

Minutes



Wodonga Council minutes for the Special meeting of the council held in the Council Chamber – 104 Hovell St, Wodonga on November 07, 2016.

Present

Cr A Speedie (Mayor)

Cr K Bennett

Cr L Hall

Cr D Lowe

Cr R Mildren

Cr T Quilty

Cr J Watson

In attendance

Ms P Harrington Chief Executive Officer

Mr T Ierino Director Business Services

Ms D Mudra Director Community Development

Mr L Schultz Director Planning and Infrastructure

PO Box 923, Wodonga VIC 3689
Phone: (02) 6022 9300 Fax: (02) 6022 9322
info@wodonga.vic.gov.au wodonga.vic.gov.au
Subscribe: wod.city/wodenews

Follow us on:   



1. Calling to order

The meeting was called to order at 6pm by the Chief Executive Officer (CEO), Patience Harrington.

The CEO stated that this was the statutory meeting for the new council elected on October 22, 2016. The meeting has been called by the Chief Executive Officer pursuant to section 84A of the *Local Government Act 1989*.

The CEO advised that in accordance with the council's Meeting Procedure Local Law she would be temporary Chairperson until such time as the Mayor had been elected.

2. Statement of acknowledgement

The CEO read the following:

We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to Elders from other communities who may be here today.

3. Apologies and requests for leave of absence

There were no apologies or requests for leave of absence.

4. Declaration under Acts, Regulations, Codes or Local Laws

Recording of council meeting

The CEO advised that the council's Meeting Procedure Local Law states that audio, video, or still image recording devices are not to be used, unless prior approval has been given by the chairperson or by council. Members of the public gallery were requested to observe this requirement.

5. Declaration by councillors of any conflict of interest

There were no conflict of interest disclosures.

6. Officers reports for determination

| | |
|--|----|
| 6.1 Oath of Office and Code of Conduct Declaration | 5 |
| 6.2 Election of the Mayor | 16 |
| 6.3 Election of a Deputy Mayor | 22 |

7. Urgent business

8. Confidential urgent business

9. Close of meeting

| | Minor (4) | Moderate (3) | Major (2) | Outstanding (1) |
|---|--|--|--|--|
| Opportunities | <ul style="list-style-type: none"> may change attitude or contribute to a change in attitude of small section of the community or organisation OR small reduction in expenditure/no impact on budget or minimal/no increase in income for the business units' project or program OR may improve or contribute to the improvement of capacity and/or efficiency of some business units OR may enhance or contribute to the enhancement of reputation with small section of the community OR may improve or contribute to the improvement of health/wellbeing of staff and/or sections of the community | <ul style="list-style-type: none"> change in small section of the community and/or organisational behaviours OR moderate reduction in expenditure or increase in income for the business unit project or program (by 15% to 30%) OR improvement of capacity and/or efficiency of some business units OR enhancement of reputation with a small section of the community OR some improvement in health/wellbeing of staff and/or sections of the community | <ul style="list-style-type: none"> significant changes in sections of the community or organisational behaviours OR significant reduction in expenditure for the business units' project or program (by 30% or more) OR significant improvement in capacity and/or efficiency of multiple business units OR significant enhancement of reputation with sections of the community OR significant improvement in health/wellbeing of staff and/or sections of the community | <ul style="list-style-type: none"> significant change in community and organisational behaviours OR significant improvement in organisational financial position OR significant improvement in organisational capacity and/or efficiency OR significant enhancement of reputation with all/most of the community OR significant improvement in health, wellbeing of all/most community members or staff |
| Risks | <ul style="list-style-type: none"> could require action to offset the impact on some aspect of a business units' program or project OR consequence may be dealt with by routine operations or management action OR limited impact on the business units' operational objectives OR limited political/community sensitivity OR management reporting required OR may result in minor injury or reversible health damage which may be dealt with through primary first aid OR no reputational damage | <ul style="list-style-type: none"> would not threaten a business units' program or project, but could result in a significant review OR some political/community sensitivity and local media scrutiny OR parliamentary questions OR require management initiated review OR some impact on the business units' objectives OR result in injury or health impacts that are reversible, but may require medical attention but limited on-going treatment | <ul style="list-style-type: none"> would threaten the continuation of a business units' program or project OR impact adversely on the achievement of a business units' strategic objectives OR result in significant political community sensitivity and media scrutiny OR ministerial intervention OR require external audit result in life-threatening or serious injury which is irreversible requiring medical attention and on-going treatment OR may significantly impact one or more of the organisations' objectives as outlined in the Council Plan | <ul style="list-style-type: none"> would threaten the organisations' viability OR result in extreme political/community sensitivity and national media scrutiny OR result in a commission of inquiry or request OR result in death or permanent disability OR would not allow the organisation to achieve its objectives according to the Council Plan |
| Likelihood | Minor (4) | Moderate (3) | Major (2) | Catastrophic (1) |
| Almost Certain (A) Can be expected to occur in most circumstances (i.e. weekly) | Significant | High | Extreme | Extreme |
| Likely (B) Will probably occur in most circumstances in the future (i.e. monthly) | Medium | Significant | High | Extreme |
| Possible (C) May occur in some circumstances in the future (i.e. yearly) | Medium | Significant | High | High |
| Unlikely (D) Could occur at some time in the future, but doubtful (i.e. every 2-10 years) | Low | Medium | Significant | High |
| Rare (E) Expected to occur only in the most exceptional circumstances (i.e. 10 years) | Low | Low | Medium | Significant |

E – Council/CEO's attention immediately required. Possibly avoid undertaking the activity OR implement new controls
 controls S – Manager's attention required. Ensure that controls are in place and operating and management responsibility is agreed. M - Manage through usual procedures and accountabilities L – Add treatments where appropriate

Risk management legend
 NB: This table shows the legend to the codes used in some agenda reports.

6.1 - Oath of Office and Code of Conduct Declaration**Purpose of report**

The purpose of this report is to explain the requirements for persons elected to be a councillor to take the oath of office and to declare that they will abide by the Councillor Code of Conduct.

Background**Oath of Office**

A person elected to be a councillor must take the oath or affirmation of office.

Section 63(1)(a) of the *Local Government Act 1989* ("the Act") states 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. The Act stipulates that this should be in accordance with the requirements within the *Evidence (Miscellaneous Provisions) Act 1958*.

Form of oath:

I swear (or the person taking the oath may promise) by Almighty God (or the person may name a god recognised by his or her religion) that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

Form of 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 district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment.

The oath or affirmation of office must be made before the Chief Executive Officer (CEO), dated and signed before the CEO, and recorded in the minutes of the council.

Section 64(a) of the Act states that if a person elected to be a councillor does not take the oath of office within three months after the day on which he or she was declared elected, the office of that councillor becomes vacant.

Councillor Code of Conduct

Section 63(1)(b) of the Act states that a person elected to be a councillor is not capable of acting as a councillor unless he or she has read the Councillor Code of Conduct and made a declaration stating that they will abide by it. All persons elected to be councillors have been provided with a copy of the Code and the document is tabled.

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)

The declaration reads:

I, hereby declare that I have read the Councillor Code of Conduct for Wodonga Council, adopted on June 27, 2016, and declare that I will abide by this Code.

Section 64(b) of the Act states that if a person elected to be a councillor does not make the Councillor Code of Conduct declaration within three months after the day on which he or she was declared elected, the office of that councillor becomes vacant.

Council Plan

| Strategic objective | Strategy | Key priority activity |
|---|---|-----------------------|
| We are innovative, responsive and responsible in the way we conduct business. | Practice good governance, act with transparency and integrity in our decision-making. | Not applicable |

Council policy / strategy implications

This report explains key components of good governance. Persons elected as councillors have a strategic role to play, something which is affirmed through the requirement to take the oath of office and make the Code of Conduct declaration.

Risk and opportunity management implications

| Risk description | C'quence | L'hood | Rating | Controls & treatments |
|--|----------|--------|--------|---|
| That a person elected as a councillor does not take the oath of office or abide by the Code. | 2 | C | H | Persons elected to be councillors take the oath of office and agree to abide by the Code. |

Financial implications

There are no financial implications associated with this report.

Environmental implications

There are no environmental implications associated with this report.

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)

Social / cultural implications

There are no social / cultural implications associated with this report.

Legislative implications

The relevant legislation can be found in section 63 and section 64 of the Act.

Community engagement and internal consultation

This is a legislated process, and not subject to consultation. However the council is required to review the Councillor Code of Conduct within four months after the general election. At that time councillors will have the opportunity to provide input into the Code, prior to a report to the February 2017 council meeting.

Conclusion

As explained in this report those persons elected as councillors to the municipal district of Wodonga will be invited by the CEO to take the oath of office and to make the Councillor Code of Conduct declaration.

Attachments

Nil

Tabled papers

The following documents will be tabled at the meeting:

- Document A: Councillor Code of Conduct

Declaration of conflict of interests

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)

Taking the oath and making the declaration

In accordance with sections 63(1)(a) and 63(1)(b) of the *Local Government Act 1989* the Chief Executive Officer invited the Councillors-Elect to take the oath or affirmation of office as Councillors for the term 2012 to 2016 and to make the declaration that they have read the Councillor Code of Conduct and agree to abide by it.

All councillors completed their obligations with respect to sections 63(1)(a) and 63(1)(b) of the *Local Government Act 1989*.

As required by section 62(2)(c) the completed oath / affirmation of office are included with these minutes.

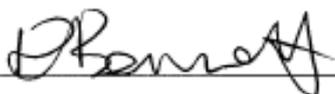
6.1 - Oath of Office and Code of Conduct Declaration (cont'd)

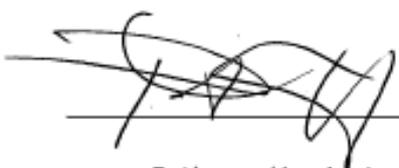


Affirmation

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 district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: Kat Bennett

Signed:  Date: 7.11.16

Witness:  Date: 7.11.16

Patience Harrington
Chief Executive Officer
Wodonga City Council

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)



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 district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: Libby Hall

Signed: Libby Hall Date: 7/11/2016

Witness: [Signature] Date: 7/11/2016

Patience Harrington
Chief Executive Officer
Wodonga City Council

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)



Oath of Office

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: Danny Lowe

Signed:  Date: 7-11-16

Witness:  Date: 7/11/16

Patience Harrington
Chief Executive Officer
Wodonga City Council

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)



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 district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: Ron Mildren

Signed:  _____ Date: 7/11/2016

Witness:  _____ Date: 7/11/2016
Patience Harrington
Chief Executive Officer
Wodonga City Council

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)



Oath of Office

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: Tim Quilty

Signed:  Date: 7.11.16

Witness:  Date: 7/11/16
Patience Harrington
Chief Executive Officer
Wodonga City Council

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)

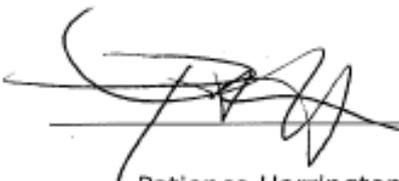


Affirmation

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 district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: Anna Speedie

Signed:  Date: 7.11.16

Witness:  Date: 7/11/16
Patience Harrington
Chief Executive Officer
Wodonga City Council

6.1 - Oath of Office and Code of Conduct Declaration (cont'd)



Oath of Office

I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Wodonga and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.

Name: John Watson

Signed:  Date: 7 NOV 2016.

Witness:  Date: 7/11/2016
Patience Harrington
Chief Executive Officer
Wodonga City Council

6.2 - Election of the Mayor

Purpose of report

This report outlines the process to be followed for the election of the Mayor.

Background

The *Local Government Act 1989* (the Act) and the council's Meeting Procedure Local Law – no. 1 of 2009 (the Local Law) make provision for the election of the Mayor.

Office of mayor

The office of mayor became vacant at 6am on the day of the general election [s72(1)(b) and s72(2) of the Act]. Any councillor is eligible for election or re-election to the office of mayor [s72(3) of the Act].

Meeting to be open to the public

Councillors must elect a councillor to be the Mayor at a meeting of the council that is open to the public [s71(1) of the Act].

Timing of meeting

The Mayor is to be elected after the fourth Saturday in October but not later than November 30 in each year (or every second year where the Mayor is elected for a two year term) [s71(3)(a) and s71(3)(ab) of the Act].

Term of office

Council may resolve to elect a Mayor for a term of two years. This decision must be made before the Mayor is elected [s71(2) of the Act]. If no decision is made, the term of the Mayor remains as one year.

Conflict of interest

A councillor does not have a conflict of interest if the matter relates to the election of the Mayor [Sec 79C(1)(b)].

Voting

Voting at a meeting that is open to members of the public must not be in secret [s90(1)(ca)]. Therefore the election of the Mayor must not be done by secret ballot. Voting will be by show of hands [s90(1)(c) of the Act and cl.7 of the Local Law].

The process for determining the election of the Mayor is stated in cl.8.1 of the Local Law:

8.1 In determining the election of the Mayor, the following process will apply:

- a. The Chief Executive Officer or delegate must invite nominations for the office of Mayor.
- b. All nominations must be seconded, and the nominee must consent to his or her nomination.
- c. If there is only one nomination, the candidate nominated is deemed to be elected.
- d. If there is more than one nomination, the councillors present at the meeting must vote for one of the candidates*.

6.2 - Election of the Mayor (cont'd)

- e. In the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected.
- f. In the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The councillors present at the meeting must then vote for one of the remaining candidates.
- g. If one of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of the defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected.
- h. In the event of two or more candidates having an equality of votes and one of them having to be declared:
 - i) a defeated candidate; or
 - ii) duly elected
 the declaration will be determined by lot.
- i) If a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:
 - i) each candidate will draw one lot;
 - ii) the order of drawing lots will be determined by the alphabetical order of the surnames of the councillors who received an equal number of votes except that if two or more such councillors' surnames are identical, the order will be determined by the alphabetical order of the councillors' first names; and
 - iii) as many identical pieces of paper as there are councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine which is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates). If the lot is being conducted to determine which candidate is to be duly elected, the word "Elected" must be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Elected" written on it must be declared to have been duly elected.

Council Plan

| Strategic objective | Strategy | Key priority activity |
|---|---|-----------------------|
| We are innovative, responsive and responsible in the way we conduct business. | Practice good governance, act with transparency and integrity in our decision-making. | Not applicable |

** Since the Local Law was gazetted in 2009 the Act has been amended to remove the requirement that councillors must vote on any question before a meeting. To the extent that there is any inconsistency between the Act and a local law, the Act prevails.*

6.2 - Election of the Mayor (cont'd)

Council policy / strategy implications

As specified in section 3.1 of the Councillor Code of Code section 73AA of the Act describes the functions of the Mayor as including:

- a) providing guidance to councillors about what is expected of a councillor including in relation to the role of a councillor under section 65, and the observation of the councillor conduct principles and the Councillor Code of Conduct by councillors under sections 76B, 76BA and 76C; and
- b) acting as the principal spokesperson for the council; and
- c) supporting good working relations between councillors; and
- d) carrying out the civic and ceremonial duties of the office of Mayor.

The Mayor is the leader of the council and the main spokesperson on strategic issues.

Risk and opportunity management implications

The Act requires that a Mayor be elected. Council would be in breach of the Act if a Mayor was not elected.

Financial implications

There are financial implications for the office of mayor, which have been budgeted for and reported to the community through the 2016-2017 budget process.

Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

There are no social / cultural implications associated with this report.

Legislative implications

- *Local Government Act 1989*
- *Meeting Procedure Local Law (no. 1 of 2009)*

Community engagement and internal consultation

The results of the election will be reported to the community through general media releases, the council's *CityLife* newsletter, and on council's web site.

6.2 - Election of the Mayor (cont'd)

Options for consideration

The council must elect a councillor as Mayor and any councillor may be nominated for the position.

The Act allows for a term of two years, but the council must decide this before voting for the Mayor. In the absence of a resolution that the term be two years, the Mayor will be elected for a one year term.

Conclusion

This report outlines the process for the election of the Mayor.

Attachments

Nil

Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the *Local Government Act 1989* officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

6.2 - Election of the Mayor (cont'd)

Recommendation

That the council:

1. determine the mayor's term of office, being either a one year term or a two year term; and
2. elect a mayor.

Motion

Crs Danny Lowe / John Watson

That the term of office for the position of Mayor be two years.

A division was requested by Cr Mildren.

Crs Bennett, Lowe, Speedie and Watson voted for the motion.

Crs Hall, Mildren and Quilty voted against the motion.

Carried

The CEO, as temporary Chairperson, called for nominations for the position of Mayor.

Cr Watson was nominated by Cr Mildren and seconded by Cr Hall.

Cr Watson declined the nomination.

Cr Mildren was nominated by Cr Hall and seconded by Cr Quilty.

Cr Mildren accepted the nomination.

Cr Speedie was nominated by Cr Lowe and seconded by Cr Bennett.

Cr Speedie accepted the nomination.

In speaking to the nomination of Cr Speedie, Cr Bennett requested that her comments be recorded in the minutes. Cr Bennett's comments were:

6.2 - Election of the Mayor (cont'd)

I have considered this decision through very thoroughly, and have two key reasons for my decision.

1. *In our very recent election, Cr. Speedie polled above and beyond all of us in the primary votes, primary votes meaning residents and rate payers that put her as their number one.*

So clearly there is a large portion of our community that support her. I have also heard this feedback from people myself.

2. *Given the make up of our new council, and that we have five new councillors, it's very important that we have someone as mayor who has the knowledge of how councils run and is very clear on councillor roles and responsibilities and from a practical point of view, has the experience in running effective and efficient governance meetings.*

With Cr Speedie's 11 years of experience, she has a very good knowledge of how local government works, and has built relationships with state and federal government, which will be very important for us to leverage from.

The CEO called for a show of hands for each candidate. The votes recorded for each were:

Cr Mildren: three votes

Cr Speedie: four votes

The CEO, as temporary Chairperson, declared Cr Speedie elected as Mayor.

Cr Speedie assumed the Chair.

6.3 - Election of a Deputy Mayor

Purpose of report

The purpose of this report is for the council to determine whether an appointment will be made for the position of deputy mayor and, if it so determines, to elect a councillor to the position.

Background

The council may elect a deputy mayor although there is no legislative requirement for this position.

Although the *Local Government Act 1989* (the Act) is silent on the matter, there is nothing that precludes the council from having a deputy mayor.

The process for determining the election of a deputy mayor is stated in the *Meeting Procedure Local Law* (the Local Law):

8.2 Any election for the appointment of a Deputy Mayor or an acting Chairperson of a meeting of the Council or of a Chairperson of a Special committee will follow the same procedure as that for an election of Mayor with such adaptations as necessary.

As noted in the previous report the process for electing the Mayor (and which is to be adapted for the position of Deputy Mayor) is:

8.1 In determining the election of the Mayor, the following process will apply:

- a. The Chief Executive Officer or delegate must invite nominations for the office of Mayor.
- b. All nominations must be seconded, and the nominee must consent to his or her nomination.
- c. If there is only one nomination, the candidate nominated is deemed to be elected.
- d. If there is more than one nomination, the councillors present at the meeting must vote for one of the candidates*.
- e. In the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected.
- f. In the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The councillors present at the meeting must then vote for one of the remaining candidates.
- g. If one of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of the defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected.

** Since the Local Law was gazetted in 2009 the Act has been amended to remove the requirement that councillors must vote on any question before a meeting. To the extent that there is any inconsistency between the Act and a local law, the Act prevails.*

6.3 - Election of a Deputy Mayor (cont'd)

- h. In the event of two or more candidates having an equality of votes and one of them having to be declared:
 - i) a defeated candidate; or
 - ii) duly elected
 the declaration will be determined by lot.
- i) If a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:
 - i) each candidate will draw one lot;
 - ii) the order of drawing lots will be determined by the alphabetical order of the surnames of the councillors who received an equal number of votes except that if two or more such councillors' surnames are identical, the order will be determined by the alphabetical order of the councillors' first names; and
 - iii) as many identical pieces of paper as there are councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine which is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates). If the lot is being conducted to determine which candidate is to be duly elected, the word "Elected" must be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Elected" written on it must be declared to have been duly elected.

Council Plan

| Strategic objective | Strategy | Key priority activity |
|---|---|-----------------------|
| We are innovative, responsive and responsible in the way we conduct business. | Practice good governance, act with transparency and integrity in our decision-making. | Not applicable |

Council policy / strategy implications

The CEO has previously issued guidelines for the position of deputy mayor and this report is framed around those guidelines.

Risk and opportunity management implications

There are no risk management implications associated with this report.

Financial implications

Allowances for the mayor and councillors were set in June 2013 for four years and are subject to Ministerial review each year. Allowances are currently funded in annual budgets. No additional allowance is paid to a deputy mayor. The new council is required to review the allowances before June 30, 2017.

6.3 - Election of a Deputy Mayor (cont'd)

Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

There are no social / cultural implications associated with this report.

Legislative implications

The *Local Government Act 1989*
The council's *Meeting Procedure Local Law* (no. 1 of 2009).

Community engagement and internal consultation

The results of any election would be reported to the community through general media releases, the *CityLife* newsletter, and on council's web site.

Options for consideration

Council is not required to appoint a deputy mayor but may resolve to do so.

1. Following on from the decision of the previous council do not appoint a deputy mayor.
2. Appoint a councillor as deputy mayor for either a one year or two year term.

Conclusion

This report explains that the council has the option to appoint a deputy mayor, and outlines the process for the election.

Attachments

Nil

Tabled papers

Nil

6.3 - Election of a Deputy Mayor (cont'd)

Declaration of conflict of interests

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That council determine whether to elect a councillor as deputy mayor and, if so, determine whether the term is for one or two years, and then hold an election for that purpose.

Motion

Crs John Watson / Danny Lowe
That the position of Deputy Mayor not be filled.

Carried

| | |
|----------------------------|--|
| 7 – Urgent business | |
|----------------------------|--|

Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if:

- a) relates to or arises out of a matter which has arisen since distribution of the agenda; or
- b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

There was no urgent business.

8 – Confidential urgent business

Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

- a) relates to or arises out of a matter which has arisen since distribution of the agenda; or
- b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

A confidential urgent business item also needs to stipulate the reason for the matter being considered as confidential in accordance with section 89 (2) and section 89 (3) of the *Local Government Act 1989*.

There was no confidential urgent business.

9 – Close of meeting

- **Mayor to close the meeting.**

There being no further business the meeting closed at 6.30pm.

Minutes confirmed this day of 2016.

.....
Chairperson