



## **COUNCIL MEETING AGENDA**

**Tuesday 19 November, 2024  
6.30pm**

**Footscray Town Hall  
61 Napier St, Footscray**

### **MEMBERSHIP**

Councillor Pradeep Tiwari  
Councillor Cuc Lam  
Councillor Mohamed Semra  
Councillor Susan Yengi  
Councillor Samantha Meredith  
Councillor Bernadette Thomas  
Councillor Elena Pereyra

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**Agenda Item 4.1**

**TERM OF THE MAYOR AND DEPUTY MAYOR**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

This report seeks to confirm by Council resolution the term of the Mayor and Deputy Mayor, as required by the *Local Government Act 2020*.

**ISSUES SUMMARY**

- Division 3 of the *Local Government Act 2020 (the Act)* defines the role and powers of the Mayor and Deputy Mayor.
- Section 26(3) and Section 27(2) of the Act provides that before the election of the Mayor and Deputy Mayor, Council must determine by resolution whether the Mayor and Deputy Mayor are to be elected for a one year or a two year term.
- Maribyrnong Council has historically elected the Mayor and the Deputy Mayor for a one year term.
- It is recommended that Council elect the Mayor and the Deputy for a one year term.

**ATTACHMENTS**

Not applicable

**OFFICER RECOMMENDATION**

**That Council resolve the term of the Mayor and the Deputy Mayor be for a one year term.**

## **Agenda Item 4.1**

### **BACKGROUND**

Division 3 of the Act defines the role and powers of the Mayor and Deputy Mayor.

Section 26(3) and Section 27(2) of the Act provides that before the election of the Mayor and Deputy Mayor, Council must determine by resolution whether the Mayor and Deputy Mayor are to be elected for a one year or a two year term.

### **DISCUSSION/KEY ISSUES**

#### **1. Key Issues**

Maribyrnong Council has historically elected the Mayor and the Deputy Mayor for a one year term.

It is recommended that Council elect the Mayor and the Deputy for a one year term.

#### **2. Council Policy/Legislation**

##### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

##### **Legislation**

Local Government Act 2020

##### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

##### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

#### **3. Engagement**

Nil.

**Agenda Item 4.1**

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

It is recommended that Council resolve to elect the Mayor and the Deputy Mayor.

**Agenda Item 4.2**

**ELECTION OF THE MAYOR**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

This report considers the election of the Mayor for Maribyrnong City Council.

**ISSUES SUMMARY**

- Section 18 and 19 of the *Local Government Act 2020 (the Act)* defines the role and powers of the Mayor.
- The election of the Mayor is required to be conducted by the Chief Executive Officer in accordance with section 25 of the *Act* and as set out in Part B of Council's Governance Rules.

**ATTACHMENTS**

Not applicable

**OFFICER RECOMMENDATION**

**That the Chief Executive Officer:**

- 1. Conduct the election of the Mayor in accordance with the Local Government Act 2020 and Maribyrnong City Council's Governance Rules: and**
- 2. Following the election, declare a Councillor as the elected Mayor of Maribyrnong City Council.**

## Agenda Item 4.2

### BACKGROUND

Section 25 of the *Act* provides that at a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

The role and powers of the Mayor are prescribed under sections 18 and 19 of the *Act* as set out below:

#### *Role of the Mayor*

(1) *The role of the Mayor is to:*

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

#### *Specific Powers of the Mayor*

(1) *The Mayor has the following specific powers:*

- (a) to appoint a Councillor to be the chair of a delegated committee;*
- (b) 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;*
- (c) to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.*

(2) *An appointment under subsection (1)(a) prevails over any appointment of a chair of a delegated committee by the Council.*

### DISCUSSION/KEY ISSUES

#### 1. Key Issues

The election of the Mayor must be chaired by the Chief Executive Officer and conducted in accordance with Council's Governance Rules.

The process for the election of the Mayor is prescribed under Council's Governance Rules Part B as set out below.

## **Agenda Item 4.2**

### 6. Determining the Election of the Mayor

- 6.1 The Chief Executive Officer must open the meeting at which the Mayor is to be elected, and invite nominations for the office of Mayor.
- 6.2 There is no requirement for a nomination to be seconded by another Councillor.
- 6.3 Once nominations for the office of Mayor have been received, the following provisions will govern the election of the Mayor:

#### Single Nomination

- 6.4 If there is only one nomination, the candidate nominated must be declared to be duly elected.

#### Multiple Nominations and Candidate Elected on First Vote

- 6.5 If there is more than one nomination, the Councillors in attendance at the meeting must vote for one of the candidates;
- 6.6 Each nominee will be provided the opportunity to address the Council for a maximum of five minutes, in the order in which the nominations were received.
- 6.7 In the event of a candidate receiving the votes of an absolute majority of the Councillors, that candidate is declared to have been elected;

#### Three or More Nominations and No Candidate Obtaining Absolute Majority On First Vote

- 6.8 In the event that:
  - 6.8.1 there are three or more candidates;
  - 6.8.2 no candidate receives the votes of an absolute majority of the Councillors;  
and
  - 6.8.3 it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors in attendance at the meeting will then vote for one of the remaining candidates.
- 6.9 If one of the remaining candidates receives the votes of an absolute majority of the Councillors, that candidate is duly elected. If none of the remaining candidates receives the votes of an absolute majority of Councillors and it is not resolved to conduct a new election at a later date and time, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives the votes of an absolute majority of the Councillors. That candidate must then be declared to have been duly elected;



## **Agenda Item 4.2**

- 6.10 For the purposes of sub-rules 6.7 and 6.8, if no candidate can be determined to have the fewest number of votes due to two or more candidates having an equality of votes then the candidate who is to be declared a defeated candidate will be determined by lot.
- 6.11 If a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:
- 6.11.1 each candidate who has an equal number of votes with another candidate or candidates will draw one lot;
- 6.11.2 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
- 6.11.3 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 who 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 until one of those candidates receives the votes of an absolute majority of Councillors).

### Two Nominations or Two Remaining Candidates and No Candidates Obtaining an Absolute Majority on First Vote

- 6.12 In the event of two candidates being nominated or remaining, and neither candidate receiving the votes of an absolute majority of Councillors, the Councillors in attendance at the meeting will consider whether to resolve to conduct a new election at a later date and time.
- 6.13 If:
- 6.13.1 it is resolved to conduct a new election at a later date and time a new election will take place at on the date and at the time resolved upon. In that event the provisions of this Rule 6 will continue to govern the election of the Mayor, and ultimately any candidate whose nomination is the sole nomination or any candidate who receives the votes of an absolute majority of Councillors will be declared duly elected; and
- 6.13.2 it is not resolved to conduct a new election at a later date and time Councillors must continue to vote until one of the candidates receives the votes of an absolute majority of Councillors, at which point that candidate will be declared duly elected. If, after two or more further votes are taken neither candidate receives the votes of an absolute majority of Councillors, the provisions of sub-Rule 6.12 and this sub-Rule 6.13 must again be followed.

## Agenda Item 4.2

### 2. Council Policy/Legislation

#### Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

#### Legislation

*Local Government Act 2020*  
Maribyrnong City Council Governance Rules

#### Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### 3. Engagement

Nil.

### 4. Resources

Nil.

### 5. Environment

Nil.

## CONCLUSION

The election of Mayor is conducted by the Chief Executive Officer in accordance with the *Act* and Council's Governance Rules.

**Agenda Item 4.3**

**ELECTION OF THE DEPUTY MAYOR**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

This report considers the election of the Deputy Mayor.

**ISSUES SUMMARY**

- Section 20 of the *Local Government Act 2020 (the Act)* provides that Council may establish an office of Deputy Mayor.
- Section 21 of the *Act* defines the role and powers of the Deputy Mayor.
- Council's Governance Rules prescribes the process for the election of a Deputy Mayor, with the Mayor to conduct the election using the Mayoral election process.

**ATTACHMENTS**

Not applicable

**OFFICER RECOMMENDATION**

**That the Mayor:**

- 1. Conduct the election of the Deputy Mayor in accordance with the Local Government Act 2020 and Maribyrnong City Council's Governance Rules:  
and**
- 2. Following the election, declare the elected Councillor as the Deputy Mayor of Maribyrnong City Council.**

## Agenda Item 4.3

### BACKGROUND

Section 20A of the *Act* provides that Council may establish an Office of Deputy Mayor.

Section 21 of the *Act* prescribes the role and powers of the Deputy Mayor.

*The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if*

*(a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or*

*(b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or*

*(c) the office of Mayor is vacant.*

### DISCUSSION/KEY ISSUES

#### 1. Key Issues

Council's Governance Rules provides that the Mayor will conduct the election process for the Deputy Mayor. The election for the position of Deputy Mayor will follow the same process as the election of the Mayor prescribed in Council's Governance Rules.

#### 2. Council Policy/Legislation

##### Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

#### Legislation

*Local Government Act 2020*

Maribyrnong City Council Governance Rules

#### Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Agenda Item 4.3**

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

The Mayor will conduct the election of a Deputy Mayor in accordance with the *Act* and Council's Governance Rules.

**Agenda Item 4.4****COUNCILLOR COMMITTEE APPOINTMENTS - 2024/25**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

This report considers the appointment of a Chairperson for Council's City Development Delegated Committee, and Councillor appointments to Council's Audit and Risk Committee, Chief Executive Officer Employment Matters Advisory Committee and the LeadWest Joint Delegated Committee.

**ISSUES SUMMARY**

- Maribyrnong Council has a City Development Delegated Committee, established under section 63 of the *Local Government Act 2020* ('the Act').
- Maribyrnong Council has an Audit and Risk Committee, established under section 53 of the *Act*.
- Maribyrnong Council has a CEO Employment Matters Advisory Committee established in accordance with its CEO Employment and Remuneration Policy and section 45 of the *Act*.
- Maribyrnong Council is a member of the LeadWest Joint Delegated Committee, together with the Cities of Brimbank, Hobsons Bay, Melton, Moonee Valley and Wyndham, established under section 64 of *the Act*.

**ATTACHMENTS**

1. City Development Delegated Committee - Instrument of Delegation [↓](#)
2. Audit and Risk Committee - Charter [↓](#)
3. CEO Employment Matters Advisory Committee - Terms of Reference [↓](#)
4. Leadwest Joint Delegated Committee - Terms of Reference [↓](#)

**Agenda Item 4.4****OFFICER RECOMMENDATION****That Council:**

- 1. Appoints Councillor \_\_\_\_\_ as the Chairperson of the City Development Delegated Committee for a one year term, to coincide with the Mayoral term;**
- 2. Appoints the Mayor and Councillor \_\_\_\_\_ as representatives to the Audit and Risk Committee;**
- 3. Appoints the Mayor as the Chairperson and Councillors \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ as representatives to the Chief Executive Officer Employment Matters Advisory Committee; and**
- 4. Appoints Councillor \_\_\_\_\_ as the Councillor delegate and Councillor \_\_\_\_\_ as the proxy Councillor delegate to the LeadWest Joint Delegated Committee.**

**BACKGROUND**

Council has established the City Development Delegated Committee in accordance with section 63 of the Act.

Council has a CEO Employment Matters Advisory Committee established in accordance with its CEO Employment and Remuneration Policy, a requirement of section 45 of the Act.

The Audit and Risk Committee is established under section 53 of the Act, and reports directly to Council on matters concerning financial management, good governance, internal controls, risk management and matters of integrity.

Council is also a member of the LeadWest Joint Delegated Committee, together with the Cities of Brimbank, Hobsons Bay, Melton, Moonee Valley and Wyndham, established under section 64 of the Act.

**1. Key Issues****City Development Delegated Committee**

Council established the City Development Delegated Committee to exercise Council's functions and powers in relation to:

- Statutory Planning and Building Controls;
- Heritage;
- Strategic Planning - including Land Use, Development Contributions and Transport Planning;
- Planning Scheme Amendments;
- Urban Design;

**Agenda Item 4.4**

- Public Space;
- Economic Development; and
- Any other matters deemed appropriate.

Council resolved in August 2020 to appoint all Councillors to this Committee, with a Chairperson to be appointed by Council each November. The instrument of delegation for the City Development Delegated Committee is shown at Attachment 1.

**Audit and Risk Committee**

The Audit and Risk Committee is established by Council as required by section 53 *the Act*. Its functions and responsibilities include the following:

- monitor the compliance of Council policies and procedures;
- monitor Council financial and performance reporting;
- monitor and provide advice on risk management;
- monitor the effectiveness of Council's internal controls, inclusive of the fraud and corruption framework;
- oversee internal and external audit functions.

The objective of the Committee is to oversee:

- the integrity of financial management and reporting, including accounting policies;
- the scope of work, objectivity, performance and independence of the external and internal auditors;
- the establishment, effectiveness and maintenance of controls and systems to safeguard financial and physical resources;
- the systems or procedures that are designed to ensure compliance with relevant statutory and regulatory requirements;
- the process for recognising risks arising from operations and strategies, and consider the adequacy of measures taken to manage those risks; and
- the process and systems which protect against fraud and improper activities including Council's Fraud and Corruption Framework.

The Audit and Risk Committee Charter provides for five Members, being three independent members, two Councillors and the Mayor as substitute.

To ensure compliance with the *Local Government Act 2020*, it is recommended that a maximum of two Councillors be appointed to the Committee, with one Councillor being the Mayor.

The Charter will be amended to reflect the above amendment when presented to Council for review in late 2025. The current Charter for the Audit and Risk Committee is shown at Attachment 2.

**CEO Employment Matters Advisory Committee**

In November 2021, Council adopted the CEO Employment and Remuneration Policy in accordance with section 45 of the *Local Government Act 2020*.



**Agenda Item 4.4**

Pursuant to this Policy, the CEO Employment Matters Advisory Committee was established to:

- Make recommendations to Council on contractual employment matters relating to the CEO;
- Make recommendation to Council on performance matters relating to the CEO; and
- Perform any other functions or responsibilities prescribed by the *Local Government Act 2020*.

The Committee is comprised of five members, being the Mayor (Chair) and three Councillors, and an Independent Member to provide specialist advice, appointed by Council.

The CEO Employment Matters Advisory Committee operates as an Advisory Committee in accordance with Terms of Reference adopted by Council in November 2021, and is shown at Attachment 1.

LeadWest Joint Delegated Committee

The LeadWest Joint Delegated Committee is established in July 2021, its membership comprising the western metropolitan municipalities of Maribyrnong, Brimbank, Hobsons Bay, Melton, Moonee Valley and Wyndham.

The Committee oversees the preparation and implementation of the LeadWest Strategic Plan together with projects and actions that support sustainable growth and development in the Western Region of Greater Melbourne.

The LeadWest Delegated Committee is authorised to:

- to enter into contracts, and to incur expenditure;
- develop a strategic ten year plan to foster and undertake actions that will support sustainable growth and development of the Western Region of Melbourne, including the local government areas of Wyndham, Brimbank, Hobsons Bay, Maribyrnong and Melton;
- develop and prioritise a rolling Four Year Implementation Program of the actions in the LeadWest Strategic Plan to be updated and approved annually;
- oversee implementation of LeadWest Strategic Plan in accordance with the agreed Four Year Implementation Program;
- make recommendations to Council and other LeadWest member Councils on budget allocations;
- to effect the implementation of the LeadWest Strategic Plan;
- progress individual initiatives in accordance with the annualised Four Year Implementation Program;
- Review and recommend adjustments to the Four Year Implementation Program as required;
- monitor and report annually to LeadWest member Councils on the progress of the implementation of the LeadWest Strategic Plan; and
- perform all other functions that are set out in the Terms of Reference (attached) that are not otherwise listed above.

**Agenda Item 4.4**

Each Member Council has a Councillor (and their proxy) and Chief Executive Officer (or such proxy as nominated by the Chief Executive Officer) as voting members. The Terms of Reference for the Leadwest Joint Delegated Committee is shown at Attachment 1.

**2. Council Policy/Legislation****Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

**Legislation**

*Local Government Act 2020*

**Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

**Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

**3. Engagement**

Nil.

**4. Resources**

Nil.

**5. Environment**

Nil.

**CONCLUSION**

It is recommended that Council considers the appointment of a Chairperson for Council's City Development Delegated Committee, and Councillor appointments and Councillor delegate appointments to Council's Audit and Risk Committee, the CEO Employment Matters Advisory Committee and the LeadWest Joint Delegated Committee.

**Agenda Item 4.4 - Attachment 1**



**C4. Instrument of Delegation (Delegated Committees)**

**Maribyrnong City Council  
Instrument of Delegation  
City Development Delegated Committee**

Maribyrnong City Council (Council) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 18 August 2020 and known as the "City Development Delegated Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 18 August 2020;
2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
3. the delegation:
  - 3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 3.2 remains in force until Council resolves to vary or revoke it; and
  - 3.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
4. all members of the Delegated Committee will have voting rights on the Delegated Committee;

THE COMMON SEAL OF MARIBYRNONG )  
CITY COUNCIL pursuant to a Council )  
resolution of 18 August 2020 was )  
affixed on 18 August 2020, in the )  
presences of:



\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Witness

## Agenda Item 4.4 - Attachment 1

### SCHEDULE

#### **Powers and functions**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the City Development Delegated Committee, and for those purposes:

1. Statutory Planning and Building Controls
2. Heritage
3. Strategic Planning - including Land Use, Development Contributions and Transport Planning
4. Planning Scheme Amendments
5. Urban Design
6. Public Space (Strategic)
7. Economic Development
8. Any other matters deemed appropriate
9. to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

The Committee shall consider items or any related matters to the listed topics or issues.

The Committee can refer any item to an Ordinary Meeting of Council for consideration.

Members of the public will be afforded the opportunity to present their views on items listed on an agenda for consideration at Delegated Committee meetings. A maximum of three minutes per speaker will be allocated prior to the Committee's consideration of items. Where more than 10 requests to present to the Delegated Committees are received, a spokesperson will be appointed by the group, and allocated a maximum of five minutes.

Any extension of time for presenters will be at the discretion of the Chair.

The Committee is governed by Council's Governance Rules.

#### **Exceptions, conditions and limitations**

The members of the Delegated Committee are not authorised by this Instrument to:

1. exercise the powers which, under section 11(2) of the Local Government Act 2020 or otherwise, cannot be delegated, including:
2. this power of delegation
3. to declare a rate or charge
4. to borrow money
5. to enter into contracts for an amount exceeding an amount previously determined by the Council
6. to incur any expenditure exceeding an amount previously determined by the Council
7. any prescribed power.

The Committee is not authorised by this Instrument to:

8. adopt the Council Plan, Strategic Resource Plan, Budget or Revised Budget, Annual Report, Annual Financial Statements, Standard Statements, Performance Statement or Audit Report under the Local Government Act 2020
9. appoint or reappoint a Chief Executive Officer.

**Agenda Item 4.4 - Attachment 2**



# Maribyrnong City Council Audit and Risk Committee Charter

**August 2022**

## DOCUMENT HISTORY & STATUS:

Status Version	Author	Date	Notes
V1.0	Manager Finance	November 2017	Audit Committee November 2017, Ordinary Council Meeting December 2017
V1.1	Manager Finance	September 2018	Update Audit & Risk Committee November 2018
V1.2	Manager Finance	June/July 2019	Circulated Audit & Risk Committee June 2019 EMT July 2019
V1.3	Manager Finance	August 2019	Update Audit & Risk Committee September 2019
V2.0	Coordinator Governance	August 2020	Update to transition from Local Government Act 1989 to Local Government Act 2020
V2.1	Manager Finance	June 2021	Update Audit & Risk Committee June 2021
V2.2	Manager Finance	June 2022	Update Audit & Risk Committee June 2022
V2.3	Manager Finance	August 2022	Adopted by Council

## Agenda Item 4.4 - Attachment 2

### 1. Introduction

Maribyrnong City Council (Council) is committed to good governance, integrity, public transparency and accountability and the Audit and Risk Committee (the Committee) strengthens and facilitates this commitment to the Maribyrnong community

The Committee is established by Council in compliance with section 53(1) of the Local Government Act 2020 (Act) and is responsible to the Council.

Pursuant to section 53(2) of the Act, the Committee does not have executive powers or authority to implement actions in areas over which management of the City of Maribyrnong (management) has responsibility and does not have any delegated authority from Council. The Committee does not have any management functions and is therefore independent of management.

This Charter has been developed in accordance with section 54 of the Act and sets out the Committee's objectives, governance arrangements, duties and responsibilities.

### 2. Objectives

The Committee's role is to report to the Council and provide independent advice, assurance and recommendations on matters relevant to its Charter and the Act.

The Committee is established to assist the Council discharge its responsibilities under the Act to:

- monitor the compliance of Council policies and procedures with:
  - the overarching governance principles;
  - the Act and the regulations and any Ministerial directions; and
  - other relevant laws and regulations;
- monitor Council financial and performance reporting;
- monitor and provide advice on risk management;
- monitor the effectiveness of Council's internal controls, inclusive of the fraud and corruption framework; ;
- oversee external audit functions.

The objective of the Committee is to also oversee:

- 2.1. the integrity of financial management and reporting, including accounting policies;
- 2.2. the scope of work, objectivity, performance and independence of the external and internal auditors;
- 2.3. the establishment, effectiveness and maintenance of controls and systems to safeguard financial and physical resources;
- 2.4. the systems or procedures that are designed to ensure compliance with relevant statutory and regulatory requirements;
- 2.5. the process for recognising risks arising from operations and strategies, and consider the adequacy of measures taken to manage those risks; and
- 2.6. the process and systems which protect against fraud and improper activities including the Public Interest Disclosures Act 2012 procedures.

The Committee seeks to add to the integrity of Council by promoting ethical standards through its work.

The Committee will engage with Management in a constructive and professional manner in discharging its duties and responsibilities under the Act and this Charter.

### 3. Authority

The Committee has the authority to:

- 3.1. Set the internal auditor's annual audit plan and review the external auditor's strategy scope for the audit of the financial and performance statements and review the outcomes/results of all audits undertaken.

## Agenda Item 4.4 - Attachment 2

- 3.2. Seek any information or advice on matters of concern from Councillors, Management and other parties via the Chief Executive Officer.
- 3.3. Formally meet with management, internal and external auditors and seek resolution to matters of concern.
- 3.4. Seek resolution on any disagreements between management and the external auditors on accounting matters and financial reporting.
- 3.5. Review the Committee's Annual Work Plan to enable it to discharge its responsibilities effectively, pursuant to the requirements of this Charter.

The Committee has the authority to advise Council on any or all of the above as deemed necessary.

#### **4. Membership**

##### **4.1. Composition**

- 4.1.1. The Committee will comprise of 5 Members, being 3 Independents and 2 Councillors and the Mayor as a substitute for the appointed Councillors.
- 4.1.2. The Chair will be an independent member and will be endorsed by the Committee and appointed by Council.
- 4.1.3. The Committee is authorised to appoint an Acting Chair from the independent members when required.

##### **4.2. Knowledge and Skills**

- 4.2.1. The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council and the responsibilities of the Charter. At least one member of the Committee will have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment. Other relevant skills are risk management, corporate governance and compliance.
- 4.2.2. Collectively, the Committee must have expertise in financial and risk management and experience in public sector management.

##### **4.3. Recruitment**

- 4.3.1. Independent members are recruited by way of publicly seeking expressions of interest.
- 4.3.2. The evaluation of potential independent members is undertaken by the Mayor, the Chief Executive Officer and the Director Corporate Services or their delegates, as approved by the Chief Executive Officer.
- 4.3.3. The evaluation panel takes into account the experience of candidates against the knowledge and skills criteria outlined in this Charter and recommends an appointment to Council.
- 4.3.4. Appointments will be made to ensure that the Committee membership has the appropriate level and breadth of senior business acumen, and experience in management, finance, audit, risk, business ethics and corporate governance.
- 4.3.5. The Council appoints all Committee members.
- 4.3.6. Independent members will be appointed for an initial period not exceeding three years.
- 4.3.7. Members may be re-appointed for a further period subject to satisfactory performance as determined by the Chief Executive Officer and Director Corporate Services.
- 4.3.8. Members will not be appointed for more than three consecutive terms.
- 4.3.9. Independent member's terms of appointment should be arranged so that there is an orderly rotation of membership and avoidance of more than one independent member retiring at the same time in order to minimise the loss of knowledge and continuity
- 4.3.10. Where an independent member has not been in attendance for two consecutive meetings, without submitting an apology or having been granted a leave of absence, a casual vacancy will be created and their membership revoked

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### 4.4. Remuneration

4.4.1. Independent members will be remunerated at a rate set by Council every three years.

### 4.5. Conflict of Interest and Register of Interests

4.5.1. Members of the Committee must be aware of their responsibilities in regard to the management of direct and indirect interests which may give rise to a conflict of interest in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper disclosure of any conflicts of interest as and when they may arise.

4.5.2. Members of the Committee must comply with Division 2 or Part 6 of the Act including:

- Disclosing all conflicts of interest which arise in accordance with the Act;
- Submitting an Initial Personal Interest Return with 30 days of being appointed as a member of the Committee; and
- Submitting a Biannual Personal Interest Return every six months in the form supplied by Council.

4.5.3. Failure to comply with the provisions of the Act and this Charter with regard to conflicts of interest and register of personal interests may result in prosecution and the member's appointment being terminated by Council.

4.5.4. The Chair will call for a declaration of conflict of interest at the commencement of each meeting and all members with a conflict of interest must declare that interest.

4.5.5. All officers providing reports on a meeting agenda will make a declaration in relation to conflicts of interest.

### 4.6. Induction

4.6.1. New members will receive relevant information and briefings upon their appointment to assist them to meet their Committee responsibilities.

### 4.7. Confidentiality

4.7.1. Members of the Committee must comply with section 125 of the Act.

4.7.2. Information contained in agenda papers, minutes and provided as a result of the Committee's deliberations is not publicly available and must be maintained as confidential.

4.7.3. Members of the Committee must not disclose information outside of the Committee membership or Council.

4.7.4. Failure to comply with the provisions of the Act and this Charter with regard to confidentiality may result in prosecution and the member's appointment being terminated by council.

### 4.8. Misuse of position

4.8.1. Members of the Committee must comply with section 123 of the Act including not:

- misusing their position on the Committee;
- making improper use of information;
- directing or improperly influencing members of Council staff;
- using public funds or resources inappropriately;
- participating in a decision on a matter where the person holds a conflict of interest.

4.8.2. Failure to comply with the provisions of the Act and this Charter with misuse of position may result in prosecution and the member's appointment being terminated by Council

### 4.9. Liability Indemnity

4.9.1. All members of the Committee are covered by Council's relevant insurance policies including Directors and Officers Liability Insurance for the service they undertake on the Committee.



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### 4.10. Resignation, retirement or termination of appointment.

- 4.10.1. An independent member may resign or retire before the expiry of their term by notifying Council of their intention in writing.
- 4.10.2. In the event of an independent member resigning or retiring before the expiry of their term, the vacancy will be filled at the discretion of the Council.
- 4.10.3. If the resignation and/or retirement of two or more of the independent members coincide, the Council may extend one member's term by one year to provide a level of continuity on the Committee.
- 4.10.4. If the Council proposes to terminate the appointment of a member of the Committee prior to the expiry of their term, written notice will be given to the member and the member will be given the opportunity to be heard at a meeting of Councillors prior to the termination taking effect.

## 5. **Meetings**

### 5.1. Frequency

- 5.1.1. The Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require.
- 5.1.2. Additional meetings may be called by the Chair of the Committee, or at the request of the Mayor or Chief Executive Officer.
- 5.1.3. The Committee will develop a forward meeting schedule that includes the dates, location, and proposed work plan for each meeting for the forthcoming year, that cover all the responsibilities outlined in this charter.

### 5.2. Attendance

- 5.2.1. All Committee members are expected to attend each meeting in person, or through teleconference or video conference.
- 5.2.2. The Chief Executive Officer should attend all meetings except where the Committee is of the opinion that a matter should be discussed privately. In the event that the Chief Executive Officer is absent, the Acting Chief Executive Officer may attend the meeting.
- 5.2.3. All Directors and the Finance Manager should attend all meetings in an advisory capacity.
- 5.2.4. Other Councillors can attend meetings as observers and may be permitted to participate in discussion of agenda items at the discretion of the Committee Chair.
- 5.2.5. Other Council officers may be invited to attend meetings at the discretion of the Chief Executive Officer to advise and provide information to the Committee when required.
- 5.2.6. Representatives of the external auditor will be invited to attend meetings considering the draft annual financial statements and results of the external audit and may be invited to attend other meetings at the discretion of the Committee.
- 5.2.7. Representatives of the internal auditor will be invited to attend all meetings.

### 5.3. Quorum

- 5.3.1. A quorum of any meeting will be at least two independent members and at least one Councillor.

### 5.4. Agenda and Minutes

- 5.4.1. Meeting agendas will be prepared and provided at least one week in advance to members, along with appropriate briefing materials.
- 5.4.2. Minutes will be taken at each meeting and presented to the subsequent meeting for confirmation.
- 5.4.3. The Chair will sign the minutes following confirmation.
- 5.4.4. The unconfirmed minutes will be reported to the Council within two months of the Committee meeting.

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### 5.5. Voting

- 5.5.1. All members have full and equal voting rights unless a member is unable to vote due to a conflict of interest. The Chair may exercise a casting vote if required.

### 5.6. Facilitation

- 5.6.1. The Chief Executive Officer will facilitate the meetings of the Committee and invite members of management, internal and external auditors or others to attend meetings as observers and to provide pertinent information, as necessary.
- 5.6.2. The Chief Executive Officer has the responsibility to provide secretarial services to the Committee.

### 5.7. Closed Meeting

- 5.7.1. The Committee meetings shall be closed to the public due to the confidential and sensitive nature of the material being considered by the committee.

## 6. **Responsibilities**

The Committee will carry out the following responsibilities:

### 6.1. Risk Management

- 6.1.1. Review and assess Council's Risk Management Framework and associated procedures and controls for effective identification and management of Council's business and financial risks, ensuring alignment to Council's; strategic plans and activities.
- 6.1.2. Determine whether a sound and effective approach has been followed in managing Council's major risks including those associated with individual projects, program implementation, and activities..

### 6.2. Fraud and Corruption

- 6.2.1 Review the process of developing and implementing the Council's fraud control framework to assist Council in ensuring it has appropriate processes and systems in place to detect, capture and effectively respond to fraud and improper conduct
- 6.2.2 Receive reports from Management about actual or suspected instances of fraud or corruption, serious misconduct or breaches of ethical standards, and the subsequent actions taken to address such identified matters.

### 6.3. Business Continuity

- 6.3.1. Assess the effectiveness of processes and controls in relation to Council's business continuity plans for critical and important processes and services.

### 6.4. Internal Control

- 6.4.1. Review whether management's approach to maintaining an effective internal control framework is sound and effective.
- 6.4.2. Review whether management has in place relevant policies supporting procedures and delegations including the Chief Executive Officer's Instructions or their equivalent, and that these are periodically reviewed and updated at least annually.
- 6.4.3. Review a bi-annual Management Report assessing the adequacy and effectiveness of key organisational policies, procedures, systems and controls
- 6.4.4. Review on a rotational basis the effectiveness of Council's management information systems and other systems of internal control, including financial reporting accounts payable, payroll etc
- 6.4.5. Receive reports on relevant investigations and matters undertaken by the Victorian Auditor- Generals Office, Independent Broad-Based Anti-Corruption Commission, Local Government Inspectorate, Victorian Ombudsman and other relevant integrity agencies to consider relevant findings and recommendations for action where appropriate.

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### 6.5. Regulatory Compliance

- 6.5.1. Review the systems and processes to monitor the effectiveness of the system for monitoring compliance with legislation and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance.
- 6.5.2. Keep informed of the findings of any examinations by regulatory agencies and any auditor (internal or external) observations and monitor management's response to these findings.
- 6.5.3. Obtain regular updates from management about compliance matters.

### 6.6. Internal Audit

- 6.6.1. Review with management and the internal auditor the charter, activities, staffing, and organisational structure of the internal audit function.
- 6.6.2. Review and endorse the strategic internal audit plan, generally for a 3 year period.
- 6.6.3. Review and endorse the annual internal audit plan.
- 6.6.4. Monitor that the internal auditor's annual plan is linked with and covers the material business risks.
- 6.6.5. Monitor processes and practices to ensure that the independence of the internal audit function is maintained.
- 6.6.6. Provide an opportunity for the Committee to meet annually with the internal auditor to discuss any matters that the Committee or internal auditor believes should be discussed privately.
- 6.6.7. Review all internal audit reports and provide advice to the Council on significant issues identified in audit reports and action to be taken on issues raised, including identification and dissemination of good practice.
- 6.6.8. Monitor management's implementation of internal audit recommendations.
- 6.6.9. Annually review the performance of the internal audit function.

### 6.7. External Audit

- 6.7.1. Note the external auditor's proposed audit scope and approach for financial and performance audits, including any reliance on internal auditor activity.
- 6.7.2. Consider the findings and recommendations of relevant Performance Audits undertaken by the external auditor and ensure the council implements relevant recommendations.
- 6.7.3. Monitor processes and practices to ensure that the independence of the external audit function is maintained.
- 6.7.4. Provide an opportunity for the Committee to meet annually with the external auditors to discuss any matters that the Committee or the external auditors believe should be discussed privately.
- 6.7.5. Review all external audit reports and provide advice to the Council on significant issues identified in audit reports and action to be taken on issues raised, including identification and dissemination of good practice.
- 6.7.6. Annually review the performance of external audit including the level of satisfaction with the external audit function and ensure that the Victoria Auditor-General's Office is made aware of any identified issues.
- 6.7.7. Monitor management's implementation of external audit recommendations.

### 6.8. Financial and Performance Reporting

- 6.8.1. Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
- 6.8.2. Review with management and the external auditors the results of the audit, including any difficulties encountered.
- 6.8.3. Review the annual Financial Report and Performance Report of the City of Maribyrnong and consider whether it is complete; consistent with information known to Committee members, and reflects appropriate accounting principles.

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- 6.8.4. Review the process for the consolidation of financial information of Council related entities into the financial reports of Council.
- 6.8.5. Review with management and the external auditors all matters required to be communicated to the Committee under the Australian Auditing Standards.
- 6.8.6. Review and recommend to Council the Annual Financial Report and Performance Statements.
- 6.9. Reporting and Transparency Responsibilities
  - 6.9.1. Report biannually to the Council about Committee activities, issues, and related findings and recommendations. Additional updates may be appropriate should issues of concern arise.
  - 6.9.2. Annually evaluate the Committee's performance against the Charter.
  - 6.9.3. The Committee's Annual Performance Report is to be presented to Council in December and published on the Council's website.
  - 6.9.4. Internal audit reports and external audit reports shall not be made public.
  - 6.9.5. Monitor that open communication occurs between the internal auditor, the external auditor, and the management.
  - 6.9.6. Detail the Committees composition, responsibilities and how they are discharged in Council's Annual Report.
- 6.10. Other Responsibilities
  - 6.10.1. Perform other activities related to this charter as requested by the Council.
  - 6.10.2. Every two years review and assess the adequacy of the Committee Charter, and request Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.
  - 6.10.3. Adopt and assess the Annual work plan and confirm that all responsibilities outlined in this charter have been carried out,
  - 6.10.4. Consider the findings and recommendations of relevant financial Audits and performance Audits undertaken by Victorian Auditor General and ensure Council considers and implements recommendations as relevant.
  - 6.10.5. Monitor the progress of any major lawsuit claims which could have a material effect on Council's financial position or reputation.

## Agenda Item 4.4 - Attachment 3

CEO Employment Matters Advisory Committee

Terms of Reference

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### Chief Executive Officer Employment Matters Advisory Committee

#### Terms of Reference

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#### 1. Purpose

The Committee is established pursuant to the Chief Executive Officer Employment and Remuneration Policy to:

- Make recommendations to Council on contractual employment matters relating to the Chief Executive Officer (CEO);
- Make recommendation to Council on performance matters relating to the CEO; and
- Perform any other functions or responsibilities prescribed by the Local Government Act 2020.

#### 2. Objectives

The Committee's role is to assist and advise the Council on matters including:

Contractual Employment Matters:

- Conduct the process to enable the Council to appoint a CEO.
- Provide a recommendation to Council on the remuneration and conditions of appointment of the CEO.
- Provide a recommendation on any extension of the appointment of the CEO.

Performance Review and Planning Process

- Engage in and undertake a developmental process to determine, in conjunction with the CEO, relevant Key Performance criteria for the CEO and make recommendations to Council;
- Undertake the formal review process of the performance of the CEO against the agreed Key Performance criteria in accordance with these terms of reference and the CEO contract, and make recommendations to Council

Other Prescribed Functions or Responsibilities

- Make other recommendations to the Council relevant to the employment and performance of the CEO in accordance with the CEOs employment contract and the Act.

The Director Corporate Services or their delegate has the responsibility to provide:

- information and any necessary training for members of the Committee in relation to their responsibilities under the Act
- officer advice in respect to matters before the Committee;
- administrative, secretarial and logistical support to the Committee.

## Agenda Item 4.4 - Attachment 3

### CEO Employment Matters Advisory Committee

### Terms of Reference

#### 3. Definitions

- **Chairperson** means the Mayor of Maribyrnong City Council. .
- **Committee** means the Chief Executive Officer Employment Matters Advisory Committee.
- **Independent Member** is a member of a Committee who is not a Councillor or a member of Council staff.
- **Council** means Maribyrnong City Council
- **Councillor** means a Councillor of Maribyrnong City Council.

#### 4. Dates, Times and Places of Meetings

- 4.1 Times and dates of meetings of Advisory Committee shall be at the discretion of the Chairperson, after seeking the views of members of the Committee and the Chief Executive Officer.
- 4.2 The Advisory Committee will hold a minimum of two meetings throughout the year. Additional meetings throughout the period will be subject to the approval of the Chairperson.
- 4.3 Meetings shall be held at the Maribyrnong Council Offices or an appropriate alternative location.
- 4.4 An agenda for meetings held, will be delivered to each Committee member at least 48 hours prior to the date of each meeting.

#### 5. Membership and Length of Appointment

- 5.1 The Committee shall comprise of five members being:
  - The Mayor being the Chair of the Committee;
  - Three (3) other Councillors; and
  - an Independent Member
- 5.2 Appointment of the Councillor members of this Committee will occur annually at the November meeting of Council.
- 5.3 Appointment of the Independent Member of this Committee will be for a two year term with an option to extend for a further two year term at the discretion of Council. The commencement date being the engagement date of the Independent Member.

#### 6. Independent Member of the CEO Employment Matters Advisory Committee

- 6.1 Duties of the Independent Member include:
  - to actively participate in the Committee's annual review of the CEO's performance and development;
  - actively participate in the development of a draft performance and development plan for the next 12-month period for consideration by the Council; and

## Agenda Item 4.4 - Attachment 3

### CEO Employment Matters Advisory Committee

### Terms of Reference

- provide advice and guidance to the Committee on any matter pertaining to the CEO's employment with Council.
- 6.2 Recruitment of the independent member will be as follows:
- Where there is a vacancy in the position of Independent Members (or an impending vacancy) the Committee will call for Expressions of Interest.
  - The Committee will prepare a shortlist, conduct interviews and make a recommendation to the Council on an appointment.
  - The independent person appointed by Council will be a neutral person with appropriate experience
- 6.3 The following selection criteria applies to the appointment of an Independent Member of the Committee
- Demonstrated human resource management skills, senior business experience and/or
  - Local government experience and/or employment law background;
  - Experience in conducting senior executive performance views within the public sector.
  - Demonstrated ability in relation to performance management and development of Executive level staff; and
  - Previous experience or facilitation experience working with Executive, Governance bodies or Board Members in membership and or / facilitation roles
  - Membership of the Australian Institute of Company Directors
- 6.4 The Independent Member will be remunerated at a rate to be determined by Council.
- 7. Conflict of Interest**
- 7.1 Committee Members must disclose a Conflict of Interest in accordance with the Local Government Act 2020.
- 7.2 In the event of a Conflict of Interest arising the Committee Member:
- (a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
  - (b) Must leave the room and not participant in any discussion and/or decision.
  - (c) The disclosure must be recorded in the meeting minutes
- 8. Quorum**
- 8.1 A quorum is the majority of appointed members, but must include either the Chairperson or Independent Member.
- 8.2 If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse. If a quorum fails after the commencement of the meeting, the meeting shall lapse.

## Agenda Item 4.4 - Attachment 3

### **CEO Employment Matters Advisory Committee**

### **Terms of Reference**

- 8.3 Business that is unfinished at the completion of a meeting may at the discretion of the Chairperson be referred to the next meeting of the Committee.

### **9. Chairperson**

- 9.1 Meetings will be chaired by the Mayor.
- 9.2 Duties and Discretions
- (a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, Committee Member, member of Council staff, or member of the community; and
  - (b) must call to order any person who is disruptive or unruly during any meeting.

### **10. Operations**

- 10.1 The Committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration.
- 10.2 The Committee shall follow the general consensus principle, when determining its preferred position on matters under discussion.
- 10.3 Committee members will not publicly comment on behalf of the group. Neither will it seek to advocate on the needs of individual organisations.
- 10.4 The Council will provide the necessary support to assist the Committee to function effectively including:
- (a) Maintaining contact details of members
  - (b) Preparing and distributing agendas and prior reading materials
  - (c) Preparing and distributing meeting minutes
  - (d) Preparation of an Informal Meeting of Councillors record as required under Council's Governance Rules.

### **11. Review**

- 11.1 A review of the role, function and membership of the Terms of Reference will be conducted every four years.
- 11.2 Council retains the right to:
- (a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.
  - (b) Revoke these Terms of Reference at any time.



## LEADWEST JOINT DELEGATED COMMITTEE

### TERMS OF REFERENCE – 1 AUGUST 2021

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#### 1. Committee

The LeadWest Joint Delegated Committee (**Committee**) is constituted as a joint delegated committee in accordance with section 64 of the *Local Government Act 2020 (Act)*.

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#### 2. Preamble

- 2.1 The Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton, and Wyndham (**Member Councils**) have resolved to establish the Committee as a joint delegated committee in accordance with section 64 of the Act for the purposes set out in these Terms of Reference.
- 2.2 Each of the Member Councils will endeavour to ensure that its budget makes provision for the resources reasonably necessary to deliver on commitments agreed in the LeadWest Strategic Plan. The budget of each member Council would be specific to meeting the LeadWest Strategic Plan actions relevant to that respective municipality. The recommended budget allocation is to be based on the perceived benefits and/or capacity of each member Council.
- 2.3 Any of the Member Councils may resolve to withdraw from the Committee provided that a notice period of 12 months is given.

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#### 3. Purpose and Objectives

The purpose and objectives of the Committee are to:

- 3.1 oversee the preparation and implementation of the LeadWest Strategic Plan;
  - 3.2 oversee the preparation and implementation of any sub projects as determined by the Member Councils from time to time in accordance with these Terms of Reference;
  - 3.3 identify and implement actions that support sustainable growth and development in the Western Region of Greater Melbourne (the **Region**) being the region covered by the municipalities of the Member Councils; and
  - 3.4 provide coordinated assessment and decision-making functions with respect to the Committee's purpose.
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### 4. Context

In fulfilling its purpose and objectives, the Committee will have regard to:

- 4.1 the overarching governance principles in section 9(2) of the Act;
- 4.2 legislative requirements generally;
- 4.3 available resources;
- 4.4 existing initiatives and programmes in the Region;
- 4.5 economic, social and environmental values; and
- 4.6 respecting individual differences between communities.

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### 5. Role and Functions

The Committee's role and functions are those specified in clauses 5.1 to 5.3 below.

#### 5.1 **Programming:**

- 5.1.1 develop and approve a ten year LeadWest Strategic Plan which will underpin the activities of the Committee and is reviewed by the Committee in the first year of a new four year Council term;
- 5.1.2 develop and approve a rolling Four Year Implementation Program to implement actions stated in the LeadWest Strategic Plan and its subsequent reviews. This Program is to be updated and approved annually by the Committee;
- 5.1.3 approve individual "Project Briefs" developed to progress specific LeadWest Strategic Plan actions in accordance with the Four Year Implementation Program;
- 5.1.4 ensure the execution of the Four Year Implementation Program and monitor the progress of individual LeadWest Strategic Plan actions; and
- 5.1.5 establish the LeadWest Leadership Forums (Strategy and Implementation Committee and the Annual Forum) to provide input to the identification of regional priorities and development of the annualised Four Year Implementation Program.

#### 5.2 **Budgeting:**

- 5.2.1 on or before 30 April each year, prepare an annual budget for the next financial year for submission to the Member Councils for approval, which budget will be approved by resolution of a majority of the Member Councils;
- 5.2.2 in consultation with the Member Councils, and by reference to the budget approved under clause 5.2.1, on or before 31 May each year, determine the amount that each Member Council will contribute annually for the cost of the Committee's functions, coordination and administration;

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- 5.2.3 in conjunction with the budgeting processes under clauses 5.2.1 and 5.2.2 and otherwise as required, make recommendations to the Member Councils of budget allocations required to effect the implementation of specific LeadWest Strategic Plan strategies and actions for consideration in each Member Council's annual budgeting process ; and
  - 5.2.4 seek on behalf of the Member Councils funding from external sources, being any source other than the Member Councils, for the furtherance and implementation of LeadWest Strategic Plan actions.
- 5.3 **Procedures Protocol:**
- 5.3.1 develop and adopt a protocol to provide the basis for the working relationships between the Member Councils in respect of matters within the scope of these Terms of Reference (including the role, relationships and operational processes of the Leadership Forums established under clause 12 and the LeadWest Executive Officer) and for the resolution of any issues that arise between Member Councils in respect of the LeadWest Strategic Plan and its implementation; and
  - 5.3.2 provide advice, from time to time, to the Member Councils on the governance arrangements for the Committee.

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### 6. Admission of New Members

Additional neighbouring Councils can be admitted as Member Councils (**New Council**) upon the recommendation of the Committee and following approval by resolution of each of the existing Member Councils, on the basis that:

- 6.1 the New Council agrees to adopt the LeadWest Strategic Plan and any future reviews;
- 6.2 the New Council agrees to provide annual funding through its budget process on the same basis as the other Member Councils (as outlined in clause 5.2);
- 6.3 where possible, the New Council commences its membership at the start of a financial year with approved funding in place; and
- 6.4 unless resolved otherwise by a majority of the existing Member Councils, the New Council is entitled to the benefit of all actions and projects already undertaken, in progress and completed by LeadWest.

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### 7. Structure and Membership

- 7.1 At the time of establishment, the Committee consists of the following Member Councils:
  - 7.1.1 Brimbank City Council;
  - 7.1.2 Hobsons Bay City Council;
  - 7.1.3 Maribyrnong City Council;
  - 7.1.4 Melton City Council; and

## Agenda Item 4.4 - Attachment 4

- 7.1.5 Wyndham City Council.
- 7.2 The Committee will consist of the following voting members:
- 7.2.1 from each of the Member Councils:
- (a) *one Councillor (or proxy), appointed in accordance with clause 7.4; and*
  - (b) *the Chief Executive Officer (or proxy) of the relevant Member Council; and*
- 7.2.2 so many independent members as determined by the Committee to be necessary from time to time, and appointed in accordance with clause 7.5, provided that the total number of independent members shall not exceed 5 at any one time.
- 7.3 The term of membership of each member will:
- 7.3.1 commence on the day respective Member Councils appoint their Councillor delegate and proxy (typically in November each year) ; and
- 7.3.2 be subject to clauses 7.6, 7.7 and 7.8 continue for:
- (a) Councillors (and proxies) appointed by Member Councils – 1 year; and
  - (b) independent members – 2 years.
- 7.4 Each Councillor member of the Committee and their proxy will be appointed by resolution of their respective Member Councils.
- 7.5 Where the Committee proposes to have one to five independent members appointments will be made according to the following process:
- 7.5.1 the Committee will call for nominations of persons with appropriate expertise as independent members by public advertisement or invitation;
- 7.5.2 the Committee will assess the nominations, prepare a short list of candidates for each independent member(s) to be appointed and select a preferred candidate(s) for consideration by the Member Councils;
- 7.5.3 if a majority of the Member Councils accept, by resolution, the preferred candidate(s), those candidate(s) will be appointed to the Committee as an independent member(s) for the next term as specified in clause 7.3;
- 7.5.4 if a majority of the Member Councils reject, by resolution, the preferred candidate(s), the:
- (a) *Member Councils rejecting the preferred candidate(s) will provide their reasons for doing so to the Committee; and*
  - (b) *process under clause 7.5.1, 7.5.2 and 7.5.3 will be repeated so to achieve a majority of the Member Councils accepting the preferred candidate(s) as independent member(s) of the Committee; and*

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- 7.5.5 if, after two nomination processes, a majority of the Member Councils has not agreed on the independent member(s) to be appointed to the Committee, no appointment of independent members will be made for a period of at least 12 months, after which the process under clauses 7.5.1, 7.5.2 and 7.5.3 can be repeated for the appointment of independent member(s).
- 7.6 The appointment of an independent member to the Committee is automatically terminated on the date:
- 7.6.1 that the independent member is declared bankrupt or is disqualified to act as a Director of a company under the *Corporations Act 2001* (Cth);
- 7.6.2 that the independent member applies to take the benefit of any law for the relief of bankrupt or insolvent debtors;
- 7.6.3 that the independent member is convicted of an indictable offence;
- 7.6.4 of the third consecutive meeting of the Committee from which the independent member is absent without the leave of the Chairperson;
- 7.6.5 that the independent member fails, without reasonable excuse, to comply with an obligation imposed on him or her by the Act; or
- 7.6.6 that their term of appointment expires in accordance with clause 7.3.2(b).
- 7.7 The appointment of an independent member to the Committee may be terminated if a majority of the Member Councils resolves that the independent member:
- 7.7.1 has engaged in serious misconduct of any kind;
- 7.7.2 is unable to perform the duties of his or her office for any reason;
- 7.7.3 is otherwise unfit for the role, taking into account any recommendation of the Committee; or
- 7.7.4 for any other reason.
- 7.8 A Councillor member of the Committee ceases to be a member upon:
- 7.8.1 their term of appointment expiring in accordance with clause 7.3.2(a);
- 7.8.2 ceasing to be a Councillor; or
- 7.8.3 their Member Council resolving that they shall no longer be appointed to the Committee.
- 7.9 Any Councillor member of the Committee and any proxy will be eligible for reappointment at the expiry of their term under clause 7.3.2(a).
- 7.10 Any independent member of the Committee will be eligible for reappointment at the expiry of their term under clause 7.3.2, but not after termination under clauses 7.6 or 7.7, unless determined otherwise by resolution of a majority of the Member Councils.

## Agenda Item 4.4 - Attachment 4

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### 8. Chairperson and Deputy Chairperson

- 8.1 The Chairperson of the Committee will be appointed:
- 8.1.1 annually at the first Committee meeting after all Member Councils appoint their Councillor delegate (typically at the committee meeting held in December);
  - 8.1.2 from the Councillor members appointed under clause 7.2; and
  - 8.1.3 by resolution of the Committee.
- 8.2 The Chairperson will:
- 8.2.1 chair all meetings of the Committee;
  - 8.2.2 lead the preparation of the LeadWest Strategic Plan;
  - 8.2.3 assist the Committee to establish sound governance practices;
  - 8.2.4 provide guidance and advice to members of the governing body of the Committee about their conduct as members; and
  - 8.2.5 provide leadership to the Committee.
- 8.3 The Deputy Chairperson will be appointed:
- 8.3.1 annually at the first Committee meeting after all Member Councils appoint their Councillor delegate (typically at the committee meeting held in December);
  - 8.3.2 from the Councillor members appointed under clause 7.2;
  - 8.3.3 by resolution of the Committee;
  - 8.3.4 and will act as the Chairperson when the:
    - (a) *position of Chairperson is vacant; or*
    - (b) *Chairperson is absent or otherwise unable to perform the duties of the Chairperson for any reason.*

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### 9. Proceedings of the Committee

- 9.1 The proceedings of the Committee will be in accordance with:
- 9.1.1 the Act;
  - 9.1.2 these Terms of Reference; and
  - 9.1.3 the Governance Rules of Brimbank City Council as amended from time to time.
- 9.2 In the event of any inconsistency between the documents listed in clause 9.1, the inconsistency will be resolved according to the order in which those documents are listed.

## Agenda Item 4.4 - Attachment 4

- 9.3 A quorum for the Committee will be 50% plus 1 of the persons appointed to the Committee.
- 9.4 Each member of the Committee appointed under these Terms of Reference and present at a Committee meeting is entitled to one vote.
- 9.5 Voting will be by a show of hands.
- 9.6 For a motion to be successful, a majority of the members of the Committee present at a meeting, personally or by proxy, must vote in favour of the question.
- 9.7 If the Chairperson and Deputy Chairperson are both absent for all or part of a Committee meeting the Committee members present at the meeting will resolve by a majority vote who from the Councillor members present at the Committee meeting will be appointed as the temporary Chairperson.
- 9.8 The Committee will set the times and dates for its meetings, provided that the Committee shall meet at least quarterly.
- 9.9 The conflict of interest provisions for members of Delegated Committees prescribed by the Act and the Governance Rules apply to members of the Committee.
- 9.10 The Committee may resolve to invite representatives of stakeholders in the implementation of aspects of the LeadWest Strategic Plan to attend its meetings, which representatives will:
- 9.10.1 be entitled to participate in any discussion, subject to direction of the Chairperson; and
  - 9.10.2 not be entitled to vote.

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## 10. Reporting

- 10.1 The business of the Committee shall be recorded in minutes kept by the LeadWest Executive Officer.
- 10.2 The minutes shall be:
- 10.2.1 distributed to each of the Member Councils within two weeks of the meeting to which they relate; and
  - 10.2.2 included in the Register of Minutes kept by the Committee and made available for public inspection through each of the Member Councils.
- 10.3 The Committee shall provide an annual report to the Member Councils.
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## Agenda Item 4.4 - Attachment 4

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### 11. Administration

- 11.1 A LeadWest Executive Officer will be appointed by the Committee in accordance with clause 11.2 to provide administrative support to the Committee.
- 11.2 The Executive Officer will:
- 11.2.1 be an officer of one of the Member Councils;
  - 11.2.2 be chosen by resolution of the Committee from a list of officers nominated by each of the Member Councils for the purpose, provided always that not every Member Council is obliged to nominate an officer;
  - 11.2.3 continue as the Executive Officer until either the:
    - (a) Committee resolves to appoint another Executive Officer; or
    - (b) Member Council by which the Executive Officer is employed determines to withdraw the Executive Officer, or
    - (c) Executive Officer resigns in accordance with their employment contractwhichever is earlier; and
  - 11.2.4 undertake a Coordination/Project Management role to:
    - (a) ensure timely and coordinated delivery of the overall annual LeadWest implementation plan; and
    - (b) provide the day to day oversight of the LeadWest program and specific actions.
- 11.3 The Executive Officer will provide to the Committee:
- 11.3.1 quarterly briefings at Committee meetings; and
  - 11.3.2 six monthly progress reports,
- containing such information as determined and directed by the Committee from time to time.

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### 12. Leadership Forums

- 12.1 The Committee will establish two Leadership Forums:
- 12.1.1 a Strategy and Implementation Forum consisting of the Chief Executive Officers of each of the Member Councils; and
  - 12.1.2 an Elected Representatives Forum consisting of all Councillors from the Member Councils.
- 12.2 The Leadership Forums will meet as often as is determined by the Committee from time to time, with the role of the Leadership Forums being to:



## Agenda Item 4.4 - Attachment 4

- 12.2.1 make recommendations to the Committee about the determination and driving of strategic regional priorities;
  - 12.2.2 provide advice to the Committee on annual priorities for the review of the Four Year Implementation Program;
  - 12.2.3 facilitate liaison, partnerships and coordination with stakeholders of the activities being undertaken by LeadWest, including identifying project synergies and opportunities arising from Federal, State and Local Government programs; and
  - 12.2.4 receive updates about the review of the LeadWest Strategic Plan, progress reports and an annual report from the Committee on the Implementation Program.
- 12.3 Proceedings of Leadership Forum meetings will be recorded by minutes for formal tabling and consideration by the Committee.

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### 13. Project Task Groups

- 13.1 The Committee is able to establish Project Task Groups from time to time for the purpose of undertaking individual project actions.
- 13.2 The Project Task Groups will be formulated to deliver individual LeadWest Strategic Plan actions in response to the annual work program.
- 13.3 The composition and funding of the Project Task Groups will be needs based and determined by the:
  - 13.3.1 Committee, consistent with its budget submitted under clause 5.2; or
  - 13.3.2 where the Committee's budget has no allocation for the necessary funding:
    - (a) *Member Council which will, at the determination of a majority of the Member Councils' Chief Executive Officers, lead and fund the relevant project; or*
    - (b) *majority decision of the Member Councils to share the cost of funding among their number.*
- 13.4 The method of budget administration will be determined on an individual project needs basis.
- 13.5 Day to day coordination and integration of the Project Task Groups will be managed by the LeadWest Executive Officer.
- 13.6 Individual 'Project Briefs' must be approved by the Committee before any funding under clause 13.3.1 is determined and allocated.

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## Attachment 1 Overview of the LeadWest Strategic Plan

1. To achieve its Purpose and Objectives LeadWest will, in accordance with the Terms of Reference and in reliance on the Instrument of Delegation, adopt a:
  - 1.1 LeadWest Strategic Plan covering a 10-year period; and
  - 1.2 rolling Four Year Implementation Program,both designed to foster and undertake actions that will support sustainable growth and development of the Western Region of Greater Melbourne (the **Region**).
2. The LeadWest Strategic Plan will focus on:
  - 2.1 jobs and skills;
  - 2.2 transport infrastructure and connectivity;
  - 2.3 health and wellbeing;
  - 2.4 continuing environmental rehabilitation and sustainable development;
  - 2.5 A vibrant social economy (sports, leisure, arts, culture, tourism)
3. In summary these areas of focus will include:
  - 3.1 *Jobs and skills*

LeadWest will work in partnership with State and Federal Governments, the private sector, other regional bodies and stakeholders to pursue initiatives which target the needs of the Region regarding the generation and retention of jobs and continuing to build the necessary skills that are required now and in the future. The focus will include developing and utilising an evidence base to capitalise on the significant investment in the west and leverage opportunities for communities across the region.
  - 3.2 *Transport infrastructure and connectivity*

With the rapid rate of growth and development occurring (and projected to continue for many years) in the Region, transport infrastructure and connectivity remains a critical priority for LeadWest. Capitalising on and facilitating best value outcomes resulting from the major transport initiatives occurring in and outside the Region will be a key focus.

LeadWest will actively contribute as a strategic stakeholder to the delivery of such initiatives. In addition, LeadWest will be future focused by commissioning research to inform business cases for priority transport infrastructure and connectivity improvements that are required in the Region in the longer term.
  - 3.3 *Health and wellbeing*

LeadWest considers health and wellbeing initiatives to be crucial to the future of the Region. Social impact investment activity is required and LeadWest will be an active participant in piloting innovative approaches in this area. LeadWest will research topics to provide an evidence base prior to addressing identified and prioritised preventative health and wellbeing indicators.

## Agenda Item 4.4 - Attachment 4

### 3.4 *Continuing environmental rehabilitation and sustainable development*

The Region, while similar in many ways to the rest of Greater Melbourne, also has its own environmental and development issues that need to be addressed. LeadWest will include environmental rehabilitation and sustainable development in its Strategic Plan and will encourage the piloting of innovative approaches to renewable/community energy and capitalise on the natural open space features in the Region by improving connectivity.

### 3.5 *A vibrant social economy*

LeadWest will work with identified strategic partners to highlight and further develop a mix of high standard sporting, leisure, arts/culture and tourism opportunities in the region that contribute to economic progress and social inclusion, and acknowledge our rich indigenous history and cosmopolitan community.

## 4. In progressing the above regard will be given to:

- 4.1 legislative requirements;
- 4.2 available resources;
- 4.3 existing initiatives and programmes;
- 4.4 economic, social and environmental values; and
- 4.5 respecting individual differences between communities.

## Agenda Item 4.5

### OATHS OF OFFICE AND AFFIRMATIONS OF OFFICE - 2024 MARIBYRNONG CITY COUNCIL ELECTION

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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#### PURPOSE

The purpose of this report is for Council to record in its minutes, the taking of the Oath or Affirmation of Office by the candidates elected to the Office of Councillor at the October 2024 Council elections, as required under the *Local Government Act 2020*.

#### ISSUES SUMMARY

- Elections for Maribyrnong City Council were conducted by the Victorian Electoral Commission in October 2024 for all seven single member wards in the municipality.
- Section 30 of the *Local Government Act 2020* (the Act) provides that 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.
- The Act requires the Oath or Affirmation of Office to be dated and signed before the Chief Executive Officer and recorded in the minutes of the Council, whether an Oath or Affirmation was taken at a Council meeting.

#### ATTACHMENTS

1. Oaths and Affirmations of Office - 2024 Maribyrnong City Council Election [↓](#)

#### OFFICER RECOMMENDATION

That Council resolve to:

1. Note that at a ceremony held at the Footscray Town Hall on Wednesday 13 November 2024, the following Councillors took their Oath of Office or Affirmation of Office before the Chief Executive Officer in accordance with the requirements of Section 30 of the *Local Government Act 2020*:

- Councillor Pradeep Tiwari , Bluestone Ward – Affirmation of Office
- Councillor Cuc Lam, Braybrook Ward – Oath of Office
- Councillor Mohamed Semra, Burndap Ward – Oath of Office
- Councillor Susan Yengi, River Ward – Oath of Office
- Councillor Samantha Meredith, Saltwater Ward – Oath of Office
- Councillor Bernadette Thomas, Sheoak Ward – Affirmation of Office

**Agenda Item 4.5**

- 2. Note that at a virtual ceremony held at the Maribyrnong Council Office on Friday 15 November, Councillor Elena Pereyra took the Affirmation of Office before the Chief Executive Officer in accordance with the requirements of Section 30 of the Local Government Act 2020 and 5(b) of the *Local Government (Governance and Integrity) Regulations 2020*; and**
- 3. To receive and note a copy of the executed Oaths of Office / Oath of Affirmation as shown in Attachment 1.**

## Agenda Item 4.5

### BACKGROUND

The Maribyrnong Council Elections were conducted by the Victorian Electoral Commission in October 2024. The Victorian Electoral Commission declared the Maribyrnong Council results for the seven single member wards on Tuesday 12 November 2024.

The *Local Government Act 2020* requires a person elected to be a Councillor to take an Oath or Affirmation of Office.

#### *Section 30 Oath or Affirmation of Office*

*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.*

The Oath or Affirmation of Office includes a Councillor abiding the Model Councillor Code of Conduct and standards of conduct set out in the Model Councillor Code of Conduct.

### DISCUSSION/KEY ISSUES

#### 1. Key Issues

A meeting was convened at 6.00pm on Wednesday 13 November 2024 at the Footscray Town Hall, at which six Councillors-elect took the Oath of Office or Affirmation of Office in front of the Chief Executive Officer.

Elena Pereyra took the Affirmation of Office virtually before the Chief Executive Officer at 2.00pm Friday 15 November 2024 in accordance with the requirements of Section 30 of the *Local Government Act 2020* and Section 5(b) of the *Local Government (Governance and Integrity) Regulations 2020*.

A copy of the Oaths of Office and Affirmations of Office are shown as Attachment 1.

#### 2. Council Policy/Legislation

##### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and

## **Agenda Item 4.5**

economic growth during the ongoing challenges of the pandemic and beyond.

### **Legislation**

*Local Government Act 2020*

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

Nil.

### **4. Resources**

Nil.

### **5. Environment**

Nil.

## **CONCLUSION**

This report records the Oath of Office or Affirmation of Office by the candidates elected to the Office of Councillor at the October 2024 Council elections, as required under the *Local Government Act 2020*.



## Maribyrnong City Council

### AFFIRMATION OF OFFICE

I Pradeep Tiwari 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.

A handwritten signature in blue ink, appearing to read "Pradeep", is written above a horizontal line.

Councillor Pradeep Tiwari

Sworn at Footscray  
in the State of Victoria  
this 13<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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A handwritten signature in blue ink, appearing to read "Celia Haddock", is written above a horizontal line.

Celia Haddock  
Chief Executive Officer





## Maribyrnong City Council

### OATH OF OFFICE

I Cuc Lam 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.

A handwritten signature in blue ink, appearing to read "Cuc Lam", is written over a horizontal line.

Councillor Cuc Lam

Sworn at Footscray  
in the State of Victoria  
this 13<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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A handwritten signature in blue ink, appearing to read "Celia Haddock", is written over a horizontal line.

Celia Haddock  
Chief Executive Officer



## Maribyrnong City Council

### OATH OF OFFICE

I Mohamed Semra 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.

A handwritten signature in blue ink, appearing to read "Mohamed Semra", is written above a horizontal line.

Councillor Mohamed Semra

Sworn at Footscray  
in the State of Victoria  
this 13<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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A handwritten signature in blue ink, appearing to read "Celia Haddock", is written above a horizontal line.

Celia Haddock  
Chief Executive Officer



## Maribyrnong City Council

### OATH OF OFFICE

I Susan Yengi 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.

  
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Councillor Susan Yengi

Sworn at Footscray  
in the State of Victoria  
this 13<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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Celia Haddock  
Chief Executive Officer

Celia Haddock  
Chief Executive Officer



## Maribyrnong City Council

### OATH OF OFFICE

I Samantha Meredith 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.

A handwritten signature in blue ink, appearing to read "S Meredith", is written over a horizontal line.

Councillor Samantha Meredith

Sworn at Footscray  
in the State of Victoria  
this 13<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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Celia Haddock  
Chief Executive Officer



## Maribyrnong City Council

### AFFIRMATION OF OFFICE

I Bernadette Thomas 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.

A handwritten signature in blue ink, appearing to read "Bernadette Thomas", is written over a horizontal line.

Councillor Bernadette Thomas

Sworn at Footscray  
in the State of Victoria  
this 13<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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Celia Haddock  
Chief Executive Officer



## Maribyrnong City Council

### AFFIRMATION OF OFFICE

I Elena Pereyra 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.

A photograph of a handwritten signature in black ink on a light-colored background. The signature appears to be "Elena Pereyra".

Councillor Elena Pereyra

Sworn at Footscray  
in the State of Victoria  
this 15<sup>th</sup> day of November 2024  
before the Chief Executive Officer  
of Maribyrnong City Council

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A handwritten signature in black ink, which appears to be "Celia Haddock". The signature is written over a horizontal line.

Celia Haddock

**Agenda Item 4.5 - Attachment 1**

Chief Executive Officer

*This Affirmation of office was witnessed by audio visual link and signed electronically  
in accordance with s 9 of the Electronic Transactions (Victoria) Act 2000*