Cr Di Rule
- Cr Hélène Cameron
- Cr Brendan Monahan

**CARRIED UNANIMOUSLY**

## **RESOLUTION**

### **Cr Isabelle Tolhurst / Cr Bendan Monahan**

That Council appoints its delegates for the state, regional and local organisations as follows:

- Geelong Regional Library Corporation Board – Cr Isabelle Tolhurst
- Geelong Heritage Centre Collection Advisory Committee – Cr Di Rule
- Municipal Association of Victoria (MAV) – Cr Di Rule
- Tourism Greater Geelong & The Bellarine Board – Cr Brendan Monahan
- G21 Region Alliance Board – Cr Di Rule
- G21 Health and Wellbeing Pillar – Cr Donnie Grigau
- G21 Cultural and Economic Development Pillar – Cr Brendan Monahan
- G21 Sustainability Pillar – Cr Hélène Cameron
- G21 Transport and Planning Pillar – Cr Isabelle Tolhurst
- Bellarine Community Safety Group – Cr Donnie Grigau

**CARRIED UNANIMOUSLY**



## **RESOLUTION**

### **Cr Hélène Cameron / Cr Donnie Grigau**

That Council appoints its Councillor representation on the various reference groups as follows:

- Community Grants & Events Sponsorship Advisory Reference Group – Cr Donnie Grigau
- Lived Experience Disability Group – Cr Donnie Grigau and Cr Brendan Monahan
- Coastal & Marine Management Plan Steering Committee – Cr Hélène Cameron and Cr Isabelle Tolhurst
- Point Lonsdale Lighthouse Reserve Project Control Group – Cr Di Rule and Cr Hélène Cameron

**CARRIED UNANIMOUSLY**



## REPORT

### **Background**

Council undertakes a review or appoints the portfolio leads and delegate roles each year. This year following the Council election all roles need to be considered and filled.

### **Discussion**

#### Council Plan Portfolios

The 2021–2025 Council Plan runs through until October 2025 and as such, the portfolios remain the same until Council adopts a new Council Plan. These portfolios are currently:

- Health & Wellbeing
- Environment
- Local Economy
- Heritage, Planning & Infrastructure
- Governance & Finance

Councillors perform the role of steward and leader for the portfolio and will represent Council on the matters captured in each portfolio.

#### Council's Audit & Risk Committee

The Audit & Risk Committee charter (Attachment 5.1.1) outlines the membership structure of the committee. At all times the independent members need to comprise the majority of members.

Council's Chief Executive Officer, Manager Finance and ICT Services, Financial Services Coordinator and HR & Governance Coordinator attend these meetings to provide information and advice in an ex-officio capacity.

The Council-appointed internal auditors and Victorian Auditor General appointed external auditors also attend these meetings to provide formal reports as required.





It recommended that Council consider appointing one (1), or potentially two (2) Councillors to the Audit & Risk Committee, although up to three (3) Councillors are able to be appointed under the Committee's Charter.

#### CEO Employment & Remuneration Advisory Committee

The CEO Employment & Remuneration Advisory Committee (Committee) fulfils the *Local Government Act 2020* requirement for Council to review the performance of the CEO at least once each year. Section 18(1)(g) of the Act requires the Mayor to take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer.

The work of the Committee is guided by Council Policy CP053 CEO Employment and Remuneration and is supported by an independent external person (appointed by Council).

The previous Council appointed three (3) Councillors to the Committee as per CP053.

It is recommended Council continues this by appointing three (3) Councillors, including the Mayor, to the Committee.

#### Council Delegates

Council participates in a number of external of state, regional and local organisations. These roles are generally leadership and advocacy roles or otherwise representative roles on peak bodies such as the Municipal Association of Victoria. The delegate represents Council's views and is authorised to make certain decisions relating to the organisation on behalf of Council.

In many cases Council is a financial member of the organisation the Councillor is delegated to. In particular these organisations are:

- Geelong Regional Library Corporation Board
- Geelong Heritage Centre Collection Advisory Committee
- Municipal Association of Victoria (MAV)
- Tourism Greater Geelong & The Bellarine Board
- G21 Region Alliance Board



It is worth noting the following:

- The Geelong Regional Library Corporation is a two-year appointment, and Council is asked by the library to also appoint a proxy (alternate) representative. The Library Board meets quarterly and has an annual strategic planning day.
- MAV is a two-year appointment. State Council meets twice a year and MAV holds an Annual Conference.
- The Mayor is appointed to the G21 Region Alliance Board.

In addition to the organisations listed above, the G21 Regional Alliance encourages Councillors to participate in the G21 Pillar process and Council has in the past appointed a delegate to the following pillars:

- G21 Health and Wellbeing Pillar
- G21 Cultural and Economic Development Pillar
- G21 Sustainability Pillar
- G21 Transport and Planning Pillar

Council has also been invited by the local state member, Alison Marchant MP, to participate in the Bellarine Community Safety Group. Council may decide to continue attending these meetings by appointing a delegate.

In summary, Council should consider appointments for the following:

- Geelong Regional Library Corporation Board
- Geelong Heritage Centre Collection Advisory Committee
- Municipal Association of Victoria (MAV)
- Tourism Greater Geelong & The Bellarine Board
- G21 Region Alliance Board
- G21 Health and Wellbeing Pillar
- G21 Cultural and Economic Development Pillar
- G21 Sustainability Pillar
- G21 Transport and Planning Pillar
- Bellarine Community Safety Group

### Community Reference Groups

The Council Plan 2021–2025 outlines Council's commitment to valuing and drawing on the skills, knowledge and views of the local community through Community



Reference Groups. Councillor representatives on Reference Groups have been typically appointed based on 'portfolio' responsibilities. The active Reference Groups currently are:

- Community Grants & Events Sponsorship Advisory Reference Group
- Lived Experience Disability Group (LEDG)
- Coastal & Marine Management Plan Steering Committee (CMMP)
- Point Lonsdale Lighthouse Reserve Project Control Group (PLLHR PCG)

The ongoing role of the Coastal and Marine Management Plan Steering Committee will be reviewed following Council endorsement of the Coastal and Marine Management Plan in December 2024.

Council can create new Council reference groups or advisory committees at any point through a resolution of Council. The purpose of this report is to appoint Councillors to existing groups.

### **Options**

1. Allocate the portfolio responsibilities and appoint Council's delegates to various Committees, representative bodies and Reference Groups.
2. Request additional information or more time to allocate these responsibilities and delegations.

### **Communications and Engagement**

#### Community Engagement

The purpose of this report is to inform the community regarding these appointments.

#### Collaboration

There are no collaboration requirements associated with this report.

### **Governance Context**

#### Relevant Law

*Local Government Act 2020*



### Charter of Human Rights

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

### Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when the Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public. Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report?

No; the matters in this report are not a Council policy, program or service.

### Regional, State and National Plans and Policies

Not Applicable.

### Legal and Risk Implications

There are no legal or risk implications associated with this report.

### Related Documents

Annual Plan 2024–2025

Community Vision 2021–2031

Council Plan 2021–2025

### Disclosure of Interest

No officer involved in the preparation of this report has any conflicts of interest.

## **Considerations**

### Environmental Sustainability

There are no environmental sustainability implications associated with this report.

### Financial and resource implications

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

### Innovation and Continuous Improvement

A review of delegation fits within the broader practice of continuous improvement.

## **Implementation**



### Operational Impacts

There are no operational impacts associated with this report.

### Implementation Process

This project will be delivered by existing staff and resources. The appointments will be published on Council's website, and the Executive Assistant to the CEO, Mayor and Councillors will write to the relevant organisations notifying them of the appointments.

### **Attachments**

1. Audit and Risk Committee Charter [**5.1.1** - 8 pages]





## **6. Close of Meeting**

Cr Di Rule, Mayor, declared the meeting closed at 6:00pm.