



City of Whitehorse

AGENDA

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

To be held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

On

Wednesday 9 November 2016

at 7.00pm.

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

Ms Noelene Duff
Chief Executive Officer

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

CHAIRPERSON (PRO TEMPORE)

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

1 PRAYER

(To be 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

APOLOGIES:

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.

(Section 102 of the Evidence (Miscellaneous Provisions) Act 1958 applies to the making of a solemn affirmation instead of an oath.)

- read the Council's Councillor Code of Conduct, and
- made a declaration that they will abide by the Council's Councillor Code of Conduct.

3.2 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.

3.3 A declaration to abide by a Councillor Code of Conduct must be in writing; and must be witnessed by the Council's Chief Executive Officer.

3.4 The Chief Executive Officer will call each elected Councillor to come forward to take their Oath of Office and to declare they have read the Councillor Code of Conduct for Whitehorse City Council (as adopted by Council on 27 June 2016) and that they will abide by this Code of Conduct:

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

3.5 Each Councillor has an opportunity to say a few words.

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, 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.

RECOMMENDATION

- 1. 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.***

or

- 2. The Mayor to be elected at this meeting will hold the position of Mayor for a term of two years, ie term will be 9 November 2016 to 31 October 2018.***

6 ELECTION OF MAYOR

6.1 The appointment of the Mayor takes 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 reads out 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 Chairperson, Chief Executive Officer Ms Noelene Duff calls for nominations for the position of Mayor, for the Mayoral term as previously resolved by Council in item 5.1.

6.4 Each candidate for Mayor is given up to three minutes to address Councillors.

6.5 The Chief Executive Officer announces the appointment of the Mayor and escorts the Mayor to the Chair.

The Mayor takes 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.

7.2 Expressions of congratulations by Councillors to the new Mayor.

8 CLOSE OF MEETING AND INVITATION TO SUPPER