

STATUTORY MEETING OF COUNCIL - 26 NOVEMBER 2024 ATTACHMENTS

5.2 NOMINATIONS FOR MAYOR.....2

5.2.1 GUIDANCE DOCUMENT - THE ROLE OF THE MAYOR - NOVEMBER 2024.....2

6.1 RECORDING OF THE OATH OR AFFIRMATION OF OFFICE.....6

6.1.1 AFFIRMATIONS AND OATH OF OFFICE - ALL COUNCILLORS - 2024-2028 TERM.....6

POSITION:	Mayor of the Hepburn Shire Council
CLASSIFICATION:	Elected Representative of the Hepburn Shire Council
DATE UPDATED:	November 2024

Purpose

The purpose of the Guidance Document is to provide clarity on the array of duties and functions of the Mayor. The Guidance Document has been developed in line with the relevant provisions in the *Local Government Act 2020*.

It is important to note that the Guidance Document is simply that, a guidance document. The role of the Mayor and the obligations bestowed upon them during their Term are not limited to the information in this document and all provisions in the *Local Government Act 2020* and *Local Government Act 1989* and other relevant legislation, policies and procedures, and the Model Councillor Code of Conduct that relate to the obligations of Councillors and the Mayor take precedence.

The Mayor – Overarching roles and responsibilities

The mayor is "first among equals" and takes precedence at all municipal proceedings within the city and chairs meetings of Council. The mayor is elected by Council to represent the views and directions of Council, and councillors, in performing various roles and duties including:

- 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 Model 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
- perform civic and ceremonial duties on behalf of the Council
- The Mayor cannot also be elected to the office of Deputy Mayor while serving as Mayor.

Specific powers of the Mayor

The Mayor has the following specific powers:

- 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.

Office of the Mayor

Pursuant to section 20 of the *Local Government Act*, the office of Mayor elected by the Councillors becomes vacant —

- a) at the time and on the day of the election of the next Mayor; or
- b) on the day the Mayor resigns from the office of Mayor by giving the Chief Executive Officer a written notice of resignation; or
- c) on the day the Mayor ceases to hold the office of Councillor; or
- d) on the day the Mayor's office as a Councillor is suspended for any period; or
- e) on the day the Mayor becomes ineligible to hold the office of Mayor as a result of a decision by a Councillor Conduct Panel; or
- f) on the day the office of Mayor is declared vacant by the Council in accordance with section 23.

Section 23 of the Local Government Act 2020 relates to the declaration of the office of the Mayor and Deputy Mayor

Election of the Mayor

Pursuant to section 26 of the Local Government Act 2020:

- (1) A Mayor is to be elected no later than one month after the date of a general election.
- (2) The Mayor of the Greater Geelong City Council must be elected for a 2 year term.
- (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.
- (4) If the Mayor is elected for a 1 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable.
- (5) If the Mayor is to be elected for a 2 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 2 year term as is reasonably practicable.
- (6) A Mayor is to be elected within one month after any vacancy in the office of Mayor occurs.
- (7) The election of a Mayor after the period specified in this section does not invalidate the election.
- (8) A Councillor elected to fill a vacancy in the office of Mayor caused other than by the expiration of a one year or a 2 year term serves the remaining period of the previous Mayor's term.

The Mayor is to continue to fulfil their roles as defined in section 28 of the *Local Government Act 2020* relating to the role of a Councillor and all obligations detailed in the legislation that relates to Councillors.

The Mayor should be committed to and involved in the Hepburn Shire community, be motivated to succeed, be politically astute and possess a keen political awareness, be an innovator and creative thinker, enjoy and be able to meet the demands of a public profile, be an effective communicator, have a positive and professional presentation, be committed to personal and professional development, be able to work with a wide range of people from diverse backgrounds and groups, be fair, impartial and objective.

The Mayor must have a combination of skills, qualifications and experience, and personal attributes to enable him or her to provide the leadership, motivation and support to ensure the sustained and continuing development of the Hepburn Shire Council, the staff and the Hepburn Shire community.

The Mayor must be able to gain the co-operation, trust and respect of Councillors, staff and the community and have the ability to motivate other people to achieve stated outcomes and results in a team environment.

The Mayor must be able to establish, maintain and present at all times a positive, professional and dynamic image of Council and the community.

A commitment to ongoing professional development, especially in change management and industry trends and issues, is highly desirable and encouraged.

The Mayor is required to adhere to all Hepburn Shire Council's policies and procedures including but not limited to:

- Model Code of Conduct
- Governance Rules and Election Period Policy
- Public Transparency Policy
- Privacy Policy
- Council Expenses and Resources Policy
- Public Interest Disclosures Procedures

The Mayor is required to adhere to the following legislation including but not limited to:

- *The Local Government Act 2020*
- *The Local Government Act 1989*
- *The Privacy and Data Protection Act 2014*
- *The Freedom of Information Act 1982*
- *The Public Interest Disclosure Act 2012*

▶ **AFFIRMATION OF OFFICE – CR DON HENDERSON**

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 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."

The Affirmation must be said aloud and be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Don Henderson

Mr Bradley Thomas

Signature:



Signature:



Date:

1A / 11 / 2024

Date:

14/11/24

AFFIRMATION OF OFFICE – CR BRIAN HOOD

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 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."

The Affirmation must be said aloud and be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Brian Hood

Mr Bradley Thomas

Signature:

A handwritten signature in blue ink, appearing to be "Bd".

Signature:

A handwritten signature in blue ink, appearing to be "B. Thomas".

Date: 14/11/2024

Date: 14/11/2024.

► **AFFIRMATION OF OFFICE – CR LESLEY HEWITT**

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 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."

The Affirmation must be said aloud and be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Lesley Hewitt

Mr Bradley Thomas

Signature: 

Signature: 

Date: 

Date: 

▶ **AFFIRMATION OF OFFICE – CR TONY CLARK**

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 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."

The Affirmation must be said aloud and be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Tony Clark

Mr Bradley Thomas

Signature:

Signature:




Date: 14/11/24

Date: 14/11/24

▶ **AFFIRMATION OF OFFICE – CR TIM DRYLIE**

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 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."

The Affirmation must be said aloud and be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Tim Drylie

Mr Bradley Thomas

Signature:

Signature:




Date: 14/11/24

Date: 14/11/24

► **AFFIRMATION OF OFFICE – CR PATRICK HOCKEY**

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 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."

The Affirmation must be said aloud and be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Patrick Hockey

Mr Bradley Thomas

Signature:

Signature:

Date: 14/11/24

Date: 14/11/24

▶ **OATH OF OFFICE – CR SHIRLEY CORNISH**

OATH

"I 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."

The Oath must be said aloud and must be dated and signed before the Chief Executive Officer.

Councillor name:

CEO: (as witness)

Cr Shirley Cornish

Mr Bradley Thomas

Signature:



Signature:



Date: 14/11/24

Date: 14/11/24