



HEPBURN SHIRE COUNCIL

STATUTORY

MEETING OF COUNCIL

MINUTES

WEDNESDAY 31 OCTOBER 2012

GLENLYON HALL

BARKLY STREET, GLENLYON

5:30PM

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MINUTES

WEDNESDAY 31 OCTOBER 2012

Glenlyon Hall
Barkly Street, Glenlyon
Commencing 5:30PM

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Hepburn Shire Council Statutory Meeting



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AARON VAN EGMOND
CHIEF EXECUTIVE OFFICER
31 OCTOBER 2012

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 CHIEF EXECUTIVE OFFICER, MR AARON VAN EGMOND

PRESENT: Birch Ward Councillor Pierre Niclas, Birch Ward Councillor Kate Redwood, Cameron Ward Councillor Neil Newitt, Coliban Ward Councillor Sebastian Klein, Creswick Ward Councillor Don Henderson, Creswick Ward Councillor Greg May, Holcombe Ward Councillor Bill McClenaghan.

IN ATTENDANCE: Chief Executive Officer Aaron van Egmond, General Manager Corporate Services Evan King, General Manager Community Services Kathleen Brannigan.

The Statutory Meeting of Council has been called to conduct the business associated with the Taking of the Oath of Office or Affirmation, Mayoral and Councillor Allowances, the terms of office for the Mayor and the Deputy Mayor, the election of the Hepburn Shire Council Mayor and the Deputy Mayor.

The Ordinary Meeting of Council for the month of November will be held on **Tuesday 20 November 2012** and any normal Council business and public question time will be conducted at that time.

3. APOLOGIES

Nil

4. TAKING OF THE OATH OF OFFICE

Each Councillor will be invited by the Chief Executive Officer to take their Oath of Office in Alphabetical order of Ward followed by surname.

BIRCH WARD

1. Councillor Elect Pierre Niclas
2. Councillor Elect Kate Redwood

CAMERON WARD

1. Councillor Elect Neil Newitt

COLIBAN WARD

1. Councillor Elect Sebastian Klein

CRESWICK WARD

1. Councillor Elect Don Henderson
2. Councillor Elect Greg May

HOLCOMBE WARD

1. Councillor Elect Bill McClenaghan

Local Government Act 1989 Section 63

(1) A person elected to be a Councillor is not capable of acting as a Councillor unless he or she has taken the following Oath of Office, in accordance with Section 100 of the *Evidence (Miscellaneous Provisions) Act 1958*.

OATH

A person elected to be a Councillor takes the Oath of Office by repeating the following words after the Chief Executive Officer (s.63(1), *Local Government Act 1989*):

“I (name) will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.”

The Oath of Office must be dated and signed before the Chief Executive Officer and recorded in the Minutes of Council.

AFFIRMATION

A person elected to be a Councillor who is required to take an oath may choose whether to take an oath or make an affirmation (s. 102 of the *Evidence (Miscellaneous Provisions) Act 1958*). A person makes an oral affirmation by repeating the following words after the Chief Executive Officer administering the Affirmation (Third Schedule of the *Evidence (Miscellaneous Provisions) Act 1958*):

“I (name), do solemnly, sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment .”

The Affirmation must be dated and signed before the Chief Executive Officer and recorded in the Minutes of Council.

ATTACHMENT 1 - COUNCILLORS SIGNED OATH OF OFFICE

BIRCH WARD

Councillor Pierre Niclas
Councillor Kate Redwood

CAMERON WARD

Councillor Neil Newitt

COLIBAN WARD

Councillor Sebastian Klein

CRESWICK WARD

Councillor Don Henderson
Councillor Greg May

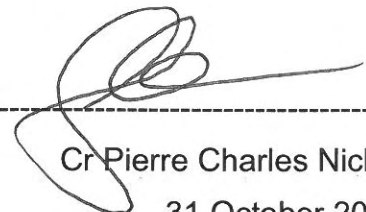
HOLCOMBE WARD

Councillor Bill McClenaghan

Local Government Act 1989

Section 63 OATH OF OFFICE

I Pierre Charles Niclas will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.



Cr Pierre Charles Niclas
31 October 2012

Witness:



Aaron van Egmond
Chief Executive Officer

Local Government Act 1989

Section 63 OATH OF OFFICE

I Catherine Redwood will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.



Cr Catherine (Kate) Redwood

31 October 2012

Witness:

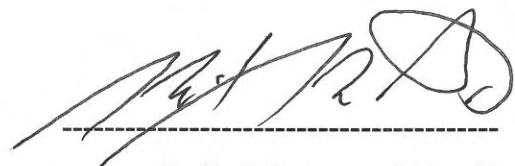


Aaron van Egmond
Chief Executive Officer

Local Government Act 1989

Section 63 OATH OF OFFICE

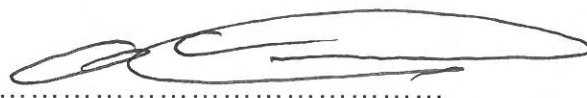
I Neil Raymond Newitt will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.



Cr Neil Raymond Newitt

31 October 2012

Witness:




Aaron van Egmond
Chief Executive Officer

Local Government Act 1989

Section 63 OATH OF OFFICE

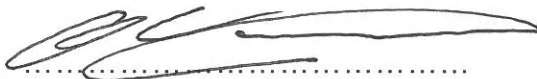
I Sebastian John Klein, do solemnly, sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

A handwritten signature in black ink, consisting of several overlapping, fluid strokes.

Cr Sebastian John Klein

31 October 2012

Witness:

A handwritten signature in black ink, consisting of several overlapping, fluid strokes.

Aaron van Egmond
Chief Executive Officer

Local Government Act 1989

Section 63 OATH OF OFFICE

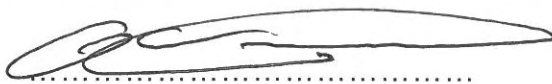
I Donald Roy Henderson, do solemnly, sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

A handwritten signature in black ink, appearing to read "Donald Roy Henderson", written over a horizontal dashed line.

Cr Donald Roy Henderson

31 October 2012

Witness:

A handwritten signature in black ink, appearing to read "Aaron van Egmond", written over a horizontal dotted line.

Aaron van Egmond
Chief Executive Officer

Local Government Act 1989

Section 63 OATH OF OFFICE

I Gregory Robert May will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.



Cr Gregory Robert May

31 October 2012

Witness:



.....
Aaron van Egmond
Chief Executive Officer

Local Government Act 1989

Section 63 OATH OF OFFICE

I William Marks McClenaghan will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Hepburn Shire and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

A large, stylized handwritten signature in black ink, which appears to read "William Marks McClenaghan". The signature is written over a horizontal dashed line.

Cr William Marks McClenaghan
31 October 2012

Witness:

A handwritten signature in black ink, which appears to read "Aaron van Egmond". The signature is written over a horizontal dotted line.

Aaron van Egmond
Chief Executive Officer

5. ACKNOWLEDGEMENT OF OUTGOING MAYOR FOR 2011-2012

5.1. OUTGOING MAYOR'S REPORT

Councillor Sebastian Klein

What an eleven months it has been! When I first took up the office of Mayor, we had an Interim Chief Executive Officer (CEO) and Hepburn Shire was under the capable direction of Peter Reeve. It was a great learning experience to work with someone who has as much time in the local government sector as Peter had and his influence on the Shire was unmistakable with his can-do attitude, his great way with people and real attention to the detail, particularly in terms of infrastructure and projects that the community have cared a lot about.

This period was noticeable for the focus on flood recovery, as we were still recovering from numerous flood events around the Shire. The continued emotional impacts of these incidents on the community, as well as enacting the formidable program of infrastructure recovery continue today. Between our General Manager Infrastructure, Bruce Lucas, Peter Reeve and the Manager of our award winning Flood Recovery Office, Jenny Browne and the dedicated team, the massive job to acquit \$26 million worth of works getting our roads and drains back into a useful state was well and truly progressed and was well underway when I took up this role.

As Mayor, this period was largely occupied ceremonially up until the recruitment process for the CEO's role. This was an amazing learning experience. No amount of recruitment training could reveal the depth of knowledge and experience that this recruitment process did. I have to thank the outgoing Council who joined me on the selection committee and from whom I learned much about the process as they gave their full attention, skills and consideration.

This gave rise to the appointment of our new CEO, Aaron van Egmond. With the arrival of our new CEO, we saw the return to some of the more strategic aspects of Council's work. A number of refreshing measures have been implemented in the five months since then, including greater interaction between senior officers and the broader Council staff, a greater focus on business planning and a concerted effort to make inroads into our asset management plans. These plans are absolutely essential to achieve base line information on our current service levels for roads, drainage, footpaths and other essential infrastructure. These base lines allowed Council to actually start making good ground on our asset management and infrastructure funding gap.

Some other highlights for me were finally seeing to fruition the Daylesford Community Reserve, a project 13 years in the making that resulted from having a Council on board who all saw the need for youth spaces and saw the need for the distances of age groups between the very young and adult and the need for something for them to do and for them to know they are valued in the community.

Also, securing flood mitigation funding for the town of Creswick after the Flood Mitigation Plan was prepared by the North Central Catchment Management Authority. This was, in my time as a councillor, the number one priority of Council and in that process I was able to lobby with others in Council and the community for that funding and to see that successfully funded. It will be good to see the work done on the ground to ensure Creswick is that little bit safer in case more floods should happen again.

I was also very glad to be a part of the securing of State Government funding to expand the ability that we have from funding in the budget to look at bioenergy, particularly waste energy here in Hepburn Shire. Waste remains one of my key focuses and something I have pushed for better management of in my time on the Regional Planning Committee of the Central Highlands Mayors and CEOs Forum. It continues to be an item at large in Council, particularly in regards to our Waste Management Strategy which is yet to be completed and finalised and something I will continue to work very hard on, given this is one of our core areas of service to our community. We have a lot of environmental ground to make up in this area and some real goals to kick.

I have also been very glad to work with a number of community members on the Daylesford youth space which is a slowly burgeoning space at the ARC and will be a volunteer and assist with some of the programs that already run there through Council with State Government funding and our Youth Development Coordinator. Our hope is to expand the capacity at the space and to provide a much better service for kids who perhaps are unable to be at home or prefer not to be at home, with ways to engage with adults and the community in a way that they can't do at school. It's also something I will continue to push for throughout the Shire in my time as councillor in the next four years.

Similarly, with affordable housing I will be glad to continue conversations with the community around what opportunities there might be to expand the range of affordable housing in our area. I've been particularly heartened to note that since that conversation began in an overt fashion, since Council made that one of its commitments at the end of last year that a number of accommodation providers, a number of bed and breakfasts have actually seen fit to put housing back onto the long term rental market rather than the

short term rental market. This is another area I will continue to work very hard for in the coming four years.

Without too much further ado, I would like to thank all of the Councillors for their support during the past four years and say that I very much look forward to the next four years in serving our communities; doing our very best to see that the very best is done for our communities.

6. 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 6am Saturday 27 October 2012, 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 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”.*

Mayoral and Councillors 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 six 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.

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

MOTION

6.1.1. *That Council appoints Councillor Kate Redwood to fulfil the position of temporary Chairperson until the Mayor is elected.*

Moved: Councillor Don Henderson
Seconded: Councillor Sebastian Klein
Carried.

Councillor Kate Redwood took up the Chair.

7. MAYORAL AND COUNCILLORS ALLOWANCES

7.1. MAYORAL AND COUNCILLOR ALLOWANCES – 28 OCTOBER 2012 TO 27 OCTOBER 2013

GENERAL MANAGER CORPORATE SERVICES

In providing this advice to Council as the General Manager Corporate Services, I Evan King have no interests to disclose in this report.

PURPOSE

The purpose of this report is to set the Mayoral and Councillors allowances for the twelve month period commencing 28 October 2012 to 27 October 2013.

BACKGROUND

The Minister for Local Government, The Hon Jeanette Powell MP, reviews the limits and ranges of Mayoral and Councillors allowances on an annual basis. In accordance with S73B (5) of the *Local Government Act 1989*, a Council must increase the level of Mayoral and Councillors allowances in accordance with the adjustment factor specified in the notice from the Minister.

The *Local Government Act 1989* S74 (1) also requires a Council to review and determine the level of the Mayoral and Councillors allowances within the period of 6 months after a general election or by the next 30 June, whichever is later.

ISSUE / DISCUSSION

Hepburn Shire Council is classified by Local Government Victoria as a Category 1 Council. On this basis the range of Mayoral and Councillor allowances permitted is:

Councillors	\$7,542 to \$17,969 plus superannuation guarantee
Mayor	Up to \$53,684 plus superannuation guarantee

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The *Local Government Act 1989* requires a Council to review and determine the level of the Mayoral and Councillors allowances within the period of 6 months after a general election or by the next 30 June, whichever is later.

FINANCIAL IMPLICATIONS

The 2012-2013 budget has an inflation factor included in the current Mayoral and Councillors allowances budget to cover the Minister's determination.

RISK IMPLICATIONS

Reviewing the Mayoral and Councillors allowances will ensure compliance with the *Local Government Act 1989* provisions pertaining to Mayoral and Councillor allowances.

ENVIRONMENTAL / SOCIAL / ECONOMIC IMPLICATIONS

None noted

COMMUNITY AND STAKEHOLDER ENGAGEMENT

None noted

CONCLUSION

Section 74 (1) of the Act requires that Councils must review and determine the level of Mayoral and Councillor allowances within the period of six months after a general election or by next 30 June, whichever is later.

OFFICER'S RECOMMENDATION

That Council:

- 7.1.1 Sets the Mayoral allowance at **\$"insert amount"** plus superannuation guarantee for the period 28 October 2012 to 27 October 2013.
- 7.1.2 Sets the Councillor allowance at **\$"insert amount"** plus superannuation guarantee for the period 28 October 2012 to 27 October 2013.

MOTION

That Council:

7.1.1. Sets the Mayoral allowance at \$45,000 plus superannuation guarantee for the period 28 October 2012 to 27 October 2013.

7.1.2. Sets the Councillor allowance at \$17,969 plus superannuation guarantee for the period 28 October 2012 to 27 October 2013.

Moved: Councillor Neil Newitt

Seconded: Councillor Pierre Niclas

Carried.

**ATTACHMENT 2 - LETTER FROM LOCAL GOVERNMENT VICTORIA
DATED 26 OCTOBER 2012 ADVISING OF MAYORAL AND
COUNCILLORS ALLOWANCES AND ELECTION OF MAYOR**

Circular 39 / 2012

To all Chief Executive Officers
(as addressed)

Dear CEO

MAYORAL AND COUNCILLORS AND ELECTION OF MAYOR

Annual adjustment of allowances

The Minister for Local Government, the Hon Jeanette Powell MP, has reviewed the limits and ranges of the current Mayoral and Councillor allowances, and has determined under section 73B of the *Local Government Act 1989* ('the Act') that these allowances be increased by **2.5%** from 27 October 2012. The Minister has had regard to the equivalent movement in executive remuneration announced by the Premier and recently published on the website of the State Services Authority.

Therefore, for Councils (other than Melbourne City Council), the following adjusted range limits apply under section 73B(4) of the Act, from **27 October 2012**:

- Category 1: Councillors: \$7,542 - \$17,969 per annum; Mayors: up to \$53,684 per annum
- Category 2: Councillors: \$9,317 - \$22,405 per annum; Mayors: up to \$69,325 per annum
- Category 3: Councillors: \$11,204 - \$26,843 per annum; Mayors: up to \$85,741 per annum

These adjustments were published by notice in the *Victoria Government Gazette* S360 today (available online at: www.gazette.vic.gov.au).

Under section 73B(5) of the Act, Councils must increase their current Councillor and Mayoral allowances in accordance with this notice. The amount equivalent to the superannuation guarantee under Commonwealth taxation legislation (currently 9%) is payable in addition to these amounts.

From 27 October 2012, the payment of allowances cannot exceed more than **one month** in advance.

Review of allowances after the election

Section 74(1) of the Act requires that Councils must review and determine the level of Mayoral and Councillor allowances within the period of six months after a general election or by next 30 June, whichever is later.

Under section 74(4) of the Act a person has a right to make a submission under section 223 to this review. Councils therefore need to allocate sufficient time to ensure all steps in this process are undertaken so a final determination on allowances is made by the legislated deadline.

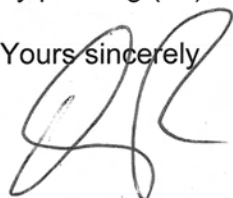
Until this review is complete and any decision subsequently made to vary existing amounts, Councils must continue to pay the current allowances as adjusted above to their Mayors and Councillors. A Council **cannot** resolve to vary any allowances payable before then.

Election of Mayor

Please be aware that under section 71(3)(a) of the Act, the Councillors must elect the Mayor by no later than **30 November 2012**. Before the process for election of Mayor is undertaken, the Council may resolve to elect the Mayor for a term of two years.

Tim Presnell, Senior Governance Analyst can assist you with enquiries on these matters by phoning (03) 9208 3672 or emailing tim.presnell@dpcd.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Kendrea Pope', written over the text 'Yours sincerely'.

Kendrea Pope
Acting Executive Director
Local Government Victoria

26 / 10 / 2012

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.

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

MOTION

8.1. *That Council determines the term of office of the Mayor of Hepburn Shire Council for the term of one year.*

Moved: Councillor Sebastian Klein
Seconded: Councillor Bill McClenaghan
Carried.

9. ELECTION OF MAYOR

9.1. ELECTION OF MAYOR

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”) 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 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.

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

9.1.1. *That Council resolves to elect Councillor Bill McClenaghan as Mayor for the Hepburn Shire Council for a term of one year.*

Moved: Councillor Don Henderson

Seconded: Councillor Sebastian Klein

Carried.

9.2. PRESENTATION OF MAYORAL MEDALLION

The Chief Executive Officer presented the Mayor-elect with the Mayoral Medallion.

The Mayor, Councillor Bill McClenaghan resumed the Chair.

9.3. CONGRATULATORY REMARKS TO MAYOR

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

9.4. 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.

Mayor, Councillor Bill McClenaghan

Councillors, Colleagues, Mr CEO and members of the Council Staff, I'd like to welcome you here to the Glenlyon Shire Hall and also to the members of public gallery who have come here today.

Today is an important milestone in the municipality of Hepburn Shire. Whenever a new Council comes to office, it is really like the dawning of a new day.

Many of us go to bed of a night with the worries of the world on our shoulders, and with unresolved issues and overnight a magical transformation often takes place in our sleeping mind or in the mind that never sleeps. We wake up in the morning refreshed and ready to start again, to have another go; to solve the problems that yesterday were too great for us to solve, but today we are eager to get in there and have a crack. I believe that every time a new Council comes to office, it's a good time to consider that there were things that didn't go quite right last time, that there are things we can do better, that there are more people that we can help and serve. Today really marks that start of a new day, a new era for Hepburn Shire.

Hepburn Shire is not the Council. It is not the seven elected Councillors around this table. It's not just them. Certainly not about me, the Mayor – not at all. It's not about the officers - only. It's about all of the above and the people who live here, who work here, who have their businesses here and who make Hepburn Shire what it is. The people whose activity makes this Shire the great place that it is. Well endowed though it may be in terms of natural beauty and natural resources, it is still a wonderful place to live, to work, to come and visit, to raise your families and to enjoy. We need to keep it that way. We need to make it better. We, the Council, can't do it on our own. We don't have a magic wand. We don't have a bottomless bucket of money. We can only work with the community. We are not the community's enemy even though sometimes we get painted that way. We need to work with the community, for the community, as your Council. You need to work

with us because we can deliver outcomes together much better than any of us on our own. We, the Councillors, can deliver much better outcomes by working as a top team with our Council officers; with the CEO, General Managers and all the Managers. We need to make them feel that they are worthwhile people, that they are valued. They are valued as people, as personalities, not just for their skills and not just for the work that they do but they are valued as people, important people, and Hepburn Shire people. People, who live here, work here and come to meetings here and live and work in the community, need to know that too. They are important people in Hepburn Shire and they need to be working with us at the first level of government, not the third but the first that is closest to the community. The level of government that wants to work closely with you all the time, not just in wards, but all together.

I'd like to welcome you to Glenlyon, those of you who don't normally come here. It's a beautiful little town; Barkly Street, Glenlyon with its famous avenue of trees and the old Glenlyon Shire Hall, which up until 1966 was the centre of the Shire of Glenlyon and run in those early days by one man. That's him over there on the wall – Stephen Langley, the Shire Secretary and Engineer. Since those days local government has changed immeasurably. Today, we have a new paradigm completely, whereby local government ceases to be as easy to understand. We're here to help people understand and to work with the people of our Shire.

I'm here as Mayor to work with my Councillor team. I will support my Deputy Mayor absolutely, when we name the Deputy Mayor. The Deputy Mayor needs to grow, needs to be able to stand up here next year and address you and continue the business of Council, to continue to lead the Council team of Councillors and officers and to continue to lead the community. Every individual Councillor here needs to feel valued and supported. Everyone needs to be able to pursue their own aspirations, whether those aspirations are: going to the VLGA (Victorian Local Governance Association), in waste management, looking after affordable housing or whatever they may be. Each individual Councillor needs to feel that they are making a very, very real and substantial contribution to the Shire and its people. It will be failure on our part if they don't do that. It will be failure if we fail to negotiate and communicate and engage with the community. Unless we empower the community to work with us, we will get a lesser outcome. It is only by empowering the community and making you want to work with us for the benefit of all, will we have a Shire of which to be truly proud.

It is my privilege to be the Mayor of Hepburn Shire. I'd like to acknowledge the outgoing Mayor, Councillor Sebastian Klein, for the energy that he showed

in his term as Mayor, for the passion that he showed for the job as Mayor and for the support that he is showing to the Council in this term.

I'd like to thank you all for coming. I'd like you to leave here tonight knowing that we will do our best to deliver the best outcomes for the people of Hepburn Shire for the next four years.

MOTION

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

Moved: Councillor Kate Redwood

Seconded: Councillor Sebastian Klein

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).

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

10.1.1 That Council determines whether it wishes to elect the Deputy Mayor for a term of one year.

MOTION

10.1.1. *That Council determines to elect the Deputy Mayor for a term of one year and prepares a role description for the Deputy Mayor.*

Moved: Councillor Sebastian Klein

Seconded: Councillor Kate Redwood

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.

MOTION

11.1.1. That Council resolves to elect Councillor Don Henderson as Deputy Mayor for the Hepburn Shire Council for a term of one year.

Moved: Councillor Sebastian Klein

Seconded: Councillor Kate Redwood

Carried.

11.2. INCOMING DEPUTY MAYOR'S SPEECH

Deputy Mayor, Councillor Don Henderson

I'd like to acknowledge all of the people taking part in elections over recent times. As a successful candidate, I wish to thank those candidates who tried hard to become representatives of the Shire. I have listened to and read their aspirations and noted the views of those who supported them. I continue to seek to represent all. As always, there will be a special place for those least able to represent themselves. This means our youth, our older folk who have made this such a wonderful place to live. It also means those who have fallen on hard times. It means our farmers who often enjoy less services and work long hours and sometimes find it hard with Mother Nature against them.

Special thanks to my campaign team for their patience and help. I'd also like to thank Judy who has been there and will continue to be a great supporter of my work as well as assisting the community in her own work. I'm grateful to have such a capable best friend in my corner.

I intend to be relentless in the pursuit of better and more cost effective outcomes; roads constructed with proper drainage and designed to last instead of patched.

I will work with all of my colleagues and that includes staff. I regard staff very much as part of the team, as colleagues. I will be a back up for you Mr Mayor and support. Along the way I'm hopeful that I will do a great deal of learning

and I hope we will make this Council that has been elected for four years, truly a Council for the people.

MOTION

11.2.1. That Council receives the Deputy Mayor's inaugural speech.

Moved: Councillor Pierre Niclas

Seconded: Councillor Sebastian Klein

Carried.

12. CLOSE OF MEETING

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

The Meeting Closed at 6:13 pm.
