



## **COUNCIL MEETING**

Tuesday 17 November 2020

6:00pm

Room 1, Community Hub:

### **AGENDA**

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<b>Item</b>	<b>Title</b>
1.	Welcome
2.	Acknowledgement of Country
3.	Apologies
4.	Affirmation or Oath of Office by Councillors
5.	Election of Mayor
6.	Office of Deputy Mayor
7.	Close of meeting

#### 4. AFFIRMATION OR OATH OF OFFICE BY COUNCILLORS

**Author:** Chief Executive Officer

**Responsible Officer:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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The Chief Executive Officer will invite each Councillor elect to come forward and take the Oath or Affirmation of Office in accordance with Section 30 of the *Local Government Act 2020*.

The ceremony will be conducted in order of Ward (alphabetically), and then in order of who was elected first (in the ward).

##### **Oath and Affirmation of Office**

(1) 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 and Affirmation of office is in accordance with the requirements of Part 2 of the *Oaths and Affirmations Act 2018*

(2) 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.

Councillors are requested to stand and individually read the Oath and Affirmation of Office, and to sign and date a statement before the Chief Executive Officer containing the Affirmation or Oath of Office.

To undertake an Oath, a person holds the Bible or the New or Old Testament in their uplifted hand and repeats the Oath after the Chief Executive Officer.

OR

To undertake an Affirmation, a person repeats the affirmation after the Chief Executive Officer.

Once the Oath or Affirmation of Office is made by each Councillor, they are to sign and date the confirmation of the Oath before the Chief Executive Officer. A copy of which will be recorded in the Council minutes.

**Affirmation**

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

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

## 5. ELECTION OF MAYOR

**Author:** Chief Executive Officer

**Responsible Officer:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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The Local Government Act 2020 provides that:

### Section 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.

### Section 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) (*refers to the Greater Geelong City Council*)

(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.

5.1 The Council to determine if the term of Mayor is to be for one or two years.

5.2 The Chief Executive Officer to invite nominations for position of Mayor.

5.3 Councillors to vote on the election of the Mayor.

5.4 The Chief Executive Officer to declare the position of Mayor.

- 5.5 The Chief Executive Officer to be invited to present newly elected Mayor with the Mayor medallion.
- 5.6 The newly elected Mayor to take the Chair.

**RECOMMENDATION:**

1. That Council determine the length of term of the Mayor.
2. That the Chief Executive Officer formally call for nominations for the position of Mayor.

## 6. OFFICE OF DEPUTY MAYOR

**Author:** Chief Executive Officer

**Responsible Officer:** Chief Executive Officer

*The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.*

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The Local Government Act 2020 provides that:

### **Section 20A Office of Deputy Mayor**

(1) “A Council may establish an office of Deputy Mayor.”

### **Section 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.

### **RECOMMENDATION:**

That Council determine whether to appoint a Deputy Mayor and if so for what term.