

Extraordinary Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Monday 25 November 2024 commencing at 7pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 21 November 2024

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Council Chamber Extraordinary Council Meeting seating plan

Cr Kelly Joy Edendale Ward				Cr Peter Perkins Ellis Ward
Cr Naomi Joiner Bunjil Ward				Cr Kim Cope Sugarloaf Ward
Cr Grant Brooker Blue Lake Ward				Cr Kate McKay Swipers Gully Ward
Katia Croce Manager Governance and Property	Blaga Naumoski Director Governance Communications and Community Safety	Temporary Chairperson / Mayor once elected	Carl Cowie Chief Executive Officer	Cr John Dumaresq Wingrove Ward

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Extraordinary Meeting of Nillumbik Shire Council to be held Monday 25 November 2024 commencing at 7pm.

In accordance with Council's Governance Rule – Election of the Mayor and Deputy Mayor, the Chief Executive Officer (CEO) will be the first temporary Chairperson of the meeting at which the election of the Mayor is to be conducted but will have no voting rights.

The first temporary Chairperson will chair proceedings until the election of the second temporary Chairperson.

1. Welcome

Members of the public are advised the meeting will be livestreamed and recorded and the livestream and video recording will be made publicly available on YouTube and Council's website.

2. Welcome to Country

Welcome to Country to be conducted by Wurundjeri Elder from the Wurundjeri Woiwurrung Cultural Heritage Aboriginal Corporation

3. Apologies

Council to note any apologies by Councillors not in attendance and or consider requests for any leave of absence submitted

4. Declarations of conflicts of interest

Councillors and officers should note that any conflicts of interest should also be disclosed immediately before the relevant item.

5. Appointment of a Second Temporary Chairperson

Council’s Governance Rule – Election of the Mayor and Deputy Mayor states that the Chief Executive Officer, as first temporary Chairperson, must invite nominations for a second temporary Chairperson, which do not need to be seconded.

The second temporary Chairperson will be responsible for chairing the Mayoral term.

Following the nomination process, the Chief Executive Officer calls for a motion to appoint a second temporary Chairperson.

Officer Recommendation

That Cr _____ be nominated as second temporary Chairperson.

The second temporary Chairperson will assume the Chair.

6. Mayoral Term

In accordance with Section 26(3) of the *Local Government Act 2020* (the Act) a Council must before the election of the Mayor, determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

Nillumbik has traditionally elected a Mayor for a 1 year term.

Officer Recommendation

That Council resolves to elect the Mayor for a term of _____ year/s.

The second temporary Chairperson vacates the Chair and the Chief Executive Officer will assume the Chair for the Election of the Mayor.

7. Election of Mayor

The *Local Government Act 2020* (the Act) requires the Councillors to elect a Councillor to be the Mayor of the Council. Any Councillor is eligible for election to the Office of Mayor. The election of the Mayor must be chaired by the Chief Executive Officer and conducted in accordance with section 25 of the Act and Council’s Governance Rules.

The Mayor must be elected by an absolute majority vote.

The Mayor is responsible for leading the Council and has a number of roles which are both legislative and functional. The legislative requirements are outlined in Division 3 of the Act. The Act states that Council must elect a Mayor at a meeting that is open to the public no later than one month after the date of a general election.

The Mayoral position is responsible for leading the Council. The Mayor has responsibilities towards, and is accountable to, all Councillors and the Mayor’s leadership style should reflect this.

Section 18 of the Act outlines the role and specific powers of the Mayor to:

- chair Council meetings;
- be the principal spokesperson for the Council;
- lead engagement with the municipal community on the development of the Council Plan;
- report to the municipal community, at least once each year, on the implementation of the Council Plan;
- promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct;
- assist Councillors to understand their role;
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer;
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
- perform civic and ceremonial duties on behalf of the Council.

In addition to the role outlined above, specific powers of the Mayor (section 19 of the Act) include:

- to appoint a Councillor to be the chair of a delegated committee;
- to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business;
- to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.

The Mayor's role, however, extends well beyond officiating at Council Meetings or other municipal proceedings. Additional important roles are providing leadership, promoting positive relationships, and modelling good governance.

The Mayoral term commences from this meeting and becomes vacant at the time and on the day of the election of the next Mayor.

The Chief Executive Officer calls for nominations for the Office of Mayor, nominations must be seconded.

The Chief Executive will declare the elected Mayor once the election process in accordance with the Local Government Act 2020 and Council's Governance Rule – Election of Mayor and Deputy Mayor has taken place.

The elected Mayor will assume the Chair.

8. Election of Deputy Mayor

The *Local Government Act 2020* (the Act) outlines that Council may establish an office of Deputy Mayor (s20A) and if an office of Deputy Mayor is established, the legislative requirements of the Deputy Mayor are provided in Sections 21 and 27 of the Act.

The Act states the Deputy Mayor must undertake the role of the Mayor if:

- the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- the office of Mayor is vacant.

Should Council not elect a Deputy Mayor, it must appoint an Acting Mayor in the above circumstances.

The term of a Deputy Mayor is identical to the term of the Mayor as resolved by Council.

The Mayor calls for nominations for the office of Deputy Mayor, nominations do need to be seconded.

The Mayor will declare the newly elected Deputy Mayor once the election process in accordance with the Local Government Act 2020 and Council's Governance Rule – Election of Mayor and Deputy Mayor has taken place.

9. Appointment of Chairpersons to Delegated Committee

Planning and Consultation Committee (the Committee) has delegated powers from Council to determine any issue, take any action or do any act or thing as set out in the Instrument of Delegation (resolved by Council on 23 February 2021).

The Committee was effective 11 March 2021, with all seven Councillors being appointed to Committee.

The Instrument of Delegation for the Committee and the Terms of Reference were adopted by Council on 23 February 2021.

The scope of the Committee’s responsibilities includes all matters within the following portfolio areas

- **Planning**

- Planning applications
- Land-use planning policy
- Planning scheme and amendments

(excluding adoption or abandonment of amendments, which must be determined by Council)

- **Consultation**

- Section 223 process
- Community Engagement

Meetings are usually held on the second Tuesday of each month at 7pm.

Unless otherwise notified, meetings will be held at the Civic Centre, Civic Drive, Greensborough.

The Mayor calls for nominations for the Chairperson for Planning Matters.

Officer Recommendation

That Cr _____ to act as Chairperson for Planning Matters before the Planning and Consultation Committee for the 2024/2025 Council year.

The Mayor calls for nominations for the Chairperson for Consultation Matters.

Officer Recommendation

That Cr _____ to act as Chairperson for Consultation Matters before the Planning and Consultation Committee for the 2024/2025 Council year.

10. Delegated Committee and Council meeting schedule for 2024/2025

It is recommended the arrangements for the 2024/2025 meeting cycle be as follows:

- Meetings occur on Tuesday nights throughout the year unless otherwise notified.
- The Delegated Committee meeting will commence at 7.00pm, usually on the second Tuesday of the each month.
- Council meetings will commence at 7.00pm, usually on the fourth Tuesday of each month.
- Unless otherwise notified, meetings will be held at the Civic Centre, Civic Drive, Greensborough.
- At least one week of each school holidays has been left free of meetings.

Following consultation with Councillors, the 2024/2025 meeting schedule listed in the table below is recommended.

Officer Recommendation

That Council:

1. Adopts and advertises the Delegated Committee and Council Meeting schedule for the 2024/2025 Council year as listed below:

Delegated Committee	Council Meeting
	10 December 2024
11 February 2025	25 February 2025
11 March 2025	25 March 2025
8 April 2025	29 April 2025
13 May 2025	27 May 2025
10 June 2025	24 June 2025
8 July 2025	29 July 2025
12 August 2025	26 August 2025
9 September 2025	30 September 2025
14 October 2025	28 October 2025
11 November 2025	25 November 2025
	9 December 2025

2. Endorses that the 2026 Citizenship Ceremony is to be held on Wednesday 28 January 2026.

11. Address by the Mayor and Deputy Mayor

The Mayor and Deputy Mayor to address the meeting.

12. Close of meeting