



# MINUTES

## Statutory Meeting of Council

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**9:30am Wednesday 23 November 2022**

VENUE:

Council Chambers

Yarriambiack Shire Council

34 Lyle Street, Warracknabeal Vic 3393

Next Meeting

Wednesday 14 December 2022

Copies of the Yarriambiack Shire Council's Agendas and Minutes  
can be obtained online at [www.yarriambiack.vic.gov.au](http://www.yarriambiack.vic.gov.au)

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## *OUR VISION:*

In consultation with our community, Yarriambiack Shire Council aims to provide a viable, sustainable, and vibrant future.

## *OUR VALUES:*

### Customer Service

- treat our customers with courtesy and respect.
- lead and develop leadership within our community.
- constantly strive to improve our services.
- forge closer relationships with customers.
- investigate matters thoroughly and objectively and keep our customers informed, in plain language, about the process and outcome.
- treat people fairly, with respect and have proper regard for their rights.
- make decisions lawfully, fairly, impartially and in the public interest.
- we are honest, trustworthy, reliable, transparent, and accountable in our dealings.
- we are careful, conscientious, and diligent.
- use public resources economically and efficiently.
- actively pursue positive outcomes for the community

## *CONTINUOUS IMPROVEMENT:*

Continuous Improvement We drive continuous and sustainable improvement in service provision, operational efficiency, and stakeholder relations to create a leading organisation.

## **Recording**

Consistent with section 2.44.3 of our Governance Rules, consent given by the Chair to the recording of any Council Meeting must be obtained prior to the commencement of the Council Meeting.

## **Live Streaming**

Council meetings will now be live streamed to allow those interested in viewing proceedings greater access to Council decisions and debate without attending the meeting in person.

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## 1 WELCOME

## 2 ACKNOWLEDGEMENT AND PRAYER

Cr K Zanker to open the meeting at 9:30am by acknowledging the Indigenous Community and offering the opening prayer.

### Acknowledging Traditional Owners

'I would like to acknowledge that this meeting is being held on the traditional lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people, and I pay respects to their Elders, both past, present and emerging'.

### Prayer

*Almighty God, without whom no Council can stand, nor anything prosper we ask that you be present and guide us in our deliberations today. We pray that we will be fair in our judgements and wise in our actions and that decisions will be made with goodwill and a clear conscience for the betterment and welfare of the people of Yarriambiack Shire.*

*Amen*

## 3 PRESENT

### COUNCILLORS:

Councillor Graeme Massey	Warracknabeal Ward
Councillor Kylie Zanker	Warracknabeal Ward
Councillor Tom Hamilton	Dunmunkle Ward
Councillor Corinne Heintze	Dunmunkle Ward
Councillor Andrew McLean	Hopetoun Ward
Councillor Chris Lehmann	Hopetoun Ward

### OFFICERS:

Tammy Smith	Chief Executive Officer
Tony Caccaviello	Director Business Strategy & Performance
Gavin Blinman	Director Community Development & Wellbeing
Michael Evans	Director Asset & Operations
Tom Huf	Community & Economic Development Officer
Belinda Penny	Governance & Information Management Officer

## 4 APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE

Councillor Karly Kirk	Warracknabeal Ward
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## 5 MAYORAL REPORT 2022 - Presented by Cr K Zanker

As per Section 25 (3) a of the *Local Government Act 2020* the election of the Mayor must be chaired by the Chief Executive Officer and must be conducted in accordance with the Governance Rules.

## 6 FIXING OF THE MAYORAL TERM

As per Section 26 (3) of the *Local Government Act 2020*, prior to the election of a Mayor, Council must determine by resolution if the Mayor is to be elected for one or two year term.

Governance Rules section 2.2 – Determining the Election of Mayor

- a) The Chief Executive Officer must open the Meeting at which the Mayor is to be elected and preside until the Meeting elects a Mayor
- b) Before the election of the Mayor, Council must determine by resolution whether the Mayor is to be elected for a one-year or a two-year term

### Motion:

That Council determine the Mayor be elected for a one year term

### Resolution

Moved Cr G Massey Seconded Cr C Heintze that Council determine the Mayor be elected for a one year term

**Carried**

## 7 DETERMINING UPON A DEPUTY MAYORROLE

As per Section 20A of the *Local Government Act 2020*, Council must determine to establish an office of the Deputy Mayor by resolution.

### Motion:

- a) That Council determine to establish / not established an office of the Deputy Mayor.
- b) That Council determine the Deputy Mayor be elected for a ..... year term

### Resolution

Moved Cr C Lehmann Seconded Cr A McLean that Council determines not to establish an office of Deputy Mayor

**Carried**

## 8 ELECTION OF MAYOR

Section 25 of the *Local Government Act 2020* states 'At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of Council'

Governance Rules Part A – Election of Mayor

b) The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Act.

Governance Rules section 2.2.1 - The procedure for the election of the Mayor

- a) The Chief Executive Officer must invite nominations for the office of Mayor (each of which must be seconded). If there is only one nomination, the candidate nominated is to be declared elected.
- b) If there is more than one nomination, a vote of the Councillors present at the meeting will be held.
- c) In the event of a candidate receiving an Absolute Majority of the votes, that candidate is to be declared elected.
- d) In the event that no candidate receives an Absolute Majority of the votes, the candidate with the fewest number of votes is to be declared a defeated candidate. A further vote of the Councillors present at the meeting will be held.
- e) If one of the remaining candidates receives an Absolute Majority of the votes, he or she is to be declared elected. If none of the remaining candidates receives an Absolute Majority of the votes, the process of declaring the candidate with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an Absolute Majority of the votes. That candidate must then be declared to be elected.
- f) In the event of two or more candidates having an equality of votes and one of them having to be declared a defeated candidate, the declaration will be determined by lot.

Nominations will be invited for office of Mayor for 2022/2023.

Cr T Hamilton nominated, Seconded Cr C Heintze, Cr K Zanker as Mayor for 2022/2023  
Cr K Zanker accepted the nomination.

Cr C Lehmann nominated, Seconded Cr , Cr A McLean as Mayor for 2022/2023  
Cr A McLean accepted the nomination.

A vote by show of hands was undertaken to determine the role of Mayor for 2022/2023 as determined by the Yarriambiack Shire Council Governance Rules 2020

A show of hands was asked for Cr A McLean as Mayor for 22/23 Term:

Cr C Lehmann

Cr A McLean

A show of hands was asked for Cr K Zanker as Mayor for 22/23 Term:

Cr C Heintze

Cr T Hamilton

Cr G Massey

Cr K Zanker

### **Resolution**

That Cr K Zanker become duly elected as Yarriambiack Shire Council Mayor for 2022/2023 Term.

**Carried**

## **9 CONGRATULATORY REMARKS TO THE MAYOR**

Councillors offered their congratulations to the newly elected Mayor followed by the Chief Executive Officer.

### **Newly elected Mayor to preside over Council Meeting**

## **10 MAYORAL RESPONSE**

Mayor acknowledged congratulations and addressed meeting.

## 11 NOTICE OF MEETINGS

### SUMMARY

At the Council Meeting to elect the Mayor, Council must fix the date, time and place of all Council Meetings and Delegated Committee Meetings for the following year, which may be amended where the circumstances require.

The proposed Council Meeting Schedule for the following year is tabled for Council review and consideration.

#### Recommendation:

That Council adopts the Council Meeting Schedule as Tabled

#### Resolution

Moved Cr G Massey Seconded Cr C Heintze that Council adopts the Council Meeting Schedule as tabled

**Carried**

<b>COUNCIL MEETING DATES 2023</b>	
<i>Forums</i>	<b>Meetings</b>
<i>January 18<sup>th</sup></i>	January 25 <sup>th</sup>
<i>February 8<sup>th</sup></i>	February 22 <sup>nd</sup>
<i>March 15<sup>th</sup></i>	March 29 <sup>th</sup>
<i>April 12<sup>th</sup></i>	April 26 <sup>th</sup>
<i>May 10<sup>th</sup></i>	May 24 <sup>th</sup>
<i>June 14<sup>th</sup></i>	June 28 <sup>th</sup>
<i>July 12<sup>th</sup></i>	July 26 <sup>th</sup>
<i>August 9<sup>th</sup></i>	August 23 <sup>rd</sup>
<i>September 13<sup>th</sup></i>	September 27 <sup>th</sup>
<i>October 11<sup>th</sup></i>	October 25 <sup>th</sup>
<i>November 8<sup>th</sup></i>	November 22 <sup>nd</sup>
	December 13 <sup>th</sup>



**12 COUNCILLOR DELEGATIONS 2022 – 2023 - Appointments to Regional and State Bodies**

Council makes a series of appointments to Regional and State bodies.

It is appropriate that Council representatives and alternate representatives to these bodies be appointed, as well as the CEO or a Director of Council in certain cases.

Councillor Delegations 2022-2023 will be decided at the 14 December Council Meeting.

The term of the appointment is twelve months commencing from 14 December 2022 Council meeting.

**13 Statutory Meeting Closed**

Meeting closed 9:45am