



OATH OF OFFICE

AND

**SPECIAL COUNCIL MEETING OF
THE HUME CITY COUNCIL**

THURSDAY, 12 NOVEMBER 2020

7:00PM

TOWN HALL BROADMEADOWS

OUR VISION:

Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume.

An audio recording of this meeting of the Hume City Council will be recorded and published in accordance with Council's Audio Recordings of Council Meetings Policy. The live stream of this meeting will not be recorded or published.

Current COVID-19 restrictions do not allow for members of the public to attend Council meetings. This meeting will be live-streamed via www.hume.vic.gov.au

HUME CITY COUNCIL

Notice of the TAKING OF OATH OR AFFIRMATION OF OFFICE, to be followed by a **SPECIAL COUNCIL MEETING OF THE HUME CITY COUNCIL** to be held on Thursday, 12 November 2020 **at 7:00PM** at the Town Hall Broadmeadows (to be livestreamed via www.hume.vic.gov.au)

To be conducted by the Chief Executive Officer.

1. OATH OR AFFIRMATION OF OFFICE

Section 30 of the *Local Government Act 2020* provides that:

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.
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.

Section 31 of the *Local Government Act 2020* provides that:

1. The office of a Councillor becomes vacant if a person elected to be a Councillor does not take the oath or affirmation of office within 3 months after the day on which the person was declared elected.

Section 5 of the *Local Government (Governance and Integrity) Regulations 2020* provides that:

For the purposes of section 30(1) of the Act, the prescribed manner for taking the oath or affirmation of office is in the following form –

"I will undertake the duties of the office of Councillor in the best interests of the municipal community of Hume City.

I will abide by the Councillor Code of Conduct and uphold the standards of 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."

The Chief Executive Officer will proceed to call upon each successfully elected candidate in turn to come forward and take the Oath of Office and sign the Statement of Commitment to the Code of Conduct for Councillors.

The signed documents will be included in the minutes of the meeting.

SPECIAL COUNCIL MEETING OF THE HUME CITY COUNCIL

To: a: Council	Cr Jarrod Bell	
	Cr Trevor Dance	
	Cr Joseph Haweil	
	Cr Chris Hollow	
	Cr Jodi Jackson	
	Cr Naim Kurt	
	Cr Jack Medcraft	
	Cr Sam Misho	
	Cr Carly Moore	
	Cr Jim Overend	
	Cr Karen Sherry	
b: Officers	Mr Domenic Isola	Chief Executive Officer
	Mr Hector Gaston	Director Community Services
	Mr Michael Sharp	Director Planning and Development
	Ms Roslyn Wai	Director Communications, Engagement and Advocacy
	Mr Peter Waite	Director Sustainable Infrastructure and Services
	Mr Daryl Whitfort	Director Corporate Services

ORDER OF BUSINESS**1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND AND WELCOME TO COUNTRY**

"Hume City Council recognises the rich Aboriginal heritage within the municipality and acknowledges the Wurundjeri Woi Wurrung, which includes the Gunung Willam Balluk clan, as the Traditional Custodians of this land.

Council embraces Aboriginal and Torres Strait Islander living cultures as a vital part of Australia's identity and recognises, celebrates and pays respect to the existing family members of the Wurundjeri Woi Wurrung and to Elders past, present and future."

2. PRAYER

"Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the Hume City."

Amen

3. CONFIRMATION OF OATH OF OFFICE

In accordance with section 30 of the *Local Government Act 2020*, a Council must formally acknowledge the completion of the statutory process for successful candidates of an election.

RECOMMENDATION

That in accordance with Section 30 of the Local Government Act 2020, each of the Councillors present have taken the Oath of Office, and made a declaration which has been signed in front of the Chief Executive Officer, stating that they have read and will abide by the Hume City Councillor Code of Conduct.

4. ELECTION OF THE MAYOR FOR THE 2020/2021 YEAR

In accordance with section 26(3) of the *Local Government Act 2020*, a Council resolution is required to determine if the Mayor is to be elected for a one (1) year term, or for a two (2) year term.

For the purposes of this meeting, a reference to the Second Temporary Chairperson in section 1.7 of Hume City Council's Governance Rules is to be taken as a reference to the Chief Executive Officer, in accordance with section 25 of the *Local Government Act 2020*.

Council's Governance Rules, Clause 1.7 (1.7.1 – 1.7.7) provides for the following procedure for the election of the Mayor:

- 1.7 The second temporary Chairperson shall then invite nominations for the office of Mayor, which nominations do not need to be seconded.
 - 1.7.1 If there is only one nomination, the candidate nominated shall be deemed to have been duly elected.
 - 1.7.2 If there is more than one nomination, the Councillors present at the meeting shall vote for one of the candidates by a show of hands (or by such other method as Council determines).
 - 1.7.3 In the event of a candidate receiving an absolute majority of the votes, that candidate shall be declared to have been duly elected.
 - 1.7.4 In the event of no candidate receiving an absolute majority of the votes, the candidate with the fewest number of votes shall be declared to be a defeated candidate. The Councillors present at the meeting shall then vote for one of the remaining candidates by a show of hands (or by such other method as Council determines).
 - 1.7.5 If one (1) of the remaining candidates receives an absolute majority of the votes, they shall be declared to have been duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates by a show of hands (or by such other method as Council determines) shall be repeated until one (1) of the candidates receives an absolute majority of the votes. That candidate shall be declared to have been duly elected.
 - 1.7.6 In the event of two (2) or more candidates having an equality of votes and one (1) of them having to be declared:
 - (a) a defeated candidate; or
 - (b) duly elected

the result will be determined by lot.
 - 1.7.7 The Chief Executive Officer shall have the conduct of any lot.

5. INSTALLATION OF THE MAYOR

In accordance with Section 18 of the *Local Government Act 2020*, the Mayor must take the chair once elected.

ADDRESS BY THE MAYOR

Mayor to address the meeting.

6. ELECTION OF THE DEPUTY MAYOR FOR THE 2020/2021 YEAR

In accordance with section 26(3) of the *Local Government Act 2020*, a Council resolution is required to determine if the Mayor is to be elected for a one (1) year term, or for a two (2) year term.

The procedure to elect a Deputy Mayor will be as per section 2 of Council's Governance Rules. Section 2.1 of the Governance Rules states that:

“Any election for Deputy Mayor will be conducted in accordance with sub-clause 1.7 as if a reference to the second temporary Chairperson is a reference to Mayor and a reference to the Mayor is a reference to Deputy Mayor.”

7. APPOINTMENTS TO THE AUDIT AND RISK COMMITTEE FOR THE 2020/2021 YEAR

In accordance with Section 53 of the *Local Government Act 2020*, Council was required to establish the Audit and Risk Committee and approve an Audit and Risk Committee Charter, which was adopted by Council at its meeting on 22 June 2020.

Composition:

The membership of the Audit and Risk Committee comprises of two Councillors, and three external independent persons, of which one shall be appointed the Chairperson. The maximum term of the independent members is 8 years.

2020/21 External Members:

Ms Claire Filson	External Member – Chairperson Originally appointed April 2012, and extended until April 2021. Term ends April 2021
Mr David Nairn	External Member Appointed 13 April 2015, and extended until April 2023.
Mr Shannon Buckley	External Member Appointed April 2020, initial Term ends April 2024

Allowances:

Council, under Section 53 of the *Local Government Act 2020*, may pay a fee to external Audit and Risk Committee members, who are not a Councillor of the Council. The Committee chair and members have not had an increase in their allowance since November 2016. An increase is now proposed as follows:

Role	Current Allowance	Proposed Allowance
Chairperson	\$8,500	\$9,250
Committee member	\$6,800	\$7,400

The allowance increase of \$750 for the chair, and \$600 for the members would place Council in the mid-range of comparable metropolitan councils.

RECOMMENDATION:**That Council:**

- 7.1 appoints two Councillor members to the Audit and Risk Committee in accordance with the Audit and Risk Committee Charter.**
- 7.2 approves the increase in allowance to be paid to the independent members at:**

Chairperson	\$9,250 per annum
Member	\$7,400 per annum.
- 7.3 That Mr David Nairn be appointed as Chairperson effective April 2021.**

8. APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE FOR THE 2020/2021 YEAR

Council resolved on 9 November 1998, that the Chief Executive Officer Review Committee be formally appointed at the Statutory Meeting each year. Council at its Special Meeting of 21 March 2001 resolved that the make up of the Committee be revised to comprise the Mayor and two other Councillors.

RECOMMENDATION:

That Council appoints the Mayor as Chairperson and Convenor, and two Councillors as members of the Chief Executive Officer Review Committee.

9. APPOINTMENT OF DELEGATES FOR THE 2020/2021 YEAR**9.1 AUSTRALIAN MAYORAL AVIATION COUNCIL****RECOMMENDATION:**

That the Australian Mayoral Aviation Council Representative and Substitute Delegate be appointed.

9.2 MUNICIPAL ASSOCIATION OF VICTORIA**RECOMMENDATION:**

That the Municipal Association of Victoria Representative and Substitute Delegate be appointed.

10. CLOSURE OF MEETING

**DOMENIC ISOLA
CHIEF EXECUTIVE OFFICER**

09/11/2020