



HEPBURN SHIRE COUNCIL  
STATUTORY MEETING OF COUNCIL  
DRAFT MINUTES

TUESDAY 11 NOVEMBER 2014

DAYLESORD TOWN HALL  
76 VINCENT STREET  
DAYLESFORD

6:00PM

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# *MINUTES*

TUESDAY 11 NOVEMBER 2014

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

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AARON VAN EGMOND  
CHIEF EXECUTIVE OFFICER  
11 NOVEMBER 2014

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.

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2. OPENING OF MEETING: WELCOME BY CHIEF EXECUTIVE OFFICER (CEO),  
MR AARON VAN EGMOND

PRESENT: Birch Ward Councillor Pierre Niclas, Birch Ward Councillor Kate Redwood AM, 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 Grant Schuster, General Manager Community Services Kathleen Brannigan, General Manager Infrastructure Bruce Lucas, Governance and Corporate Support Officer Mary Dancuk and Executive Assistant to the CEO Michelle Collett.

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 2014/15.

The Ordinary Meeting of Council for the month of November will be held on **Tuesday 18 November 2014**. Any normal Council business and public question time will be conducted at that time.

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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"

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4. APOLOGIES

Nil

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5. 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.

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6. ACKNOWLEDGEMENT OF OUTGOING MAYOR FOR 2013/14

6.1. OUTGOING MAYOR'S REPORT 2013/14

**Councillor Don Henderson**

This term as Mayor has been very busy and an absolute pleasure.

I must extend my thanks to the communities throughout the Shire for their willingness to welcome me to their various functions and events.

Thanks also to Cr Redwood who played an important support role as Deputy Mayor when I was unable to attend some functions. Thanks to Cr McClenaghan who has also filled in and represented Council as Municipal Association of Victoria (MAV) representative and has been such a help when assistance and advice was needed. With double and often triple bookings, it was a very good feeling to know that this backup was always there.

This year was hectic with State elections on the go and I must say that I attempted to get the last cent out of Government and commitments from the opposition. I was told that some are envious around Regional Development Victoria circles at the amount that we have received and will receive into the future. This just shows that teamwork and commitment gets the job done.

Staff have also given me a great deal of support from the CEO right throughout the organisation. Michelle Collett, Maria Abate and Mary Dancuk have all gone beyond the call of duty to assist and I thank them. Little things said are often remembered. Recently a community member and former staff person introduced me as "our beloved Mayor" and went on to say that I always ask the hard questions. I was very proud indeed to be regarded in that light.

Being Mayor has been an opportunity to promote the Shire and our achievements well beyond our borders and to build trust and networks in local government and in political circles. I discovered many people from past life experiences who are still actively involved and this has been a bonus when trying to get a message across. It is not easy as a small rural shire competing in the same space with the likes of the City of Ballarat. I believe we have done well in spite of this.

It is my belief that we have built upon the good work of this particular Council and I wish our new Mayor all of the rewards that come from that hard work.

Others will naturally make judgements about my term as Mayor. All I have to say on this matter is that I have done my very best to represent our community to the extent allowed.

Lastly, I could not have done this job without my wife and best friend Judy who has been a fantastic support. There has always been understanding and hard work behind the scenes and I thank her from the bottom of my heart. Sometimes it is the little things that count and mean so much.

**MOTION**

6.1.1. *That Council receives and notes the outgoing Mayor's report for 2013/14.*

**Moved:** Councillor Bill McClenaghan

**Seconded:** Councillor Greg May

**Carried.**

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**6.2. VOTE OF THANKS TO OUTGOING MAYOR**

All Councillors expressed their appreciation to the Outgoing Mayor, Councillor Don Henderson, for his contribution to Hepburn Shire, his diligence and hard work during his term of office.

The Chief Executive Officer, on behalf of Council staff, echoed the sentiments of Councillors and expressed his appreciation and thanks.

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7. 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 and Common Seal section 102 (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 Councillor 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 Victoria Government Gazette or by an Order in Council.

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

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

**MOTION**

7.1. *That Council appoints Councillor Don Henderson to fulfil the position of temporary Chairperson until the Mayor is elected.*

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

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## 8. MAYORAL AND COUNCILLOR ALLOWANCES

### 8.1. MAYORAL AND COUNCILLOR ALLOWANCES – 2014/15

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

#### PURPOSE

The purpose of this report is to set the Mayoral and Councillor allowances for 2014/15.

#### BACKGROUND

The Minister for Local Government reviews the limits and ranges of Mayoral and Councillors allowances on an annual basis. In accordance with section 73B (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, when and as adjustments are made.

#### ISSUE/DISCUSSIONS

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 (*adjusted by Minister as at 24 December 2013*) is:

Councillors \$7,730 – \$18,418 plus superannuation guarantee.

Mayor Up to \$55,026 plus superannuation guarantee

The Mayoral and Councillor allowances were adjusted in accordance with the Minister's advice received in December 2013.

Current allowances paid are:

Councillors: \$18,418 plus superannuation guarantee.

Mayor: \$55,026 plus superannuation guarantee.

#### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The *Local Government Act 1989* requires the Minister, at least once every year, to review the allowance category for each Council.

#### FINANCIAL IMPLICATIONS

The 2014/15 budget has an inflation factor included in the current Mayoral and Councillor allowances budget to cover the Minister's determination on the adjustment factor later in the year.

### **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**

Not applicable

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Not applicable

### **CONCLUSION**

Having reviewed the Mayoral and Councillor allowances 12 months ago at the 2013 Statutory Meeting, it is good governance to review allowances at the 2014 Statutory Meeting.

### **RECOMMENDATION**

That Council:

- 8.1.1 Sets the Mayoral allowance at \$55,026 plus superannuation guarantee for 2014/15, subject to any future adjustment by the Minister for Local Government.
- 8.1.2 Sets the Councillor allowance at \$18,418 plus superannuation guarantee for 2014/15, subject to any future adjustment by the Minister for Local Government.

**MOTION**

*That Council:*

- 8.1.1. *Sets the Mayoral allowance at \$55,026 plus superannuation guarantee for 2014/15, subject to any future adjustment by the Minister for Local Government.*
- 8.1.2. *Sets the Councillor allowance at \$18,418 plus superannuation guarantee for 2014/15, subject to any future adjustment by the Minister for Local Government.*

**Moved:** Councillor Neil Newitt

**Seconded:** Councillor Greg May

**Carried.**

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9. 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.

MOTION

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

**Moved:** Councillor Pierre Niclas

**Seconded:** Councillor Neil Newitt

**Carried.**

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## 10. ELECTION OF MAYOR

### 10.1. ELECTION OF MAYOR 2014/15

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, 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.

## MOTION

*That Council:*

- 10.1.1. *That Council pursuant to the provisions of section 71 of the Local Government Act 1989 elects Councillor Kate Redwood AM as Mayor of Hepburn Shire Council for 2014/15.*
- 10.1.2. *The term of office of the Mayor shall expire at 6:00am on the day of the next election of the Mayor.*

**Moved:** Councillor Pierre Niclas  
**Seconded:** Councillor Sebastian Klein  
**Carried**

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## 10.2. PRESENTATION OF MAYORAL MEDALLION

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

**The Mayor Councillor Kate Redwood assumed the Chair.**

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## 10.3. CONGRATULATORY REMARKS TO MAYOR

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

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## 10.4. INCOMING MAYORAL SPEECH

**Mayor, Councillor Kate Redwood AM**

I am honoured to be elected Mayor for Hepburn Shire Council.

I thank my fellow Councillors for the confidence that they have placed in me, and I accept the role of Mayor for the next 12 months, with some trepidation. I know it is a tough gig.

The first two Mayors in the term of this Council – Cr Bill McClenaghan and Cr Don Henderson – have set a high standard. They have delivered immense benefit to our Shire – strong and ethical governance, a cohesive Council, professional working

relationships with Council administration, and boundless representation with all the many and varied interest groups and individuals in the Shire.

I mean to continue in their footsteps. There is a lot to be said for steering a straight course.

This is the beginning of the third year in the term of this Council. We are halfway. It is timely to look back on what has been achieved and to look forward to what needs to be done.

Shortly before this Council was elected in November 2012, the previous Council appointed Aaron van Egmond as CEO. This has proved to be a stand out decision as Aaron has more than proved his ability as a reform manager.

With Council and CEO working well together, we have delivered:

- Strong and sustainable financial management
- Budgets that reflect the community's wish for efficiency, plus continuous improvement in services
- A ten year financial plan that balances rates with asset renewal
- The development of a Council Plan and its translation into strategies and projects and work plans that are both deliverable and measurable.  
Examples of this include the streetscape projects, the public arts initiatives, the new heritage protection policies and procedures, the roads maintenance assessment and timetable, and the libraries and expansion. But nothing is such a confidence booster in Council's capacity to deliver as the example of the Excelsior Bridge – on budget, smart design, preserving heritage, delivering greater safety and built in half the estimated time.

Go Council! I for one am immensely proud of what is being achieved.

And what of the Council staff? The last all staff meeting I attended was a ripper. I left with a smile on my face thinking what a great group of people to work with. I suspect that the better organisation climate results from better management of people, better HR, better recognition of work well done, resulting in better job satisfaction, lower turnover, and better OH&S.

All this in two years!

So in year three we need to build on these gains. What is important to me as Mayor is success. I have a particular passion for successful organisations and successful teams.

What does success look like for Hepburn Shire Council?

Success is a council that works to deliver on the aspirations of its communities and which is held in high regard by its constituents as an organisation that people are proud of.

In February each year, an independent body undertakes community satisfaction surveys regarding councils. The last two show satisfaction with this Council is improving but not enough. I ask why?

Many of the elements needed to deliver success are in place – good planning and a well prepared Council Plan, the management systems to deliver projects and services, the link between plans and budgets, the monitoring and accountability systems to ensure delivery, and a good bundle of skilled people to do the work.

There's a gap. We are not cutting through. We are not communicating as well with our communities as we could, and this we need to fix.

We need to be more agile in our communication both responding to issues that members of our communities raise, and being proactive where we can anticipate community interest.

We need to use modern technology to engage in interactive communication. The launch of Council's Facebook page will assist with this.

Our customer service officers do a great job, but we should be able to make their jobs easier by upgrading our website out use of print media, noticeboards, and how we engage in ward meetings with our constituents, and follow up on issues. This applies generally but my particular concern is with our Customer request Management System, otherwise known as a service register. It is a great step forward to be able to monitor the progress in the queue and the anticipated time till a response is made.

In my experience Council officers are respectful, responsive and hard working. I want everyone to know that.

With regard to the Council itself, as you know it comprises seven individuals representing five wards but bound to work for the greater good of the Shire as a whole. In this Council there has been minimal parochial wrangling and I am proud to say that the Council works well as a team. This is essential for the harmonious management and delivery of just about everything. I want to congratulate my colleagues on their ability to put aside sectional interests in the advancement of the whole. I will do my very best to provide fair and respectful leadership which furthers the Council issues you feel passionate about.

Some of the important issues that we as a Council will be engaged with in the next 12 months include:

- Waste management



- Social enterprises
- The bio-energy project
- Freight Strategy and
- The Trentham Hub.

I look forward to seeing our Council progressing these projects and others in close collaboration with the residents and interest groups of Hepburn Shire.

As I contemplate the year ahead, I know that there will be many calls on my time as Mayor to attend community functions, to represent the Shire and to be the spokesperson on issues with the media.

There is also an opportunity to advance community interests in a range of ways. Many of you will know that after years of work by many, the announcement was made last week of the State Government funding for new facilities in Victoria Park. Our Daylesford community is asked to raise \$250,000 as their contribution to the total of \$1.9 million budget. I will work with the Bendigo Community Bank, *The Advocate* and many user groups to achieve this goal.

I would anticipate that there will be other opportunities in the Shire to use the position of Mayor to deliver general benefit to the community through leadership. I welcome that role.

Finally, I want to acknowledge that the big loser in my mayoral year is my partner Neville Oddie. I imagine that my time for lamb marking, indigenous nursery work and tree planting will be considerably reduced. I thank him especially for his support.

#### MOTION

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

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

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## 11. 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.

### MOTION

11.1.1. *That Council resolves to elect a Deputy Mayor for the next one year term.*

**Moved:** Councillor Bill McClenaghan  
**Seconded:** Councillor Don Henderson  
**Carried.**

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## 12. ELECTION OF A DEPUTY MAYOR

### 12.1. ELECTION OF DEPUTY MAYOR FOR 2014/15

*Local Law No 1 Meeting Procedures and Common Seal Part V, section 102 (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

12.1.1. *That Council pursuant to the provisions of Council's Local Law No 1 – Meeting Procedures and Common Seal Part V, section 102 (10) elects Councillor Neil Newitt as Deputy Mayor of Hepburn Shire Council for 2014/15.*

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

**Moved:** Councillor Greg May  
**Seconded:** Councillor Pierre Niclas  
**Carried.**

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### 12.2. INCOMING DEPUTY MAYOR'S SPEECH

#### **Deputy Mayor, Councillor Neil Newitt**

Two years ago, this Council made a commitment to the delivery of better services for our residents, ratepayers and the community at large.

In those two years we have delivered one of the lowest rate rises of any Council in the state, and have constantly sought ways to better spend the ratepayers' dollars - to deliver a "better bang for the buck".

To repeat the often used phrase of our CEO: "spend every dollar as if it were your own".

This is been a significant undertaking on its own, but the job is not finished.

As we enter the second half of this Council's term, I am committed to continuing this initiative, and building on other ways to deliver better services.

I'm committed to better communication between our organisation and the community.

Much work has already been undertaken with more opportunities for better communications already delivered through public consultation - both face to face, and with online participation.

I want to continue to find better ways for residents to talk to Council, through a better website and other channels. I want Council to not only hear about concerns and problems that need fixing, but also want to hear ideas that will strengthen and enhance our future. And we need to work better at getting back to the community, let them know they have been listened to and, when introducing works, always thinking about who will it effect and have we told them.

I am committed to building stronger relationships with our volunteers.

Our volunteers deliver a number of services that are highly valued by our community; some have done so for many years. Our volunteers deliver these services, not for Council or our partners, but for their communities. We need to respect and support our volunteers.

We need to support our events, and businesses that are bringing people to our towns; businesses that serve both our locals and visitors.

We need to be able to support those that live here and help those that wish to join our communities.

We need to find ways to assist those that want to come to our towns and bring or start their own businesses.

Our Council Plan says we will maintain, promote, protect and enhance the district's unique social, cultural, environmental and heritage characteristics.

We will achieve this through effective, caring management and responsible governance. We will strive to gain maximum advantage for our community by protecting and enhancing our natural and built environment.

As Deputy Mayor, I look forward to supporting the Mayor and my fellow Councillors in working towards fulfilling the Council Plan, in working towards building stronger, healthier communities.

## MOTION

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

**Moved:** Councillor Sebastian Klein  
**Seconded:** Councillor Pierre Niclas  
**Carried.**

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13. CLOSE OF MEETING

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

**The Meeting Closed at 6:41pm.**

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