



Minutes Statutory Meeting

Tuesday 26 November 2024 at 6:00 pm

**Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875**

Councillors

John White (Mayor), Sonia Buckley (Deputy Mayor), Arthur Allen, Jodie Ashworth, Tom Crook, Barry Davis, Joanne Eastman, Bernie Farquhar, Ian Trevaskis

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
3. A natural environment that is managed and enhanced.
4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
5. A transparent organisation that listens and delivers effective, engaging and responsive services

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1 Procedural

1.1 Chief Executive Officer presiding

In accordance with section 25(3)(a) of the *Local Government Act 2020* (the Act) the Chief Executive Officer, Ms Fiona Weigall, chaired the meeting until the Mayor was elected.

1.2 Recognition of Traditional Custodians

Ms Fiona Weigall, Chief Executive Officer, welcomed all to the Council meeting and acknowledged the traditional owners.

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

1.3 Apologies

Nil

1.4 Next meeting

The next Council Meeting is scheduled to be held on Tuesday 3 December 2024 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

Procedural Note

The minutes of the Swearing-In Ceremony conducted on 12 November 2024 are included as **Attachment 1**.

2 Term of Office of Mayor

Section 26 of the Act requires that before the election of the Mayor a Council must determine by resolution whether the Mayor is to be elected for 1 or 2 years.

In addition, section 26 requires the election for the next Mayor to be held on a day that is close to the end of the term, decided as reasonably practicable.

Motion

That Council resolves to determine that the term of office of the Mayor will be for a one-year term.

Moved: Cr Arthur Allen

Seconded: Cr Sonia Buckley

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Jodie Ashworth, Cr Sonia Buckley, Cr Tom Crook,
Cr Barry Davis, Cr Joanne Eastman, Cr Bernie Farquhar, Cr Ian Trevaskis,
Cr John White

Against: Nil

Abstained: Nil

3 Election of Mayor

The Act pursuant of section 25 requires at a Council meeting that is open to the public the Councillors must elect a Councillor to be the Mayor of the Council. Any Councillor is eligible for election or re-election to the office of Mayor.

The election of the Mayor must occur within one month of the date of the general election. The term of the Mayor elected at this meeting will end at 6.00 am on the next Statutory Meeting date.

Section 25 of the Act stipulates that the Mayor must be elected by an absolute majority of the Councillors. An absolute majority as defined by section 25(7) of the Act means the number of Councillors which is greater than half the total number of the Councillors of a Council. Governance Rule 5.4 requires that the election of the Mayor must be carried out by show of hands.

The Chief Executive Officer called for nominations for the position of Mayor.

Cr Ian Trevaskis nominated Cr John White for the position of Mayor of East Gippsland Shire Council.

Cr John White accepted the nomination.

Cr Bernie Farquhar nominated Cr Arthur Allen for the position of Mayor of East Gippsland Shire Council.

Cr Arthur Allen accepted the nomination.

The Chief Executive Officer conducted the voting process in the order of nominations.

Cr John White received five votes, with votes cast by Cr Sonia Buckley, Cr Barry Davis, Cr Joanne Eastman, Cr Ian Trevaskis, and Cr John White.

In accordance with Section 25(6) of the Act, and with Cr John White receiving the majority of votes (five votes), the Chief Executive Officer declared Cr John White duly elected as Mayor of East Gippsland Shire Council for a one-year term.

Procedural note

The newly elected Mayor made a ceremonial speech outlining his priorities for the year ahead, and congratulatory statements were made by Councillors.

At this point, the Mayor, Cr John White took the Chair and presided over the remainder of proceedings.

4 Election of Deputy Mayor

4.1 Establishment of Office of Deputy Mayor

East Gippsland Shire Council traditionally elects a Deputy Mayor as this provides clarity to all Councillors regarding who steps in for the Mayor if they are unavailable. The Act, in section 21, provides *that the Deputy Mayor must perform the role of the Mayor and may exercise any 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.*

Motion

That Council resolves to establish the office of the Deputy Mayor

Moved: Cr Arthur Allen

Seconded: Cr Tom Crook

CARRIED UNANIMOUSLY

For: Cr Arthur Allen, Cr Jodie Ashworth, Cr Sonia Buckley, Cr Tom Crook,
Cr Barry Davis, Cr Joanne Eastman, Cr Bernie Farquhar, Cr Ian Trevaskis,
Cr John White

Against: Nil

Abstained: Nil

Following the resolution to establish the office of the Deputy Mayor, Mayor, Cr John White commenced proceedings to elect the Deputy Mayor.

4.2 Election of Deputy Mayor

The election of the Deputy Mayor was conducted by the Mayor in accordance with section 27 of the Act and the Governance Rules (Rule 6 – Election of Mayor), specifically, Governance Rule 6.4 which states that the election of the Deputy Mayor must be carried out by show of hands.

Cr John White, Mayor called for nominations for the position of Deputy Mayor.

Cr Arthur Allen nominated Cr Jodie Ashworth for the position of Deputy Mayor of East Gippsland Shire Council.

Cr Jodie Ashworth accepted the nomination.

Cr Barry Davis nominated Cr Sonia Buckley for the position of Deputy Mayor of East Gippsland Shire Council.

Cr Sonia Buckley accepted the nomination.

Cr John White, Mayor conducted the voting process in the order of nominations.

Cr Jodie Ashworth received four votes, with votes cast by Cr Arthur Allen, Cr Jodie Ashworth, Cr Tom Crook, and Cr Bernie Farquhar.

Cr Sonia Buckley received five votes, with votes cast by Cr Sonia Buckley, Cr Barry Davis, Cr Joanne Eastman, Cr Ian Trevaskis, and Cr John White.

In accordance with Section 25(6) of the Act, and with Cr Sonia Buckley receiving the majority of votes (five votes), Cr John White, Mayor declared Cr Sonia Buckley duly elected as Deputy Mayor of East Gippsland Shire Council for a one-year term.

Procedural note

The newly elected Deputy Mayor made a ceremonial speech outlining her priorities for the year ahead, and congratulatory statements were made by Councillors.

5 Close of Meeting

Cr John White, Mayor declared the Council Meeting closed at 6.42 pm.



Swearing-in Ceremony Minutes

Tuesday 12 November 2024 at 11:00 am

**Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875**

Councillors

Arthur Allen, Jodie Ashworth, Sonia Buckley, Tom Crook, Barry Davis,
Joanne Eastman, Bernie Farquhar, Ian Trevaskis, and John White

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
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1 Procedural

1.1 Chief Executive Officer presiding

The Chief Executive Officer, Fiona Weigall, presided over the Swearing-in Ceremony.

The Chief Executive Officer is required under section 30 of the *Local Government Act 2020* (Act) to administer the Oath or Affirmation of Office to Councillors-elect.

1.2 Recognition of Traditional Custodians

Fiona Weigall, Chief Executive Officer welcomed all to the Swearing-in Ceremony and acknowledged the traditional owners.

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

1.3 Apologies

The Hon. Darren Chester, MP

Ms Melina Bath, MP

Ms Harriet Shing, MP

The Hon. Tim Bull, MP

Dr Renee Heath MP

Mr Tom McIntosh

Mr Michael Wandmaker, Managing Director East Gippsland Water

Ms Ann-Maree Kaser, CEO Gippsland Lakes Complete Health

Mr Daniel Miller, CEO, GLaWAC

2 Councillor Oath or Affirmation of Office

In accordance with section 30 (1) of the Act, *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.*

A Councillor-elect can choose whether they wish to say an oath, or an affirmation. Signed copies of Councillors oath or affirmation of office are provided in **Attachment 1**.

Section 30 of the Act also advises that *the oath or affirmation of office must be—*

- a) administered by the Chief Executive Officer; and*
- b) dated and signed before the Chief Executive Officer; and*
- c) recorded in the minutes of the Council, whether or not the oath or affirmation was taken at a Council meeting.*

Section 31 of the Act stipulates that *The office of a Councillor becomes vacant if a person elected to be a Councillor does not take the oath or affirmation of office within 3 months after the day on which the person was declared elected.*

A Councillor-elect who does not take the oath or affirmation of office will be unable to vote in the election of Mayor or Deputy Mayor. Only Councillors can vote in the election of the Mayor or Deputy Mayor.

Fiona Weigall, Chief Executive Officer, invited each Councillor-elect to take the oath or affirmation of office. The following Councillors-elect made and signed the affirmation or oath of office, as witnessed by the Chief Executive Officer:

Arthur Allen: Affirmation of Office

Jodie Ashworth: Oath of Office

Sonia Buckley: Affirmation of Office

Tom Crook: Affirmation of Office

Barry Davis: Affirmation of Office

Joanne Eastman: Affirmation of Office

Bernie Farquhar: Affirmation of Office

Ian Trevaskis: Oath of Office

John White: Oath of Office

The Chief Executive Officer congratulated all Councillors on taking their oaths or affirmations of office.

Procedural Note

On Friday, 15 November 2024, Cr Sonia Buckley was re-sworn in as a Councillor. The ceremony was witnessed by Fiona Weigall, Chief Executive Officer, and Alba Elling, Manager Governance. A copy of the signed Affirmation of Office is provided in **Attachment 1**.

On Monday, 25 November 2024, Cr Ian Trevaskis and Cr John White were re-sworn in as Councillors. The ceremony was witnessed by Fiona Weigall, Chief Executive Officer, and Sarah Johnston, General Manager Business Excellence. Signed copies of their Oaths of Office are included in **Attachment 1**.

3 Close of Meeting

Fiona Weigall, Chief Executive Officer declared the ceremony closed at 11.30 am.



COUNCILLOR AFFIRMATION OF OFFICE

I Arthur Allen of Launceston, will 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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the twelfth day of November 2024

Signature:

Arthur Allen

Name:

ARTHUR ALLEN

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:

Fiona Weigall



COUNCILLOR OATH OF OFFICE

I JODIE ASHWORTH of PAYNESVILLE, swear by Almighty God 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* and any other Act to the best of my skill and judgement.

Sworn at Bairnsdale on the twelfth day of November 2024.

Signature: Jodie Ashworth

Name: Jodie Ashworth

Witnessed by: **Fiona Weigall, Chief Executive Officer**

Signature: Fiona Weigall



COUNCILLOR AFFIRMATION OF OFFICE

I Sonia Buckley of Berambra, will 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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the twelfth day of November 2024

Signature:

Name:

Sonia Buckley

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:

Are-sworn in
on 15 November 2024



COUNCILLOR AFFIRMATION OF OFFICE

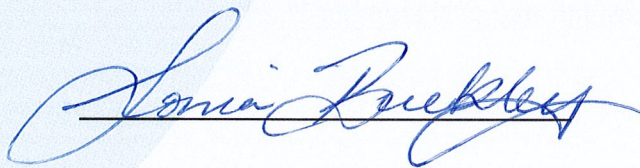
I Sonia Buckley of Benambra, will solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the ~~twelfth~~^{fifteenth} day of November 2024

Signature:



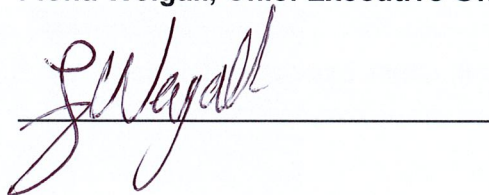
Name:

SONIA BUCKLEY

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:





COUNCILLOR AFFIRMATION OF OFFICE

I Tom Crook of Eagle Point, will 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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the twelfth day of November 2024

Signature:

A handwritten signature in blue ink, appearing to read 'Tom Crook', written over a horizontal line.

Name:

A handwritten name 'Tom Crook' in blue ink, written over a horizontal line.

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:

A handwritten signature in brown ink, appearing to read 'Fiona Weigall', written over a horizontal line.



COUNCILLOR AFFIRMATION OF OFFICE

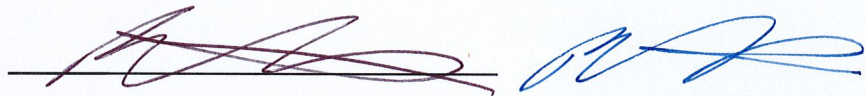
I Barry Davis of Bairnsdale, will solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the twelfth day of November 2024

Signature:



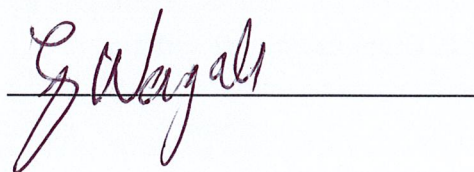
Name:

Barry Davis

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:





COUNCILLOR AFFIRMATION OF OFFICE

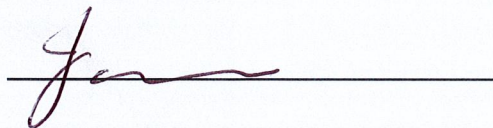
I Joanne Kearn of Lucknow, will solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the twelfth day of November 2024

Signature:



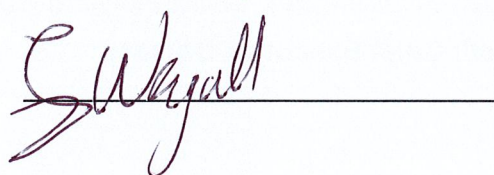
Name:

JOANNE KEARN

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:





COUNCILLOR AFFIRMATION OF OFFICE

I Bernie Farquhar of Bairnsdale, will 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* and any other Act to the best of my skill and judgement.

Affirmed at Bairnsdale on the twelfth day of November 2024

Signature:

Name:

Bernie FARQUHAR

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:



COUNCILLOR OATH OF OFFICE

I Ian Treaskis of Waverley, swear by Almighty God 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* and any other Act to the best of my skill and judgement.

Sworn at Bairnsdale on the twelfth day of November 2024.

Signature:

Name:

IAN D TREASKIS

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:

* resworn in on 25/11/24



COUNCILLOR OATH OF OFFICE

I IAN TREVASKI, WAIREWA, swear by Almighty God 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* and any other Act to the best of my skill and judgement.

Sworn at Bairnsdale on the twenty fifth day of November 2024.

Signature:

Name:

IAN TREVASKI'S

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature:



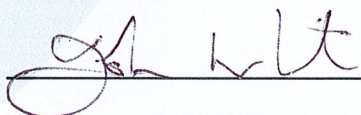
COUNCILLOR OATH OF OFFICE

I John White of Lindenow South, swear by Almighty God 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.

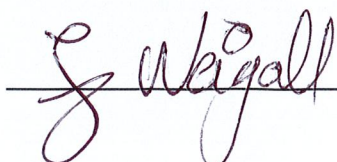
I will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions vested in me under the *Local Government Act 2020* and any other Act to the best of my skill and judgement.

Sworn at Bairnsdale on the twelfth day of November 2024.

Signature: 

Name: John White

Witnessed by: **Fiona Weigall, Chief Executive Officer**

Signature: 

+ Re Sworn in on 25/11/24



COUNCILLOR OATH OF OFFICE

I John White of Lindenow South, swear by Almighty God 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* and any other Act to the best of my skill and judgement.

Sworn at Bairnsdale on the twenty fifth day of November 2024.

Signature:

Name:

John White.

Witnessed by:

Fiona Weigall, Chief Executive Officer

Signature: