

# Councillor Oath or Affirmation of Office Proceedings

held at the Council Chamber, 32 Civic Drive, Greensborough  
on Thursday 14 November 2024 commencing at 5.00pm.

## Minutes

**Carl Cowie**  
**Chief Executive Officer**

Friday 15 November 2024

Distribution: Public

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**Nillumbik Shire Council**

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## Nillumbik Shire Council

**Minutes of the Councillor Oath or Affirmation of Office Proceedings of Nillumbik Shire Council held Thursday 14 November 2024. The Proceedings commenced at 5.00pm.**

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### Councillors present:

Cr Grant Brooker	Blue Lake Ward
Cr Naomi Joiner	Bunjil Ward
Cr Kelly Joy	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Kim Cope	Sugarloaf Ward
Cr Kate McKay	Swipers Gully Ward
Cr John Dumaresq	Wingrove Ward

### Officers in attendance:

Vince Lombardi	Acting Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Frank Vassilacos	Director Planning, Environment and Strategy
Jeremy Livingston	Director Culture and Performance
Daniel Tarquinio	Manager Information Technology
Katia Croce	Manager Governance and Property
Tracey Varley	Manager Communications and Engagement
Emma Christensen	Governance Coordinator
Melanie Burns	Electoral Project Officer
Juliana Dimovski	Senior Governance Officer

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### 1. Welcome

The Acting Chief Executive Officer, Vince Lombardi chaired the meeting and welcomed everyone to the proceedings and advised the meeting would be livestreamed and recorded and would be publicly available on YouTube and on Council's website.

### 2. Acknowledgement of Country

Acknowledgement of Country was given by the Acting Chief Executive Officer, Vince Lombardi.

### 3. Apologies

Nil.

### 4. Oath or Affirmation of Office and Code of Conduct Declaration for elected Councillors

In accordance with section 30(1) of the *Local Government Act 2020*, elected Councillors are required to take the Oath or Affirmation of Office. The Local Government (Governance and Integrity) Regulations 2020 prescribe the manner for taking the Oath or Affirmation of Office.

Once the Oath or Affirmation of Office has been administered by the Acting Chief Executive Officer, Councillors are required to sign and date the oath or affirmation before the Acting Chief Executive Officer.

**Oath of Office**

The Oath of Office was taken by the following Councillors-elect :

Grant Brooker and Peter Perkins

“I, [name], swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

**Affirmation of Office**

The Affirmation of Office was taken by the following Councillors-elect :

Naomi Joiner, Kelly Joy, Kim Cope, Kate McKay and John Dumaresq

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

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

*After taking the Oath or Affirmation of Office, each Councillor made a short acceptance speech.*

**Attached are the signed Oath or Affirmation of Office for each Councillor, together with a copy of the Councillor Code of Conduct.**

**5. Conclusion**

The Acting Chief Executive Officer, Vince Lombardi declared proceedings closed at 5.34pm.

## Councillor Oath of Office

I, Grant Brooker, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

Signed

Grant Brooker

14 November 2024

Witnessed

Vince Lombardi  
Acting Chief Executive Officer

14 November 2024



## Councillor Oath of Office

I, Peter Perkins, swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

Signed

Witnessed

Peter Perkins

14 November 2024

Vince Lombardi  
Acting Chief Executive Officer

14 November 2024



## Councillor Affirmation of Office

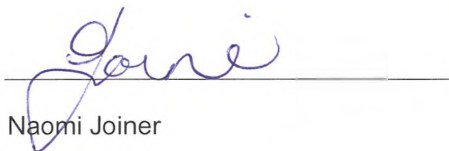
I, Naomi Joiner, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

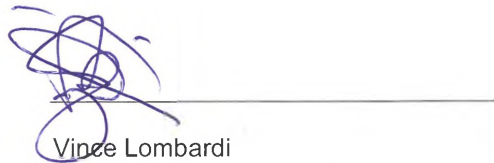
Signed

Witnessed



Naomi Joiner

14 November 2024



Vince Lombardi  
Acting Chief Executive Officer

14 November 2024



## Councillor Affirmation of Office

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

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

Signed

Witnessed

Kelly Joy

14 November 2024

Vince Lombardi  
Acting Chief Executive Officer

14 November 2024





## Councillor Affirmation of Office

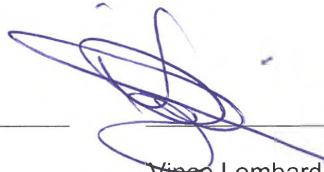
I, Kim Cope, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the municipal community.

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

Signed

Witnessed



Kim Cope

Vince Lombardi  
Acting Chief Executive Officer

14 November 2024

14 November 2024



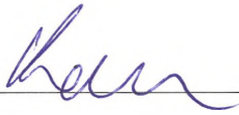
## Councillor Affirmation of Office

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

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

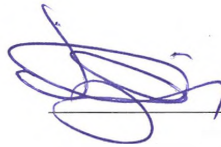
Signed



Kate McKay

14 November 2024

Witnessed



Vince Lombardi  
Acting Chief Executive Officer

14 November 2024



## Councillor Affirmation of Office

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

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

Signed

Witnessed

John Dumaresq

Vince Lombardi  
Acting Chief Executive Officer

14 November 2024

14 November 2024



## Model Councillor Code of Conduct

### 1. Performing the role of a Councillor

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by:

- a) representing the interests of the municipal community by considering and being responsive to the diversity of interests and needs of the municipal community; and
- b) being fit to perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- c) diligently using Council processes to become informed about matters which are subject to Council decisions; and
- d) not performing or purporting to perform any responsibilities or functions of the Chief Executive Officer; and
- e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by
  - i. respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules); and
  - ii. refraining from making public comment, including to the media, that could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the Mayor to make such a comment.

### 2. Behaviours

- 1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by:
  - a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and



- b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and
  - c) not engaging in discrimination\* or vilification; and
  - d) supporting the Council, when applying the Council's community engagement policy, to develop respectful relationships and partnerships with Traditional Owners, Aboriginal community controlled organisations and the Aboriginal community; and
  - e) supporting the Council in fulfilling its obligation under the Act or any other Act (including the **Gender Equality Act 2020**) to achieve and promote gender equality; and
  - f) ensuring their behaviours and interactions with children are in line with the Council's policies and procedures as a child safe organisation and obligations under the **Child Wellbeing and Safety Act 2005** to the extent that they apply to Councillors.
- 2) A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons by:
- a) adhering to applicable systems and policies put in place by the Chief Executive Officer to manage risks to health and safety in the workplace; and
  - b) complying, so far as the Councillor is reasonably able, with any reasonable instruction that is given by the Chief Executive Officer to manage risks to health and safety.
- 3) A Councillor must act in accordance with any policies, practices and protocols developed and implemented under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.

\* Discrimination means unfair or unfavourable treatment of a person on the grounds of an attribute specified in section 6 of the Equal Opportunity Act 2010.

### **3. Good governance**

A Councillor must comply with the following Council policies and procedures required for delivering good governance for the benefit and wellbeing of the municipal community:

- a) the Council's expenses policy adopted and maintained under section 41 of the Act;
- b) the Council's Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act, including in relation to:
  - i. conduct in Council meetings or meetings of delegated committees; and
  - ii. requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication; and
  - iii. the Council's election period policy included in the Council's Governance Rules under section 69 of the Act, including in ensuring that Council resources are not used in a way that is intended to influence, or is likely to influence, voting at a general election or by-election;
- c) the Council's Councillor gift policy adopted under section 138 of the Act;
- d) any direction of the Minister given under section 175 of the Act.

#### **4. Integrity**

- 1. A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by:
  - a) ensuring that their behaviour does not bring discredit upon the Council; and
  - b) not deliberately misleading the Council or the public about any matter related to the performance of their public duties; and
  - c) not making Council information publicly available where public availability of the information would be contrary to the public interest.  
Note: See the public transparency principles set out in section 58 of the Act.
- 2. A Councillor must not, in their personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), expressly or impliedly request preferential treatment for themselves or a related person or entity.

#### **5. The Model Councillor Code of Conduct does not limit robust public debate**

Nothing in the Model Councillor Code of Conduct is intended to limit, restrict or detract from robust public debate of issues in a democracy.