



Council Meeting Minutes

Tuesday 12 November 2021

Council Chamber
Hobsons Bay Civic Centre
115 Civic Parade, Altona 3018

HOBSONS
BAY CITY
COUNCIL



OUR MISSION

We will listen, engage and work with our community to plan, deliver and advocate for Hobsons Bay to secure a happy, healthy, fair and sustainable future for all.

OUR VALUES

Respectful

Community driven and focused

Trusted and reliable

Efficient and responsible

Bold and innovative

Accountable and transparent

Recognised

Council acknowledges the peoples of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past and present.

Councillors:

Cr Tony Briffa JP	Cherry Lake Ward
Cr Daria Kellander	Cherry Lake Ward
Cr Peter Hemphill	Strand Ward
Cr Jonathon Marsden	Strand Ward
Cr Pamela Sutton-Legaud	Strand Ward
Cr Diana Grima	Wetlands Ward
Cr Matt Tyler	Wetlands Ward

Aaron van Egmond
Chief Executive Officer
Hobsons Bay City Council

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**Minutes of the Council Meeting held on 12 November 2021 at
7.03pm in the Council Chamber, Hobsons Bay Civic Centre,
115 Civic Parade, Altona.**

Present

Councillors

Cr Tony Briffa JP	Cherry Lake Ward
Cr Daria Kellander	Cherry Lake Ward
Cr Peter Hemphill	Strand Ward
Cr Jonathon Marsden	Strand Ward
Cr Pamela Sutton-Legaud	Strand Ward
Cr Diana Grima	Wetlands Ward
Cr Matt Tyler	Wetlands Ward

Officers

Mr Aaron van Egmond	Chief Executive Officer
Mr Sanjay Manivasagasivam	Director Infrastructure and City Services
Mr Andrew McLeod	Director Corporate Services
Ms Penelope Winslade	Director Sustainable Communities
Ms Diane Eyckens	Manager Corporate Integrity
Ms Brooke Valente	Coordinator Strategic Communications
Mr Roger Verwey	Manager Digital Services
Mr Eli Afram	Digital Transformation Coordinator
Ms Briony Davis	Governance Officer and Minute Secretary

The Chief Executive Officer advised that in accordance with rule 2.4 of the Hobsons Bay Governance Rules, he would be the temporary Chairperson for proceedings relating to the election of the Mayor.

1 Council Welcome and Acknowledgement

The Chief Executive Officer opened the meeting, welcomed Councillors and members of the gallery, and acknowledged that Council is gathered on the land of the Bunurong People of the Kulin Nation and offers its respect to elders past and present.

A particular welcome was extended to Member for the Western Metropolitan Region Dr Catherine Cumming MLC, the 2021 Young Citizen of the Year Melissa Sheedy, former Mayors of Hobsons Bay Angela Altair and Sandra Wilson and former Councillor John Hogg, and the families and guests of the Councillors of Hobsons Bay.

2 Apologies

Nil.

3 Confirmation of Minutes

3.1 Confirmation of Minutes

The Chief Executive Officer announced that confirmation of the minutes of the Council Meeting of Hobsons Bay City Council held on 12 October 2021 (copy previously circulated) would take place at the Council Meeting to be held on 16 November 2021.

4 Mayoral Focus

4.1 Mayoral Focus – End of Term Report

Motion

Moved Cr Matt Tyler, seconded Cr Peter Hemphill:

That Council notes the progress made on initiatives and activities that were identified as focus areas for the 2020-21 mayoral term by Cr Jonathon Marsden.

Carried unanimously

5 Election of Mayor

The procedure for the election of the Mayor followed section 25 of the *Local Government Act 2020* and section 2 of the Hobsons Bay Governance Rules.

5.1 Determination of Mayoral Term

Motion

Moved Cr Daria Kellander, seconded Cr Jonathon Marsden:

That Council:

1. Resolves the Mayoral term to be a period of one year commencing upon the election of the Mayor on 12 November 2021.
2. Resolves to elect a Mayor for the Mayoral term.
3. Resolves to elect a Deputy Mayor for the Mayoral term.
4. Notes that the next election of the Mayor, to be determined when Council adopts its annual timetable of meetings, must be held on a day that is as close to the end of the one-year term as is reasonably practicable.

Carried unanimously

Recommendation

That Council:

1. Resolves the Mayoral term to be a period of one year commencing upon the election of the Mayor on 12 November 2021.
2. Resolves to elect a Mayor for the Mayoral term.
3. Resolves to elect a Deputy Mayor for the Mayoral term.
4. Notes that the next election of the Mayor, to be determined when Council adopts its annual timetable of meetings, must be held on a day that is as close to the end of the one-year term as is reasonably practicable.

5.2 Election of Mayor

The Chief Executive Officer invited nominations for the Office of Mayor for 2021-22.

Nominations for the Office of Mayor for 2021-22

Cr Peter Hemphill was nominated by Cr Jonathon Marsden and accepted the nomination.

Cr Daria Kellander was nominated by Cr Tony Briffa and did not accept the nomination.

Cr Diana Grima was nominated by Cr Tony Briffa and did not accept the nomination.

Cr Matt Tyler was nominated by Cr Tony Briffa and did not accept the nomination.

Cr Tony Briffa nominated herself.

Election of the Mayor for 2021-22

As multiple nominations were received, a vote by show of hands was conducted to elect the Mayor, in accordance with rule 2.6.6 of the Hobsons Bay Governance Rules.

The Chief Executive Officer put Cr Peter Hemphill's nomination to the vote.

For: Cr Jonathon Marsden, Cr Peter Hemphill, Cr Pamela Sutton-Legaud, Cr Diana Grima, Cr Matt Tyler, Cr Daria Kellander

Division

For: Cr Jonathon Marsden, Cr Peter Hemphill, Cr Pamela Sutton-Legaud, Cr Diana Grima, Cr Matt Tyler, Cr Daria Kellander

Against: Cr Tony Briffa

As Cr Peter Hemphill received an absolute majority of votes, the Chief Executive Officer declared Cr Peter Hemphill to be duly elected as Mayor.

The Mayor-elect was robed by the outgoing Mayor, Cr Jonathon Marsden, and presented with the Mayoral Jewel of Office.

The Chief Executive Officer invited other Councillors to congratulate Cr Peter Hemphill.

Councillors congratulated Cr Peter Hemphill on his election as Mayor.

The Chief Executive Officer invited Cr Peter Hemphill to take the chair at the head of the Council table and offered congratulations. The Mayor chaired the remainder of the meeting.

5.3 Mayoral Response

Mayor Cr Peter Hemphill thanked the Chief Executive Officer and thanked his fellow Councillors for their support. Cr Hemphill noted that this would be his third Mayoral term in 22 years of service on Hobsons Bay City Council, saying that he felt just as honoured as the first time he was elected Mayor.

Cr Hemphill observed that only two other Councillors of Hobsons Bay have served as Mayor three times, being Angela Altair and Bill Baarini. Cr Hemphill added that with a third term as Mayor he exceeded his grandfather, who was Shire President (the then-equivalent to the office of Mayor) of Rupanyup twice in the 1950s.

Cr Hemphill acknowledged members of his family who were unable to attend the meeting but were watching the livestream, including his mother, his daughter Emi and his sons Yuma and Cody.

Cr Hemphill congratulated the outgoing Mayor, Cr Jonathon Marsden, on completing his second term, saying that Cr Marsden had done a sterling job in the past year and led with much aplomb amid lockdowns, dealing with COVID-19 and a new dynamic within Council, with four newly-elected members. Cr Hemphill praised Cr Marsden's cool, calm manner, the high regard he has within the community, and added that he would seek Cr Marsden's advice and guidance as well during his Mayoral term.

In recognition of his service as Mayor, Cr Hemphill presented Cr Marsden with a replica of the Mayoral Jewel of Office, a photo album commemorating his Mayoral activities throughout the year and a bonsai banksia.

Cr Hemphill noted that there would also be a presentation to the outgoing Deputy Mayor, Cr Daria Kellander, but that it would be deferred to a later time as she was joining the meeting virtually.

Cr Hemphill also acknowledged and thanked Cr Marsden's wife Sylvia Collinetti for her support during the year, and also his daughter Freya, presenting them with an orchid.

Cr Hemphill stated that, while his Mayoral program would be detailed at a later date, he planned to continue some of the activities Cr Marsden had been involved with, giving special mention to the unique Hobsons Bay solar power network, through which Council is able to generate power through solar panels installed on certain of its buildings and then export that power to other Council-owned buildings.

Cr Hemphill acknowledged the Executive Leadership Team (ELT) and Council officers throughout the organisation, saying that he looked forward to working more closely with the ELT in the next year. Cr Hemphill observed that residents are noticing the work Council has done, particularly in the last three years, including the recently completed extension of the Altona Sports Centre and the extensive tree planting being conducted.

Cr Hemphill stated that he looked forward to working with his fellow Councillors, particularly the soon-to-be-elected Deputy Mayor, and expressed his hope they would continuously work in harmony with the ELT for the betterment of Hobsons Bay.

In closing, Cr Hemphill thanked his Councillor colleagues again for the honour of leading Hobsons Bay for a third time, his friends who were able to attend the meeting, and his wife, Yaeko Takei.

Cr Hemphill presented Yaeko with an orchid in acknowledgement of her ongoing support over the 22 years of his service as a Councillor.

Cr Hemphill then invited other Councillors to respond.

Councillors congratulated Cr Hemphill on his election as the Mayor, noting in particular his commitment to protecting heritage buildings and precincts within the municipality, his lengthy service as a Councillor, and his ability to be decisive and act strategically for all of Hobsons Bay.

6 Election of Deputy Mayor

6.1 Election of Deputy Mayor

The Mayor invited nominations for the Office of Deputy Mayor for 2021-22.

Nominations for the Office of Deputy Mayor for 2021-22

Cr Diana Grima was nominated by Cr Tony Briffa and accepted the nomination.

In accordance with section 25(6) of the *Local Government Act 2020*, as there were no further nominations the Mayor declared Cr Diana Grima to be duly elected as Deputy Mayor.

The Mayor congratulated Cr Diana Grima and invited her to speak.

Cr Diana Grima stated that she was honoured to serve the community, and equally proud to serve in a role also served by her father John Hogg in Hobsons Bay. She noted her family's influence in her decision to pursue a role in the service of the community and said that she was proud to be joining with other former Wetlands Councillors who had served as Deputy Mayor.

Cr Diana Grima thanked her family, including her husband, children, siblings and grandparents.

The Mayor invited other Councillors to congratulate Cr Diana Grima.

Councillors offered their congratulations on Cr Grima's election as Deputy Mayor, noting her heart passion in her work, her commitment to the community and her fierce advocacy, particularly for inclusion and justice.

Local Government Act 2020

Division 4—Election of Mayor and Deputy Mayor

25 Election of Mayor

- 1) At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- 2) Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.
- 3) The election of the Mayor must—
 - a) be chaired by the Chief Executive Officer; and
 - b) subject to this section, be conducted in accordance with the Governance Rules.
- 4) Subject to subsections (5) and (6), the Mayor must be elected by an absolute majority of the Councillors.
- 5) 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.
- 6) If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.
- 7) In this section, absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council.

26 When is a Mayor to be elected?

- 1) A Mayor is to be elected no later than one month after the date of a general election.
- 2) The Mayor of the Greater Geelong City Council must be elected for a 2 year term.
- 3) Before the election of the Mayor, a Council, other than the Greater Geelong City Council, must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.
- 4) If the Mayor is elected for a 1 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable.
- 5) If the Mayor is to be elected for a 2 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 2 year term as is reasonably practicable.
- 6) A Mayor is to be elected within one month after any vacancy in the office of Mayor occurs.
- 7) The election of a Mayor after the period specified in this section does not invalidate the election.
- 8) A Councillor elected to fill a vacancy in the office of Mayor caused other than by the expiration of a one year or a 2 year term serves the remaining period of the previous Mayor's term.

27 Election of Deputy Mayor

- (1) Section 25, other than subsection (3)(a), applies to the election of a Deputy Mayor by the Councillors as if any reference in that section to the Mayor was a reference to the Deputy Mayor.
- (2) Section 26 applies to the election of a Deputy Mayor as if any reference in that section to the Mayor was a reference to the Deputy Mayor.

Hobsons Bay Governance Rules

Section 2 – Election of the Mayor and Deputy Mayor

2.5 Method of Voting

2.5.1 The election of Mayor will be carried out by a show of hands.

2.6 Determining the election of Mayor

2.6.1 The Chief Executive Officer will invite nominations for the office of Mayor.

2.6.2 Any Councillor is eligible for election to the office of Mayor.

2.6.3 Nomination for Mayor does not require a seconder.

2.6.4 Any Councillor nominated as a candidate for Mayor may refuse nomination.

2.6.5 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.

2.6.6 Where two or more nominations are received, the method of voting shall be by show of hands and the Councillor with the absolute majority of votes cast will be declared elected.

2.6.7 In accordance with section 25 (5) of the Act, 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 date and time.

2.6.8 In accordance with section 25 (7) of the Act, absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council.

2.7 Mayor to take the Chair

2.7.1 After the election of the Mayor is determined, the Mayor must take the Chair.

2.7.2 The Mayor must take the Chair at all Council meetings at which they are present unless precluded from doing so because of a conflict of interest. In the absence of the Mayor, the Deputy Mayor shall take the Chair in the absence of the Deputy Mayor then a Councillor shall be elected Acting Chairperson and shall take the Chair.

2.8 Election of Deputy Mayor

2.8.1 At a meeting to elect the Mayor, the Council will also elect a Deputy Mayor.

2.8.2 Any election for the position of Deputy Mayor will follow the same process as for the election of the Mayor as prescribed in sections 2.6 of these Governance Rules.

2.8.3 The Mayor will conduct the election process for the Deputy Mayor. The position of Deputy Mayor becomes vacant in the circumstances set out in relation to a Mayor in sections 22 (a) to (g) of the Act.

2.8.4 If the Mayor is not in attendance at a Council meeting the Deputy Mayor must take the Chair.

2.8.5 The term of a Deputy Mayor is identical to the term of the Mayor as resolved by Council.

2.8.6 During any time both the Mayor and Deputy Mayor are at the same time unavailable the Chief Executive Officer will call for a motion to appoint an acting Chair for that specific meeting in order for the meeting to proceed.

2.8.7 When acting in the position of Mayor, the Deputy Mayor may perform any function or exercise any power conferred on the Mayor.

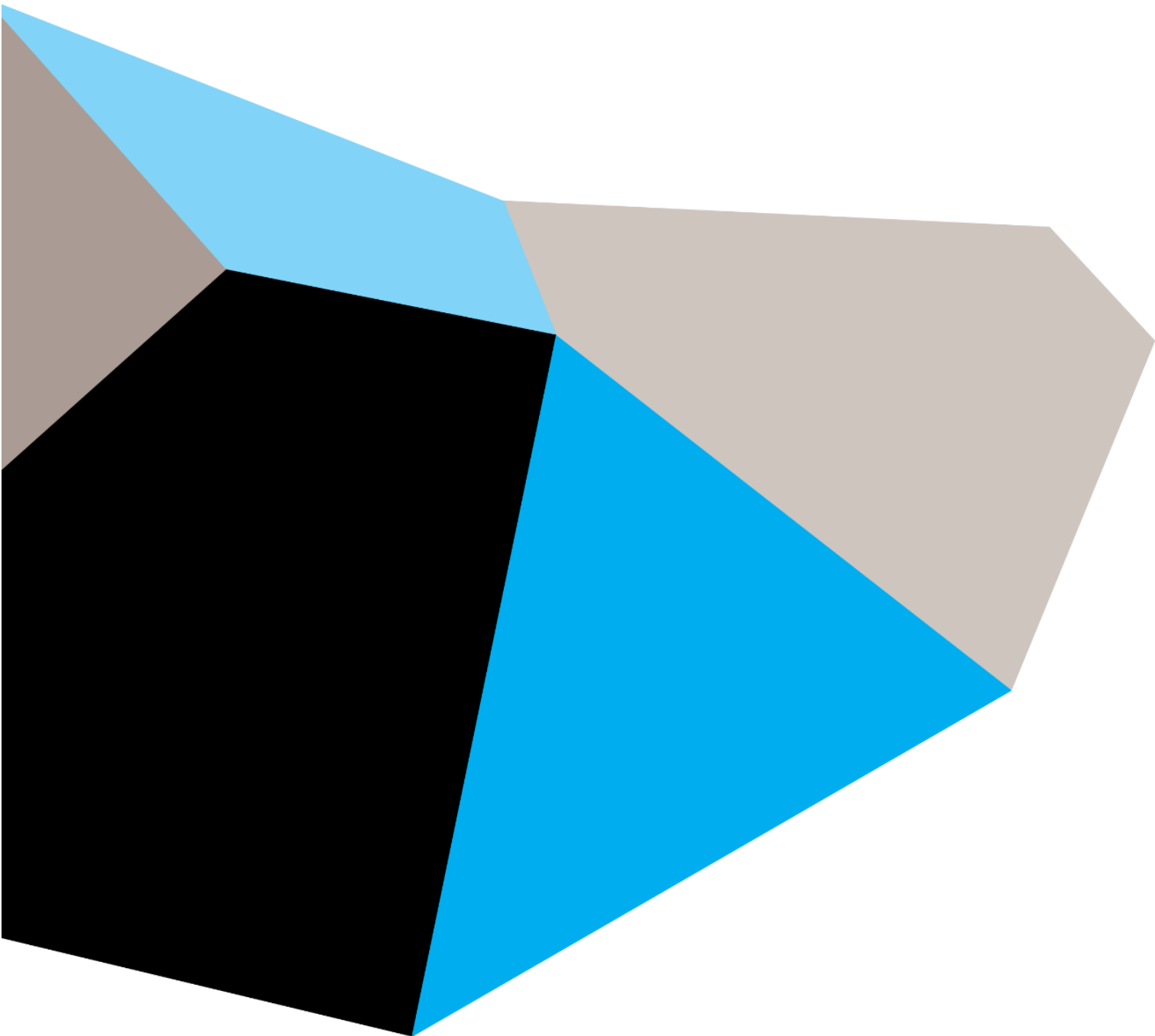
7 Close of Meeting

There being no further business, the Mayor declared the meeting closed at 8.01pm.

Chairperson – Cr Peter Hemphill

Signed and certified as having been confirmed.

14 December 2021



HOBSONS BAY CITY COUNCIL

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