

HEPBURN SHIRE COUNCIL

STATUTORY MEETING MINUTES

Friday 7 December 2007
Daylesford Town Hall
Daylesford

Commencing 7pm

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HEPBURN SHIRE COUNCIL – COUNCIL PLAN 2006-2011

VISION STATEMENT:

Hepburn Shire will be a vibrant, creative rural Shire with strong and healthy connected communities. Our Council will govern with integrity and inclusiveness. Our natural environment, productive agricultural land and rich heritage will remain valued and protected as assets for residents and visitors to appreciate and enjoy.

Council has in the COUNCIL PLAN established 5 objectives to enable your Team of Councillors and Officers to move forward.

Objective One – Strengthening Communities

Council will engage with and support our diverse communities to realise their potential and determine and achieve their aspirations.

- 1.1 To be a leader in community consultation, advocacy & engagement
- 1.2 Enhance community connectedness, capacity building and leadership
- 1.3 Enhance external relationships

Objective Two – Service Delivery

Council will deliver responsive services to our community within available resources.

- 2.1 Improve service delivery
- 2.2 Improve internal and external communication
- 2.3 Further develop the range of facilities and programs

Objective Three – Asset and Resource Management

Council will effectively manage our assets and resources to create a better Shire for our community.

- 3.1 Improve the management of our assets
- 3.2 Foster & encourage leadership
- 3.3 Responsible financial management
- 3.4 Promote and encourage innovation
- 3.5 Tight, sharp, focussed, professional administration

Objective Four – Economic Development

Council will strengthen our local economy by working in partnership with business and community.

- 4.1 Develop partnerships with educational and research organisations
- 4.2 Promote and market the Shire
- 4.3 Encourage and support diversity of economic activity and employment

Objective Five – Heritage and Environment

Council, in partnership with our community will ensure that our cultural, natural and built environment is protected, conserved and enhanced for future generations.

- 5.1 Promote & practise environmental management and sustainability
- 5.2 Respect and honour our unique historical and cultural attributes

Council has committed itself to these philosophies, to the five objectives, to the strategies of implementation and to being accountable to all of the Hepburn Shire.

Hepburn Shire is a wonderful home for all of us. Our Council Plan and the Community Plan provide a direction for the future.

**NOTICE IS HEREBY GIVEN THAT AN ORDINARY MEETING
OF THE HEPBURN SHIRE COUNCIL WILL BE HELD AT
DAYLESFORD TOWN HALL ON FRIDAY 7 DECEMBER 2007,
COMMENCING AT 7 PM**

AGENDA

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**CR TIM HAYES, MAYOR 2007-2008
8 DECEMBER 2007.**

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.

Welcome to Hepburn Shire Council

PRESENT: Councillors Janine Booth; Tim Hayes; Bill McClenaghan; Heather Mutimer and David Smith.

IN ATTENDANCE: Chief Executive Officer, Victor Szwed; Director Corporate Services, Chris Cowley; 65 Gallery and 1 Press.

The Chief Executive Officer opened the meeting with a reading of the Council prayer.

OPENING PRAYER

Almighty God, we ask your blessing upon this Council.
direct and guide our deliberations.

We ask you to grant us wisdom and sensitivity as we deal with
the business of our Shire.

May each decision that we make advance the wellbeing of all our
residents.

This we pray. Amen

1. WELCOME by The Chief Executive Officer, Victor Szwed:

This Statutory Meeting of Council has been called to conduct the business associated with the election of Mayor.

The normal Meeting of Council will be held on the third Tuesday of the month and any normal Council business and public question time will be conducted then.

Section 72 of the Local Government Act specified that the Office of Mayor becomes vacant at 6am on the day of election. Consequently, the Chief Executive Officer will open this meeting and request that Councillors elect a temporary Chairperson who will Chair the Meeting until the Mayor is elected.

ATTENDANCE: Acknowledge presence of guests.

APOLOGIES:

2. APPOINTMENT OF TEMPORARY CHAIRPERSON:

Council's Local Law No. 1 – Meeting and Common Seal provides that a Councillor may be appointed as a Temporary Chairperson to deal with the election of Mayor.

Recommendation:

That Council nominate and appoint a temporary Chairperson.

Cr David Smith nominated as temporary Chairperson.

Moved: Cr Tim Hayes

Seconded: Cr Janine Booth

Carried.

3. ELECTION OF MAYOR:

The Local Government Act (section 71) and Council's Local Law No. 1 provide for the Election of the Mayor.

Nominations are to be called. Once the Mayor is elected, they take over chairing the meeting.

The Chairperson calls for nominations and Council elects the Mayor.

Cr Janine Booth nominated Cr Tim Hayes. There being no further nominations Cr Tim Hayes was declared elected as Mayor.

4. CONGRATULATORY REMARKS TO MAYOR:

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

5. MAYOR'S RESPONSE

COUNCILLORS, DISTINGUISHED GUESTS, LADIES AND GENTLEMEN,

I would like to thank Council for the confidence it has shown in nominating me for this position and commence by acknowledging the immediate past Mayor, Cr David Smith & Mrs Rhonda Smith for the manner in which they have discharged the office of Mayor and Mayoress of the Hepburn Shire over the past 12 months.

David brought to the position a wealth of experience and knowledge, having served on the previous Creswick Shire Council for a number of years and two terms on the Hepburn Shire, including mayor on two occasions. This was David's third term as mayor of Hepburn.

Notwithstanding the difference in our backgrounds, there have been very few occasions when David and I have not agreed and I have always appreciated his 'matter of fact' approach to issues, his extraordinary local knowledge and his sense of humour. I value his opinion, admire his commitment to the Shire and greatly respect him as a person.

To Rhonda, can I pay tribute to a person who has provided tremendous support to David and who, in her own right, is a wonderful contributor to this community as well as a person who does not hesitate to assist others in need.

I greatly value our association and hope that I am not being presumptuous in suggesting that a good friendship has developed over the past two years.

Ladies and gentlemen -

Over a period of almost 40 years I have been involved in local government and community life – either as a council officer, a community activist, a member of various community organisations or, more recently, as a Councillor for the Hepburn Shire.

I have attended more annual statutory meetings of local councils than I care to remember and one of the recurring themes mentioned in most addresses by newly elected mayors is the sense of ‘honour and privilege’ bestowed upon the incumbent.

Although I feel some sense of honour and privilege at being elected mayor of Hepburn Shire, I am persuaded more by a sense of duty and responsibility, not ambition, to accept this position.

I am persuaded by a belief in local democratic processes whereby Councillors are elected (not necessarily by a majority of their constituents) to govern in the best interests of the municipality rather than for the sectional interests of particular lobby groups, the commercial developer, the business sector or the disaffected resident, who for some reason – and it may be for a plausible reason – feels alienated.

In his address to the electors of Bristol in 1774, the famous Irish patriot, Edmund Burke said:

Your representative owes you,
Not his industry only,
But his judgement;
And he betrays, instead of serving you,
If he sacrifices it to your opinion

What Burke was saying was that whilst politicians must listen to people, they must not simply follow public opinion – they need to use their judgement even at the risk of abuse, intimidation and – the ultimate price – defeat at the next election?

Ever since the Hepburn Shire was established in 1994, there have been significant shifts in the make up of the elected council yet the accusations that Council is either acting un-democratically, is eroding local democracy, or is secretive are raised on an almost annual basis.

In the nineteen months that I have been a member of this Council, I have not regretted one decision that I have been party to
Nor one position that I have lost – be it a planning application, a matter relating to the annual budget process or other issues, which of necessity, need to be handled in a sensitive manner.

I exercised my best judgement on such issues.

Win or lose, I accepted the decision of the majority.

Imperfect as that may sound, that’s democracy.

And whilst some residents may not agree with the judgement made by a majority of Councillors – and I am not sure what the alternative is -, that is also democracy and the ultimate recourse they have is not through name calling, insults or vitriol but through the ballot box.

Earlier this week the Governor of Victoria spoke in this Town Hall about the need to address the issue of climate change. He indicated that whilst progress may be made over the next few decades in finding alternative sources of energy, our current pattern or style of living in the western world cannot be sustained. The Governor said that the problem of climate change can only be addressed if we change the way we live; if we change our behaviour. As the Governor pointed out, as history has often shown, the most difficult challenge for us as individuals – as human beings - is to change the way we behave.

There is no denying that, like the majority of councils in Victoria we do face some governance issues and these can come about as a direct result of our behaviour – not in the sense that the governor was referring to – but -

In the way in which we, as Councillors, treat each other;

In the way we treat officers;

In the way officers treat Councillors;

In the way Councillors and officers treat residents and ratepayers;

And, in the way residents and ratepayers treat Councillors and officers!

If this council is to provide good governance for the people of Hepburn Shire, we all need to change the way we behave.

We need to demonstrate respect for the opinions of others.

We, as Councillors, need to adhere to the agreed code of conduct and all stakeholders need to adhere to acceptable standards of behaviour.

We need to accept & abide by the decisions of the majority.

We need to respect the need for confidentiality particularly in regard to matters affecting the reputation of individuals, not only because it is the proper and decent thing to do, but because it is the law.

And finally – if we subscribe to the Edmund Burke dictum - we need to exercise good, fair and impartial judgement in making decisions rather than casting a vote, issuing statements or circulating misinformation simply to appease a vocal minority or our own individual power base.

Councillors - that is the difficult challenge that I see before us over the next 12 months and that is why I consider my acceptance of the position of Mayor, primarily, as a duty and responsibility, rather than an honour and privilege.

Recommendation:

That Council note the Mayor's response and congratulate the Mayor.

Moved the Officer's Recommendation.

Moved: Cr Janine Booth

Seconded: Cr David Smith

Carried.

6. COUNCILLOR REPRESENTATION ON COMMITTEES & OTHER BODIES:

Councillors have on two occasions in the past month considered the current list of councillor representation. It is appropriate to review representation from time to time, say, annually.

Following discussion recently a draft list was circulated.

Recommendation:

That Council consider and determine Councillor representation on Committees and other bodies.

Motion Moved at Meeting:

That Councillor representations as indicated in the attachment be adopted by Council.

Moved: Cr Heather Mutimer

Seconded: Cr David Smith

Carried.

THE NATIONAL ANTHEM

Please stand and join in singing the National Anthem.

*Australians all let us rejoice,
For we are young and free;
We've golden soil and wealth for toil;
Our home is girt by sea;
Our land abounds in nature's gifts
Of beauty rich and rare;
In history's page, let every stage
Advance Australia Fair.
In joyful strains then let us sing,
Advance Australia Fair.*

The Mayor invites all present to partake in refreshments and the informal part of the Civic function.

CLOSE OF MEETING. *The Meeting closed at 7.22pm.*



REPRESENTATION ON COMMITTEES

CATEGORY A: EXTERNAL COMMITTEES APPOINTMENT BY COUNCIL RESOLUTION	COUNCILLOR REPRESENTATION
Highlands Regional Waste Management Group	Cr Bill McClenaghan
Central Highlands Regional Library	Cr Tim Hayes
Municipal Association of Victoria	Cr Bill McClenaghan
Victorian Local Governance Association (VLGA)	Cr Janine Booth
ALGWA (Australia Local Government Womens' Association)	Cr Heather Mutimer
Central Victorian Greenhouse Alliance	Cr Heather Mutimer
Hepburn Community Access Group	Cr Heather Mutimer
Local Government Sustainability Network	Cr Heather Mutimer
Chambers of Commerce & Tourism/Town Committees	Councillors attend as appropriate
Central Highlands Road Safe Committee	
Central Highlands Primary Care Partnership	
Central Highlands Agribusiness Forum (CHAF)	Cr David Smith
Youth options guarantee/Grampians Education Partnership (LLEN)	Crs Heather Mutimer & Bill McClenaghan
CATEGORY B: COUNCIL APPOINTED COMMITTEES:	
Forward Planning Meeting	Chair: Rotate
Heritage Committee	Cr Heather Mutimer; Cr Bill McClenaghan
Audit Committee	Crs Bill McClenaghan & Tim Hayes
Municipal Emergency Management Committee	Cr David Smith
Municipal Fire Prevention Committee	Cr David Smith

Recreation Advisory Committee	Cr Janine Booth
Creswick Development Committee	Chair: Creswick Ward Councillor
Tourism Advisory Committee	Cr Bill McClenaghan
Hepburn Healthy Communities Advisory Committee	Cr Janine Booth
Wombat Hill Botanic Gardens Advisory Committee	Chair: Holcombe Ward Councillor
Youth Advisory Committee	Cr Janine Booth
Culture & Arts Advisory Committee	Crs Tim Hayes & Heather Mutimer
CATEGORY C: ORGANISATIONS WHICH COUNCILLORS OR OFFICERS ATTEND ON A REGULAR BASIS AS REPRESENTATIVES OR OTHERWISE:	COUNCILLOR REPRESENTATION
Central Highlands Mayor's & CEO's Forum	Mayor
Loddon-Campaspe Mayor's & CEO's Forum	Mayor
Bobonaro Friendship Group	Cr Heather Mutimer
Highlands LLEN (review)	
CATEGORY D: EXTERNAL COMMITTEES GOVERNMENT APPOINTMENT	
Regional Youth Advisory Committee (R.Y.A.N.)	Cr Janine Booth

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