



HEPBURN SHIRE COUNCIL
ANNUAL STATUTORY
MEETING OF COUNCIL
MINUTES

TUESDAY 6 DECEMBER 2011

DAYLESFORD TOWN HALL

76 VINCENT STREET

DAYLESFORD

5:30PM

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**Hepburn Shire Council
Annual Statutory
Meeting**



MINUTES

TUESDAY 6 DECEMBER 2011

**Daylesford Town Hall
76 Vincent Street, Daylesford
Commencing 5:30PM**

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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. OPENING OF MEETING: WELCOME BY INTERIM CHIEF EXECUTIVE OFFICER, MR PETER REEVE

PRESENT: Birch Ward Councillor Jonathan Barrell, Birch Ward Councillor Rod May, Cameron Ward Councillor Neil Newitt, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Janine Booth, Creswick Ward Councillor Don Henderson, Holcombe Ward Councillor Bill McClenaghan.

IN ATTENDANCE: Interim Chief Executive Office, Peter Reeve.

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 20 December 2011** and any normal Council business and public question time will be conducted at that time.

3. 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. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

6. APPOINTMENT OF CHAIRPERSON TO CONDUCT ELECTION OF MAYOR

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

MOTION

6.1.1. That Council appoint Councillor Rod May to act as temporary Chairperson to conduct the election of Mayor.

Moved: Councillor Don Henderson

Second: Councillor Sebastian Klein

Carried.

7. ACKNOWLEDGEMENT OF OUTGOING MAYOR FOR 2010-2011

7.1. OUTGOING MAYOR'S REPORT

The temporary Chair invited the past Mayor to present a report on the 12 month term as Mayor.

MOTION

7.1.1. That Council receives the outgoing Mayor's report for his one year term as Mayor.

Moved: Councillor Don Henderson
Second: Councillor Jonathan Barrell
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. In view of the 2012 General Election, a one year term of appointment is recommended.

MOTION

8.1. *That Council resolves that the term of the Mayor of Hepburn Shire Council will be for one year.*

Moved: Councillor Neil Newitt
Second: Councillor Janine Booth
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 were called. When the Mayor is elected, he or she will resume the Chair.

Councillor Jonathan Barrell moved the nomination of Councillor Janine Booth for the position of Mayor.

Councillor Janine Booth accepted the nomination.

Seconded: Councillor Neil Newitt

Councillor Don Henderson moved the nomination Councillor Sebastian Klein for the position of Mayor.

Councillor Sebastian Klein accepted the nomination.

Seconded: Councillor Bill McClenaghan

Councillor Sebastian Klein received 4 votes

Councillor Janine Booth received 3 votes

MOTION

9.1.1. That Council resolves to elect Councillor Sebastian Klein as Mayor for the Hepburn Shire Council for the term of one year.

Moved: Councillor Sebastian Klein

Seconded: Councillor Don Henderson

Carried.

9.2. PRESENTATION OF MAYORAL MEDALLION

The Interim Chief Executive Officer presented the Mayor-elect Councillor Sebastian Klein with the Medallion.

The Mayor Councillor Sebastian Klein resumed 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

9.3.1. That Council receives the Mayor's inaugural speech.

Moved: Councillor Rod May

Seconded: Councillor Don Henderson

Carried.

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

10.1.1. That Council resolves to elect a Deputy Mayor for one year.

Moved: Councillor Rod May

Seconded: Councillor Don Henderson

Carried.

11. ELECTION OF A DEPUTY MAYOR

Local Law No. 1 Meeting Procedures and Common Seal Part V, S102 Clause (10) provides 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 were called.

Councillor Don Henderson moved the nomination of Councillor Rod May as Deputy Mayor.

Councillor Rod May accepted the nomination.

Seconded: Councillor Jonathan Barrell

Councillor Jonathan Barrell moved the nomination of Councillor Neil Newitt as Deputy Mayor.

Councillor Neil Newitt accepted the nomination.

Seconded: Councillor Janine Booth

Councillor Rod May received 4 votes

Councillor Neil Newitt received 3 votes

MOTION

11.1.1. *That Council resolves to elect Councillor Rod May as Deputy Mayor for the Hepburn Shire Council for one year.*

Moved: Councillor Don Henderson
Seconded: Councillor Jonathan Barrell
Carried.

12. CLOSE OF MEETING

The Meeting Closed at 6:00pm.

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