



HEPBURN SHIRE COUNCIL

ANNUAL STATUTORY MEETING OF COUNCIL DRAFT MINUTES

***MONDAY 13 DECEMBER 2010
DAYLESFORD TOWN HALL
76 VINCENT STREET
DAYLESFORD***

5PM.

**Hepburn Shire Council
Annual Statutory
Meeting**



DRAFT MINUTES

**MONDAY 13 DECEMBER 2010
Daylesford Town Hall
Vincent Street, Daylesford
5PM.**

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The Meeting opened at 5.05pm.

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chief Executive Officer shall affirm the Acknowledgment of Traditional Owners for the Hepburn Shire Council.

Hepburn Shire Council would like to acknowledge that 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. OPENING OF THE MEETING - WELCOME BY THE CHIEF EXECUTIVE OFFICER, MS KAYLENE CONRICK

The Annual Statutory Meeting of Council has been called to conduct the election of Hepburn Shire Council Mayor and Deputy Mayor.

The Ordinary Meeting of Council for the month of December will be held on **Tuesday 21 December 2010** and any normal Council business and public question time will be conducted then.

3. STATEMENT OF COMMITMENT

Councillors will together read the 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”

4. APOLOGIES: Nil

5. DECLARATION OF CONFLICTS OF INTEREST: Nil

6. APPOINTMENT OF TEMPORARY CHAIRPERSON

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

The Hepburn Shire Council *Local Law No. 1 Meeting Procedures and Common Seal* s102 (5) states at any meeting to elect the Mayor, any Councillor may be appointed as a temporary Chairperson to deal with:

- A) The receipt of nominations for the election of Mayor; and
- B) The election of Mayor; and
- C) The fixing of the allowances payable to the Mayor and Councillors.

The Annual Statutory Meeting will only deal with the Election of Mayor and Deputy Mayor. In accordance with the *Local Government Act 1989* s74 Councillor and Mayoral Allowances, Council resolved to determine the Councillor and Mayoral allowances at a Special Meeting held 30 June 2009.

Councillor and Mayoral Allowances are set for the remaining period of the current Council. Each Council must review and determine the level of the Councillor allowance and the Mayoral allowance within the period of 7 months after a general election or unless otherwise advised by the Minister for Local Government and published in the Government Gazette or by an Order in Council.

The Chief Executive Officer will call for nominations to act as temporary Chairperson.

MOTION

6.1.1 That Council appoint Councillor Janine Booth as the temporary Chairperson.

Moved: Councillor Tim Hayes

Seconded: Councillor Jon Barrell

Carried.

7. IMMEDIATE PAST MAYOR REPORT FOR 2009/2010

7.1 Outgoing Mayor's Report

Cr. Janine Booth presented a report on the 12-month term as Mayor.

MOTION

7.1.1 That Council receive the outgoing Mayor's report re her 12-month term as Mayor

Moved: Councillor Jon Barrell
Seconded: Councillor Sebastian Klein
Carried.

8. 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 2 years.

MOTION

8.1 That Council resolve that the term of the Mayor of the Hepburn Shire Council be for 1 (one) year.

Moved: Cr Bill McClenaghan
Seconded: Cr Don Henderson
Carried.

9. ELECTION OF MAYOR

9.1 Election of Mayor

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

The *Local Government Act 1989* ("the Act") s71 (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 last Saturday in November but not later than 31 December in each year.

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

The Mayor of a Council takes precedence at all municipal proceedings within the municipal district and must take the Chair at all meetings of the Council at which he or she is present.

Nominations are to be called. When the Mayor is elected, he or she will resume the Chair.

MOTION

<p>9.1 <i>That Council resolve to elect Cr. Rod May as Mayor of the Hepburn Shire Council for 1 (one) year.</i></p>

Moved: *Cr Sebastian Klein*

Seconded: *Cr Don Henderson*

Carried.

9.2 Presentation of Mayoral Medallion

The Chief Executive Officer will present the Mayor-elect with Medallion.

The Mayor resumes the Chair.

9.3 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.

MOTION

<p>9.3.1 <i>That Council receive the Mayor's inaugural speech.</i></p>
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Moved: *Cr Don Henderson*

Seconded: *Cr Bill McClenaghan*

Carried.

9.4 Congratulations to the Mayor

Following the Mayors speech the opportunity is provided to Councillors wishing to congratulate the new Mayor.

10. DEPUTY MAYOR

Council may elect a Deputy Mayor.

The aims of the position of Deputy Mayor is to assist the Mayor to carry out his or her day to day duties as and when required and carry out the functions of Mayor in his or her absence.

The aims and roles of the position of Deputy Mayor shall be identical to those of the Mayor (in his or her absence).

MOTION

10.1 That Council resolve to elect a Deputy Mayor for 1 (one) year.

Moved: Cr Don Henderson
Seconded: Cr Bill McClenaghan
Carried.

11. ELECTION OF DEPUTY MAYOR

Local Law No. 1 Meeting Procedures and Common Seal (10) provide that to elect a Deputy Mayor, the provisions for election of the Mayor will apply to the election of the Deputy Mayor.

Nominations for the position of Deputy Mayor to be called.

MOTION

11.1 Council resolve to elect Cr. Sebastian Klein as Deputy Mayor of the Hepburn Shire Council for 1 (one) year.

Moved: Cr Janine Booth
Seconded: Cr Don Henderson
Carried.

12. CLOSE OF MEETING

The Meeting closed at 5.32pm.

The Mayor closed the meeting and invited guests to join Councillors for supper.