



# City of Whitehorse

## MINUTES

---

### **Special Council (Statutory) Meeting Oath of Office by Newly Elected Councillors and Election of Mayor**

held in the  
Council Chamber  
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

**Wednesday 9 November 2016**

at 7.00 p.m.

**Members:** Cr Bill Bennett, Cr Raylene Carr, Cr Prue Cutts,  
Cr Andrew Davenport, Cr Sharon Ellis, Cr Tina Liu  
Cr Denise Massoud, Cr Andrew Munroe,  
Cr Ben Stennett, Cr Tanya Tescher

**Ms Noelene Duff**  
Chief Executive Officer

**WHITEHORSE CITY COUNCIL  
SPECIAL (STATUTORY) COUNCIL MEETING      9 November 2016**

The meeting opened at 7.00pm.

**CHAIRPERSON (PRO TEMPORE)**

In accordance with Council's Meeting Procedures and Common Seal Local Law 2013, the Chief Executive Officer took the Chair up until the end of Item 6 when the election of Mayor took place.

**1      PRAYER**

*(Read by Chief Executive Officer)*

**1a.      Prayer for Council**

*We give thanks, O God, for the Men and Women of the past whose generous devotion to the common good has been the making of our City.*

*Grant that our own generation may build worthily on the foundations they have laid.*

*Direct our minds that all we plan and determine, is for the wellbeing of our City.*

***Amen.***

**1b.      Aboriginal Reconciliation Statement**

*"In the spirit of reconciliation Whitehorse City Council acknowledges the Wurundjeri people as the traditional custodians of the land we are meeting on. We pay our respects to their Elders past and present"*

**2.      WELCOME AND INTRODUCTIONS**

The Chief Executive Officer introduced Councillors-Elect and welcomed members of the public in attendance.

**APOLOGIES:**

Nil

### 3 TAKING THE OATH OF OFFICE AND DECLARATION TO ABIDE BY THE COUNCILLOR CODE OF CONDUCT BY NEWLY ELECTED COUNCILLORS

- 3.1 Section 63 of the *Local Government Act 1989* requires that a person elected to be a Councillor is not capable of acting as a Councillor unless he or she has taken the Oath of Office, in accordance with Division 2 of Part IV of the Evidence (Miscellaneous Provisions) Act 1958; read the Council's Councillor Code of Conduct, and made a declaration that they will abide by the Council's Councillor Code of Conduct. (*Section 102 of the Evidence (Miscellaneous Provisions) Act 1958 applies to the making of a solemn affirmation instead of an oath.*)

The Oath of Office must be made before the Chief Executive Officer, dated and signed before the Chief Executive Officer and recorded in the minutes of the Council.

A declaration to abide by the Councillor Code of Conduct must be in writing and must be witnessed, signed and dated by the Council's Chief Executive Officer.

- 3.2 The Chief Executive Officer administered the Oath of Office to:

**Central Ward**

Andrew Munroe  
Denise Massoud

**Elgar Ward**

Tanya Tescher  
Tina Liu

**Morack Ward**

Bill Bennett  
Raylene Carr

**Riversdale Ward**

Sharon Ellis  
Andrew Davenport

**Springfield Ward**

Ben Stennett  
Prue Cutts

The Oath of Office made by Councillors were signed by the respective Councillor, witnessed, dated and signed by the Chief Executive Officer and form part of these minutes (as attached to the official Minute Book).

- 3.3 The Declaration that they have read the Councillor Code of Conduct for Whitehorse City Council, adopted on 27 June 2016, and that they will abide by the Code was signed and dated by each Councillor, witnessed, dated and signed by the Chief Executive Officer. The declaration is included in the City of Whitehorse Councillor Code of Conduct adopted on 27 June 2016 and also form part of these minutes (as attached to the official Minute Book).
- 3.4 Each Councillor expressed their appreciation on being elected and their aspirations for the next four year term.

## 4 MAYOR AND COUNCILLOR ALLOWANCES

*(Note: For information only – No Council Resolution required.)*

At the Ordinary Council Meeting held 29 January 2013, Council in accordance with the Local Government Act 1989, resolved to set the Mayoral and Councillor allowances for the period 1 July 2013 to 30 June 2017.

The Mayoral and Councillor allowances (subject to State Government adjustments) are set at \$92,333 per annum plus the equivalent of the superannuation guarantee contribution (currently 9.5%) for the Mayoral allowance and \$28,907 per annum plus the equivalent of the superannuation guarantee contribution (currently 9.5%) for the Councillor allowance. The Mayor also receives a fully maintained motor vehicle.

*The Mayoral and Councillor Allowances are subject to review by 30 June 2017.*

## 5 TERM OF THE MAYOR

- 5.1 Before the appointment of the Mayor takes place, a Council must resolve the duration of the Mayoral term.

*Section 71 (2) of the Local Government Act 1989 allows Council to elect a Mayor for a term of two years.*

*Section 71 (3) of the Local Government Act 1989 states that the Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year.*

### COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Ellis

***The Mayor to be elected at this meeting will hold the position of Mayor for a term of one year, ie term will be 9 November 2016 to 30 October or 1 November 2017.***

**CARRIED UNANIMOUSLY**

## 6 ELECTION OF MAYOR

- 6.1 The appointment of the Mayor took place in accordance with Section 90 of the Local Government Act 1989 which requires voting at a meeting that is open to the public to be conducted openly by show of hands.
- 6.2 The Chairperson Chief Executive Officer Ms Noelene Duff outlined the Role of the Mayor as defined by the Local Government Act 1989 and the key responsibilities and duties of the Mayoral Role.

### ***The Role of the Mayor***

*The Local Government Act 1989 defines the functions of Mayor.*

*The functions of the Mayor of a Council include:*

- *Providing guidance to Councillors about what is expected of a Councillor;*
- *Acting as a principal spokesperson for the Council;*
- *Supporting good working relations between Councillors;*
- *Carrying out the civic and ceremonial duties of the office of Mayor.*

*The role of Mayor as Chair of Council and community leader is crucial to effective relationships with the administration and to good governance. The Mayor should ensure good governance within Council, providing the base for sound strategy for the City.*

- 6.3 The Chief Executive Officer Ms Noelene Duff called for nominations for the position of Mayor, for the Mayoral term 9 November 2016 to 30 October 2017 (or 1 November 2017) as previously resolved by Council in item 5.1.

There were two nominations for the position of Mayor:

**Cr Munroe nominated Cr Massoud**, seconded by Cr Davenport  
*(Cr Massoud accepted the nomination)*

**Cr Bennett nominated himself**, seconded by Cr Ellis

- 6.4 Each candidate for Mayor was given the opportunity of addressing Council for a period of up to three minutes.

The Councillors spoke in order of their nomination.

- 6.5 The Chief Executive Officer acting as the Returning Officer and in accordance with Council's Meeting Procedure and Common Seal Local Law 2013, then conducted a vote for the election of the Mayor for the 2016-2017 Mayoral term.

Following the conduct of the vote Councillor Massoud having reached an absolute majority of votes was declared Mayor of the City of Whitehorse.

The Chief Executive Officer congratulated Councillor Massoud on her Election as Mayor, escorted the Mayor to the Chair and invited the Mayor to address the meeting.

**The Mayor took the Chair.**

## **7 ADDRESS BY INCOMING MAYOR AND EXPRESSIONS OF CONGRATULATIONS BY COUNCILLORS TO THE NEW MAYOR**

### **7.1 Address and expression of appreciation by incoming Mayor.**

Councillor Massoud thanked Councillors for their support and said she will work very hard for the whole community to do the very best she can in the role of Mayor. Councillor Massoud also expressed her appreciation on being re-elected as a Councillor for the City of Whitehorse.

Councillor Massoud said she was looking forward to being Mayor and said we have a great Councillor team and was looking forward to working with the Councillors as a team working for the community. Councillor Massoud thanked her family who have been great supporters and thanked the organisation led by Noelene Duff as Chief Executive Officer, which had been supportive, helpful and provided expert advice whenever it was sought. Councillor Massoud advised that Whitehorse was a great municipality and she commits to making sure we continue to be a great municipality.

### **7.2 All Councillors congratulated Councillor Massoud on her election as Mayor.**

## **8 CLOSE OF MEETING AND INVITATION TO SUPPER**

The meeting closed at 8.15pm.

The Mayor invited all present to supper.

**Confirmed this 21<sup>st</sup> day of November 2016**

---

**CHAIRPERSON**