



HEPBURN SHIRE COUNCIL  
STATUTORY MEETING OF COUNCIL  
DRAFT MINUTES

WEDNESDAY 7 NOVEMBER 2018

DAYLESFORD TOWN HALL

6:00PM

This Document is printed on 100% Australian recycled paper

# *MINUTES*

WEDNESDAY 7 NOVEMBER 2018

Daylesford Town Hall  
Vincent Street, Daylesford  
Commencing 6:00PM

## CONTENTS PAGE

1.	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS.....	4
2.	ACKNOWLEDGEMENT OF PAST MAYORS AND COUNCILLORS.....	4
3.	SAFETY ORIENTATION .....	4
4.	OPENING OF MEETING .....	4
5.	STATEMENT OF COMMITMENT .....	4
6.	WELCOME BY CHIEF EXECUTIVE OFFICER, MR EVAN KING.....	5
7.	APOLOGIES .....	6
8.	DECLARATIONS OF CONFLICTS OF INTEREST.....	6
9.	ACKNOWLEDGEMENT OF PREVIOUS MAYOR FOR 2017/18.....	7
9.1.	PREVIOUS MAYOR'S REPORT 2017/18.....	7
9.2.	VOTE OF THANKS TO PREVIOUS MAYOR .....	8
10.	APPOINTMENT OF TEMPORARY CHAIRPERSON TO CONDUCT ELECTION OF MAYOR.....	9
11.	TERM OF MAYOR .....	10
12.	ELECTION OF MAYOR .....	11
12.1.	ELECTION OF MAYOR 2018/19 .....	11
12.2.	PRESENTATION OF MAYORAL MEDALLION .....	12
12.3.	CONGRATULATORY REMARKS TO MAYOR.....	12
12.4.	INCOMING MAYORAL SPEECH .....	13

13.	DEPUTY MAYOR .....	14
14.	ELECTION OF A DEPUTY MAYOR .....	15
	14.1. ELECTION OF DEPUTY MAYOR FOR 2018/19 .....	15
	14.2. INCOMING DEPUTY MAYOR'S SPEECH .....	15
15.	COUNCILLOR REPRESENTATION ON COMMITTEES AND EXTERNAL BODIES .....	17
16.	CLOSE OF MEETING .....	21

EVAN KING  
CHIEF EXECUTIVE OFFICER  
07 NOVEMBER 2018

1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

---

2. **ACKNOWLEDGEMENT OF PAST MAYORS AND COUNCILLORS**

We would like to acknowledge the past Mayors and Councillors of Hepburn Shire Council who are in attendance tonight.

We thank them for their dedication and contributions to the Hepburn Shire community.

They have helped shape Hepburn Shire Council into the high performing organisation that it is today.

---

3. **SAFETY ORIENTATION**

Emergency exits and convenience facilities at the venue to be highlighted to members of the public in attendance.

---

4. **OPENING OF MEETING**

---

5. **STATEMENT OF COMMITMENT**

**STATEMENT OF COMMITMENT**

“WE THE COUNCILLORS OF HEPBURN SHIRE  
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION  
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS

OF THE COMMUNITY  
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS  
OF THE CODE OF GOOD GOVERNANCE  
SO THAT WE MAY FAITHFULLY REPRESENT  
AND UPHOLD THE TRUST PLACED IN THIS COUNCIL BY THE  
PEOPLE OF HEPBURN SHIRE”

---

6. **WELCOME BY CHIEF EXECUTIVE OFFICER, MR EVAN KING**

The Statutory Meeting of Council has been called to conduct the business associated with the terms of office for the Mayor and the Deputy Mayor, the election of the Hepburn Shire Council Mayor and the Deputy Mayor for 2018/19.

The Ordinary Meeting of Council for the month of November will be held on Tuesday 20 November 2018. Any normal Council business and public question time will be conducted at that time.

**PRESENT:** Cr John Cottrell, Cr Greg May, Cr Kate Redwood AM, Cr Neil Newitt, Cr Don Henderson

**IN ATTENDANCE:** Mr Evan King Chief Executive Officer, Mr Steve Millard Acting General Manager Community and Corporate Services, Ms Katherine Toom Coordinator Governance and Information, Ms Rebecca Smith Governance and Information Officer, Ms Maria Abate Communications Officer

---

7. APOLOGIES

Cr Sebastian Klein

Cr Fiona Robson (Cr Robson listened to the meeting via telephone)

Mr Bruce Lucas, General Manager Infrastructure

---

8. DECLARATIONS OF CONFLICTS OF INTEREST

Under section 79C of the *Local Government Act 1989*, a Councillor does not have a Conflict of Interest if the matter relates to the election of the Mayor.

---

## 9. ACKNOWLEDGEMENT OF PREVIOUS MAYOR FOR 2017/18

### 9.1. PREVIOUS MAYOR'S REPORT 2017/18

On reflecting on this past year I am drawn to a quote by Ian E. Wilson - Chief Librarian and Archivist of Canada. His simple but profound quote was - "No amount of sophistication is going to allay the fact that all your knowledge is about the past and all your decisions are about the future"

Given that much of the knowledge that Council relies on for its decisions about the future comes via the CEO this quote highlights how critical it is for Council to be cognisant of the fact that the CEO's knowledge is about the past, and to legitimately question the base of the CEO's knowledge?

- is it based in an innate belief in themselves

or

- from constant and open dialogue with their peers; their executive and staff; relevant reference groups, experts and others

We have had a turbulent year in Council, characterised by replacement of the CEO and the significant reset and realignment being undertaken. The salutary lesson learned by Council over this period is that we must not be complacent in decision-making - about the future – and to ensure that at all times it is based on sound knowledge.

Over the past year in ceremonial and other roles I have had the opportunity to meet with the broad diversity of Hepburn Shire – and understand their collective depth of knowledge and expressed wisdom. In addition I have had the opportunity to join with the CEO in representing the Shire at meetings with State and Federal Local Government Peak Body groups; adjoining Shire Mayor/CEO forums; Regional Shire partnerships; the local State Government Regional Partnership; State and Federal Government departments; and State and Federal Government Members and Ministers, and others.

The outcome is that I firmly believe that the impact this level of exposure to such a broad cohort has on a councillors' understanding of the Shire and its functioning underpins the rationale for rotation of the office of Mayor.

While I have thoroughly enjoyed my year as Mayor – it is about others:

- it has been a pleasure to work alongside our new CEO Evan King, particularly given his high commitment to the core Council values of transparency, probity and accountability.
- similarly, it has been constructive to work with my fellow councillors as we have promoted higher governance in Council.

- the role of Mayor is demanding - and could not be successfully undertaken without the assistance provided by Michelle Dove and Maria Abate.

Finally, the most pleasure from the past year has been twofold. On many occasions having members of our various communities praise our staff on their dedication in providing our many services, and in expressing recognition of Our Council.

Cr John Cottrell

### RECOMMENDATION

9.1.1 That Council receives and notes the previous Mayor's report for 2017/18.

### MOTION

9.1.1. *That Council receives and notes the previous Mayor's report for 2017/18.*

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Don Henderson

**Carried**

---

## 9.2. VOTE OF THANKS TO PREVIOUS MAYOR

Each Councillor and the Chief Executive Officer may express their thanks and appreciation to the outgoing Mayor for his term of office.

Cr May addressed the Council and thanked the Mayor

Cr Newitt addressed the Council and thanked the Mayor

Cr Redwood AM addressed the Council and thanked the Mayor

Cr Henderson addressed the Council and thanked the Mayor

Mr Evan King addressed the Council and thanked the Mayor

---

10. APPOINTMENT OF TEMPORARY CHAIRPERSON TO CONDUCT ELECTION OF MAYOR

Section 72 of the *Local Government Act 1989* specifies that the office of Mayor became vacant at 6:00am today, the day of election. Consequently, the Chief Executive Officer will conduct the appointment of a temporary Chairperson to chair the meeting until the Mayor is elected.

The Hepburn Shire Council Local Law No 1 Meeting Procedures section 15.2.2 states:

'At any meeting to elect the Mayor, any Councillor may be appointed as a temporary Chairperson to deal with:

- a) the fixing of the allowances for the Mayor and Councillors under section 74 of the Act, when such allowances need to be fixed;
- b) the receipt of nominations for the election of Mayor; and
- c) the election of Mayor'.

The Chief Executive Officer will call for a motion to appoint a temporary Chairperson.

Following the election of the Mayor, the incoming Mayor shall assume the Chair to deal with the remaining matters before the meeting.

**RECOMMENDATION**

10.1. That Council appoints Councillor \_\_\_\_\_ to fulfil the position of temporary Chairperson until the Mayor is elected.

**MOTION**

10.1. *That Council appoints Councillor John Cottrell to fulfil the position of temporary Chairperson until the Mayor is elected.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Kate Redwood AM

**Carried**

---

11. TERM OF MAYOR

Section 71 (2) of the *Local Government Act 1989* states that:

Before a Mayor is elected under this section, the Council *may* resolve to elect a Mayor for a term of two years.

This implies that Council must consider the Mayoral term before the election of the Mayor.

**RECOMMENDATION**

11.1. That Council elects the Mayor for a term of one year.

**RECOMMENDATION**

11.1. *That Council elects the Mayor for a term of one year.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Neil Newitt

**Carried**

## 12. ELECTION OF MAYOR

### 12.1. ELECTION OF MAYOR 2018/19

The Office of Mayor is currently vacant. Any Councillor is eligible for election to the office of Mayor.

The *Local Government Act 1989* (the Act) section 71 (1) states that Councillors must elect a Councillor to be the Mayor at a meeting of the Council that is open to the public. In accordance with the Act, the Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year.

The Act section 90 (1) (ca) states that voting at a meeting that is open to members of the public must not be in secret. Voting at Council Meetings is by show of hands.

Nominations are to be called. When the Mayor is elected and has given his or her incoming speech, he or she will assume the Chair.

The aims of the position of Mayor are:

- To provide leadership in pursuing the objectives of the Council Plan and other strategic priorities of Council; and
- To be the ceremonial head at official civic and community functions.

The role of the Mayor includes:

- Liaising closely with the Chief Executive Officer to ensure effective relationships between Council and administration in pursuing Council goals;
- Creating and maintaining political stability;
- Embodying the community's democratic leadership and providing a symbol of democracy to the community;
- Leading, co-ordinating and providing guidance for the Council and Councillors;
- Chairing Council meetings to ensure adequate Council discussions and community debate on key issues and providing leadership and direction;
- Speaking publicly about local government's role and developments in the community; and
- Representing the municipality at key ceremonial occasions and in political forums.

### RECOMMENDATION

That Council:

12.1.1. Pursuant to the provisions of section 71 of the Local Government Act 1989 elects Councillor \_\_\_\_\_ as Mayor of Hepburn Shire Council for 2018/19.

12.1.2. Resolves that the term of office of the Mayor shall expire at 6:00am on the day of the next election of the Mayor.

**MOTION**

*That Council:*

12.1.1. *Pursuant to the provisions of section 71 of the Local Government Act 1989 elects Councillor Don Henderson as Mayor of Hepburn Shire Council for 2018/19.*

12.1.2. *Resolves that the term of office of the Mayor shall expire at 6:00am on the day of the next election of the Mayor.*

**Moved:** Cr Neil Newitt

**Seconded:** Cr Kate Redwood AM

**Carried**

---

**12.2. PRESENTATION OF MAYORAL MEDALLION**

The Chief Executive Officer presented the Mayor with Mayoral Medallion.

---

**12.3. CONGRATULATORY REMARKS TO MAYOR**

Each Councillor and the Chief Executive Officer may offer their congratulations to the Mayor.

Cr May addressed the Council in support of the new Mayor

Cr Newitt addressed the Council in support of the new Mayor

Cr Redwood addressed the Council in support of the new Mayor

Cr Cottrell addressed the Council in support of the new Mayor

Mr Evan King addressed Council in support of the new Mayor

---

#### 12.4. INCOMING MAYORAL SPEECH

The Mayor's speech provides the opportunity for the elected Mayor to make a short speech speaking to the appointment and highlighting key priorities for the forthcoming Mayoral year.

Cr Don Henderson addressed the Council.

#### RECOMMENDATION

12.4.1. That Council receives and notes the Mayor's inaugural speech.

#### MOTION

12.4.1. *That Council receives and notes the Mayor's inaugural speech.*

**Moved:** Cr Greg May

**Seconded:** Cr Neil Newitt

**Carried**

---

**THE MAYOR TAKES THE CHAIR.**

---

### 13. DEPUTY MAYOR

Council may elect a Deputy Mayor.

The aims of the position of Deputy Mayor are:

- To assist the Mayor to carry out his or her day to day duties as and when required; and
- To carry out the functions of Mayor in his or her absence.

Council has an obligation under section 73 (3) of the *Local Government Act 1989* (the Act) to appoint a Councillor as an Acting Mayor in the instance that there is a vacancy in the Office of the Mayor or the Mayor is otherwise absent.

Councils often elect and appoint a Deputy Mayor to serve this purpose under section 73 (3) of the Act after they have elected the Mayor. In the absence of the Mayor, the Deputy Mayor will become the Acting Mayor and in accordance with section 73 (4) of the Act '*may perform any function or exercise any power conferred on the Mayor*'. For example, it will be the role of the Deputy Mayor to chair any meetings of Council in the absence of the Mayor.

In the instance where Council resolves not to appoint a Deputy Mayor and there is an absence of the Mayor, the Council will need to appoint an Acting Mayor in accordance with section 73 (3) of the Act.

#### RECOMMENDATION

13.1.1. That Council resolves to elect a Deputy Mayor for a term of one year.

#### MOTION

13.1.1. *That Council resolves to elect a Deputy Mayor for a term of one year.*

**Moved:** Cr John Cottrell

**Seconded:** Cr Kate Redwood AM

**Carried**

---

## 14. ELECTION OF A DEPUTY MAYOR

### 14.1. ELECTION OF DEPUTY MAYOR FOR 2018/19

*Local Law No 1 Meeting Procedures*, section 15.3 provides that to elect a Deputy Mayor, the provisions for election of the Mayor will apply to the election of the Deputy Mayor with all necessary adaptations.

Two nominations for the position of Deputy Mayor for the 2018/2019 year were received, being:

- Cr Kate Redwood AM, seconded by Cr Greg May
- Cr Fiona Robson, seconded by Cr Neil Newitt

#### RECOMMENDATION

That Council

14.1.1. Pursuant to the provisions of Council's Local Law No 1 – Meeting Procedures, section 15.3 elects Councillor \_\_\_\_\_ as Deputy Mayor of Hepburn Shire Council for 2018/19.

14.1.2. Resolves that the term of office of the Mayor shall expire at 6:00am on the day of the next election of the Mayor.

#### MOTION

*That Council*

14.1.1. Pursuant to the provisions of Council's Local Law No 1 – Meeting Procedures, section 15.3 elects Councillor Kate Redwood AM as Deputy Mayor of Hepburn Shire Council for 2018/19.

14.1.2. Resolves that the term of office of the Deputy Mayor shall expire at 6:00am on the day of the next election of the Deputy Mayor.

**Moved:** Cr John Cottrell

**Seconded:** Cr Greg May

**Carried**

---

### 14.2. INCOMING DEPUTY MAYOR'S SPEECH

Cr Kate Redwood AM addressed Council

**RECOMMENDATION**

14.2.1. That Council receives and notes the Deputy Mayor's inaugural speech.

**MOTION**

14.2.1. *That Council receives and notes the Deputy Mayor's inaugural speech.*

**Moved:** Cr John Cottrell

**Seconded:** Cr Neil Newitt

**Carried**

## 15. COUNCILLOR REPRESENTATION ON COMMITTEES AND EXTERNAL BODIES

### ACTING GENERAL MANAGER COMMUNITY AND CORPORATE SERVICES

*In providing this advice to Council as the Coordinator Governance and Information, I Katherine Toom have no interests to disclose in this report.*

#### PURPOSE

The purpose of this report is for Council to update Councillor representation on committees, boards and external bodies.

#### BACKGROUND

On an annual basis, following the appointment of the Mayor and Deputy Mayor, Council reviews the representation and makes amendments where required. The last review was performed in November 2017, and Councillors were allocated to the Advisory and External Committees of Council by a resolution on 21 November 2017.

#### ISSUE/DISCUSSION

Consistent with previous years, it is now an appropriate time to review and update these appointments in consultation with Councillors. The current representation to Committees by Councillors and staff is outlined below.

Feedback is also sought from Councillors as to the representation on two additional external bodies on behalf of Council from November 2018 until November 2019:

- Central Highlands Councils Victoria
- Loddon Campaspe Councils Victoria

Organisation / Committee	2017-18
<b>External Bodies</b>	
Daylesford Macedon Tourism Board	Cr Kate Redwood AM (representation ceased 9 August 2017)
Committee of Management for DELWP (26 Committees)	All councillors represent their ward at these meetings when required
Municipal Association of Victoria	Cr John Cottrell
Victorian Local Governance Association	Cr Sebastian Klein
Cultivate Agribusiness Central Highlands	Manager Community and Economic Development

<b>Organisation / Committee</b>	<b>2017-18</b>
Grampians Central West Waste and Resource Recovery Group Forum	Cr Sebastian Klein
<b>Council Advisory Committees</b>	
Audit and Risk Advisory Committee (two positions)	Cr Don Henderson Cr John Cottrell
Municipal Emergency Management Planning Committee	Cr Greg May
Public Art Panel	Cr Neil Newitt
Mineral Springs Reserves Advisory Committee	Cr Kate Redwood AM
International Women's Day Organising Committee	Cr Kate Redwood AM
Heritage Advisory Panel	Cr Neil Newitt
White Ribbon Committee	Cr Greg May
Reconciliation Action Plan Community Reference Group	Cr Kate Redwood AM
Disability Access and Inclusion Advisory Committee	Cr John Cottrell Alternate: Cr Fiona Robson

#### **COUNCIL PLAN/LEGISLATIVE COMPLIANCE**

Many of these committees have been established to advise Council, or for Council to provide input, in the development of policy and strategy.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

#### **RISK IMPLICATIONS**

Councillor representation is required on committees, boards and external bodies to ensure that public views are incorporated into the decision-making process.

### ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Effective community engagement provides the opportunity for Hepburn Shire community members to influence Council decisions and where appropriate play a partnership role in the planning and implementation of those decisions.

### COMMUNITY AND STAKEHOLDER ENGAGEMENT

The purpose of these committees, boards and external bodies is to achieve effective community and stakeholder engagement both internally and externally.

### CONCLUSION

The review of Councillor representation on committees, boards and external bodies, provides strong and diverse Council representation on behalf of the Hepburn Shire community.

### RECOMMENDATION

15.1.1. That Council appoints the following councillors to the listed committees, boards and external bodies

### MOTION

15.1.1. *That Council appoints the following councillors to the listed committees, boards and external bodies:*

Organisation / Committee	2018-19
<b>External Bodies</b>	
Committee of Management for DELWP (26 Committees)	All Councillors Represent their ward at these meetings when required
Municipal Association of Victoria	Mayor
Victorian Local Governance Association	Cr Sebastian Klein
Cultivate Agribusiness Central Highlands	Manager Community and Economic Development

Grampians Central West Waste and Resource Recovery Group Forum	Cr Sebastian Klein
<b>World Heritage Listing of the Victorian Goldfields Region Steering Committee</b>	Cr Neil Newitt Manager Community and Economic Development
Central Highlands Councils Victoria	Mayor
Loddon Campaspe Councils Victoria	Mayor
<b>Council Advisory Committees</b>	
Audit and Risk Advisory Committee (two positions)	Cr Don Henderson Cr John Cottrell
Municipal Emergency Management Planning Committee	Cr Greg May
Public Art Panel	Annual Ward Councillor Rotation: Cr Cottrell
Mineral Springs Reserves Advisory Committee	Cr Kate Redwood AM
International Women's Day Organising Committee	Cr Kate Redwood AM
Heritage Advisory Panel	Cr Neil Newitt
White Ribbon Committee	Cr Greg May
Reconciliation Action Plan Community Reference Group	Mayor
Disability Access and Inclusion Advisory Committee	Cr John Cottrell Alternate: Cr Fiona Robson

**Moved:** Cr Kate Redwood AM

**Seconded:** Cr Greg May

**Carried**

16. CLOSE OF MEETING

The Mayor closed the meeting and invited guest to join Councillors for refreshments.

The meeting closed at 6.38 pm

---