

MINUTES



OF THE UNSCHEDULED MEETING OF COUNCIL
Held on Tuesday 26 November 2024
At 6.30 PM in the
Mount Alexander Shire Council Chamber,
Civic Centre
Corner Lyttleton Street and Lloyd Street, Castlemaine VIC
3450.

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ACKNOWLEDGEMENT OF COUNTRY

To start the official proceedings

**I would like to acknowledge that we are meeting on Djaara country
of which the members and elders of the Djaara Djaara community and their
forebears have been custodians for many centuries
and 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.**

**Council Meetings are audio and video recorded and are made available to the public via
electronic media including YouTube.**

1. PRESENT

Councillors: Rosie Annear, Tony Cordy, Matthew Driscoll, Rosalie Hastwell, Toby Heydon, Lucas Maddock, Bill Maltby and Phillip Walker.

Officers Chief Executive Officer (Darren Fuzzard), Director Infrastructure Development (Michael Annear), Director Corporate Services (Julie Landy), Director Healthy Communities (Lisa Knight) and Manager Governance and Risk (Leanne Brown).

2. APOLOGIES/LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST AND CONFLICTS OF INTEREST

Nil.

4. MAYORAL TERM

Under Section 26(3) of the Local Government Act 2020 (the Act), before the election of the Mayor, a Council must determine by resolution whether the Mayor is to be elected for one (1) year or a two (2) year term. In accordance with the Act, where Council does not otherwise nominate a term of office for the Mayor, the Mayoral Term shall be for one year.

In accordance with Section 9.5.6 of the Governance Rules 2023, should Council choose to establish the role of Deputy Mayor then it shall do so for the same period as the Mayoral Term.

RECOMMENDATION

That Council elects the Mayor for a one (1) year term.

OR

That Council elects the Mayor for a two (2) year term.

MOVED COUNCILLOR MALTBY

That Council elects the Mayor for a one (1) year term.

SECONDED COUNCILLOR WALKER

CARRIED.

5. ELECTION OF MAYOR

In accordance with Section 9 of the Governance Rules 2023, the Chief Executive Officer as chairperson must invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee for the ensuing Mayoral Term.

Pursuant to the provisions of the Act, the election of Mayor shall be by show of hands and must be elected by an absolute majority of Councillors which means the number of Councillors greater than half the total number of the Councillors of a Council.

If an absolute majority of the Councillors cannot be obtained at the Meeting, the Council may resolve to conduct a new election at a later specified time and date.

In accordance with section 25(6) of the Act, if only one Councillor is a candidate for Mayor, the Meeting must declare that Councillor to be duly elected as Mayor.

There will be an opportunity for Councillors to congratulate the incoming Mayor after the election.

RECOMMENDATION

That Council elects Councillor..... as Mayor of the Mount Alexander Shire Council for the Mayoral Term.

Councillor Walker nominated Councillor Annear as Mayor for Mount Alexander Shire Council.

Councillor Annear accepted the nomination.

Councillor Driscoll nominated himself as Mayor for Mount Alexander Shire Council.

VOTING

All in favour of Councillor Annear being elected as Mayor of the Mount Alexander Shire Council for the Mayoral Term:

Councillor Annear received seven votes.

With the majority of votes, the Chief Executive Officer declared Councillor Annear duly elected as Mayor of Mount Alexander Shire Council for the term of one year.

Councillors Heydon, Maddock, Hastwell, Walker, Cordy, Maltby, And Driscoll all congratulated Mayor Annear,

Mayor Rosie Annear read the following acceptance speech:

“It is a really great honour to be elected Mayor, in the first year of this new Council. Thank you for your support and your trust. I will take the role seriously and fulfil my duties to the best of my knowledge and abilities. I promise to undertake the role with fairness, kindness, consideration, and integrity. I will be open, communicative, and respectful and I will always keep community at the heart of everything I do.”

I’m excited to continue getting to know all my Councillor colleagues better, both returning and new. I know we’re going to be an amazing team, and I look forward to the next four years working together for our communities. Please know that you can talk to me about anything, and that I am always open to suggestions and constructive criticism. I have no illusions that I know everything or have all the answers but the wealth of knowledge, experience and, passion in this room is incredible, and, as a team, I know we will be able to figure it all out.

Very soon, we will elect a Deputy Mayor. I look forward to establishing a strong working relationship with them, and supporting and learning from each other, as we navigate the next year.

As always, most of my speech is thanking the people without whom I wouldn’t be able to anything like this; I wouldn’t be able to put my hand up for Council, let alone the Mayoral role.

- First, to my amazing kids, Aurora and Odessa: thank you for supporting me in this journey, for being understanding when I couldn’t be around, for being patient when you had to come to meetings and events with me, for being kind when I was overwhelmed, and for always telling me I could do it, even when I wasn’t sure. You were right, I can do it. But not without you two.
- To my parents, Robyn and David, who’ve had front-row seats to my entire life, including my messy teens, and my slow redemption arc, thank you for your unwavering support. I could not do any of this without you both having my back at all times.
- To all my friends (especially my Lady Fun Times ladies) who have cooked me meals, or looked after my kids, or given me big hugs when I needed them, you’re all the best. I’m so lucky to have such a strong community around me.
- To all the Council officers and staff who have been kind to me, helped me, made me laugh, supported me, explained things to me, thank you for that, and for everything you

do in your roles. Council can get a bad rap, but I have only witnessed amazing, passionate people working very hard and doing their very best for our community.

- Finally, thank you to the community for electing me four years ago, and letting me have another go. Your kind words and faith in me buoy me up when time are tough.

As I've said before, and will likely say again, being a Councillor is the strangest role I've ever undertaken – except for being a parent, of course. I have learned so much in the past four-and-a-bit years, and will never be able to unknow what I know now.

I have worked hard to feel comfortable and competent as a Councillor and Mayor, and, with the support of my fellow Councillors, Executive Team, Council staff, family, friends, and community, I will continue to work hard to be the best Councillor and Mayor that I can be. Remember, it might look a little different on me, but I am a little bit different, so that's OK. Now, more than ever, diversity in representation matters, and I hope that I am able to plant a seed for anyone who has never even thought about being a Councillor, or the Mayor, or thinks that they're not enough to do something like this. Believe me, from someone who has doubted themselves their whole lives, you can probably do a lot more than you think you can.

6. ELECTION OF DEPUTY MAYOR

Council may also choose to appoint a Deputy Mayor, in accordance with Section 20A of the Act. In accordance with Section 9.5 of the Governance Rules 2023 such election must follow the same process as that applied to the election of the Mayor.

Pursuant to the provisions of the Act, the election of the Deputy Mayor shall be by show of hands and must be elected by an absolute majority of Councillors which means the number of Councillors which is greater than half the total number of the Councillors of a Council.

If an absolute majority of the Councillors cannot be obtained at the Meeting, the Council may resolve to conduct a new election at a later specified time and date.

In accordance with section 25(6) of the Act, if only one Councillor is a candidate for Deputy Mayor, the Meeting must declare that Councillor to be duly elected as Deputy Mayor.

There will be an opportunity for Councillors to congratulate the incoming Deputy Mayor after the election.

RECOMMENDATION:

That Council appoints a Deputy Mayor and elects Councillor..... as the Deputy Mayor of the Mount Alexander Shire Council for the Mayoral Term noting that the Deputy Mayor may exercise any of the powers of the Mayor, if:

- a. The Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- b. The Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- c. The office of Mayor is vacant, in accordance with Section 21 of the Local Government Act 2020 during absences of the Mayor.

MOVED COUNCILLOR HEYDON

That Council appoints a Deputy Mayor and elects Councillor Heydon as the Deputy Mayor of the Mount Alexander Shire Council for the Mayoral Term noting that the Deputy Mayor may exercise any of the powers of the Mayor, if:

- a. The Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or**
- b. The Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or**
- c.**
- d. The office of Mayor is vacant, in accordance with Section 21 of the Local Government Act 2020 during absences of the Mayor.**

With no other nominations, the Mayor declared Councillor Heydon duly elected as Deputy Mayor of Mount Alexander Shire Council for the term of one year.

Councillors Driscoll, Hastwell, Maddock, Walker, Cordy, Maltby and Annear all congratulated Deputy Mayor Heydon,

Deputy Mayor Heydon said the following words:

“Thank you, Mayor, and thank you Councillors. It is a great honour, and I just want to take this moment to thank you for your support. I have, as you all know, served on a lot of boards and committees. This is a great honour to be elected to Council and to be elected Deputy Mayor, and I’m so excited about the four years ahead. I’m thrilled to be here with you all. I’ve got a lot to learn from all of you, and to take up on what Councillor Driscoll said, the whole table here, the extraordinary diversity of life experience around this table and it’s really exciting coming to work each day with you all and we’ve got a lot to learn from each other. It’s a really, really great table and I’m really looking forward to the next four years and least because we get to serve such a wonderful thriving and town so full of life and energy and a growing town. So, thank you very much.”

7. OATH OR AFFIRMATION OF OFFICE

In accordance with Section 30 of the Local Government Act 2020, A person elected to be a Councillor is not capable of acting as a Councillor until the person has taken the oath or affirmation of office in the manner prescribed by the regulations.

The oath or affirmation of office must be administered by the Chief Executive Officer, dated and signed before the Chief Executive Officer; and recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Meeting of Council.

Councillors elected for the 2024-2028 electoral term undertook their Oath or Affirmation of Office before the Chief Executive Officer, Darren Fuzzard on 14 November 2024.

Signed copies of the Oath or Affirmation of Office for each Councillor are shown on the following pages.

Councillor Affirmation of Office




I, Lucas Moddock, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.


I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature 
Name Lucas Moddock
Date 14.11.24

Witnessed by the Chief Executive Officer

Signature 
Name DARREN FUZZARD
Date 14/11/24

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Cnr Lyttleton and Lloyd Sts
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Djaara Country



Councillor Affirmation of Office




I, Matthew Prissell, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.


I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature 
Name MATTHEW PRISSELL
Date 14/11/24

Witnessed by the Chief Executive Officer

Signature 
Name **DARREN FUZZARD**
Date 14/11/24

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Councillor Affirmation of Office



I, PHILLIP WALKER, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature

Handwritten signature of Phillip Walker in black ink.

Name

PHILLIP WALKER

Date

14.11.2024

Witnessed by the Chief Executive Officer

Signature

Handwritten signature of Darren Fuzzard in black ink.

Name

DARREN FUZZARD

Date

14/11/24

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Councillor Affirmation of Office




I, ROSALIE HASIMELU, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.


I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature 
Name ROSALIE HASIMELU
Date 11. 2024

Witnessed by the Chief Executive Officer

Signature 
Name DARREN FUZZARD
Date 14/11/24

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Councillor Affirmation of Office




I, Rosie Annear, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature 
Name ROSIE ANNEAR
Date 14/11/24

Witnessed by the Chief Executive Officer

Signature 
Name DARREN FUZZARD
Date 14/11/24

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Councillor Oath of Office



I, Anthony Cordy, swear by Almighty God (or the person may name a god recognised by the person's religion) that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature Anthony Cordy
Name AN CORDY.
Date 14/11/24.

Witnessed by the Chief Executive Officer

Signature [Signature]
Name DARREN FUZZARD
Date 14/11/24

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Councillor Oath of Office




I, TOBY GERARD HEYDAN, swear by Almighty God (or the person may name a god recognised by the person's religion) that I will undertake the duties of the office of Councillor in the best interests of the municipal community.


I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature 
Name TOBY G HEYDAN
Date 14 NOVEMBER 2024

Witnessed by the Chief Executive Officer

Signature 
Name DARREN FUZZARD
Date 14/11/24

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Councillor Oath of Office

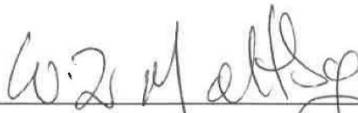


I, WILLIAM MALTBY, swear by Almighty God (or the person may name a god recognised by the person's religion) that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

I will abide by the Model Councillor Code of Conduct and uphold the standards of conduct set out in the Model Councillor Code of Conduct.

I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* or any other Act to the best of my skill and judgement.

Signed before the Chief Executive Officer

Signature 
Name WILLIAM MALTBY
Date 14/11/2024

Witnessed by the Chief Executive Officer

Signature 
Name DARREN FUZZARD
Date 14/11/24

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7. MEETING CLOSE

Meeting closed at 6.55 pm.