



Agenda

Extraordinary Council Meeting

6.30pm, Wednesday 15 November 2023

Richmond Town Hall

Council Meetings

Council Meetings are public forums where Councillors come together to meet as a Council and make decisions about important, strategic and other matters. The Mayor presides over all Council Meetings, and they are conducted in accordance with the City of Yarra Governance Rules.

Council meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to transparent governance and to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

Arrangements to ensure our meetings are accessible to the public

Council meetings are held on the first floor at Richmond Town Hall. Access to the building is available either by the stairs, or via a ramp and lift. Seating is provided to watch the meeting, and the room is wheelchair accessible. Accessible toilet facilities are available. Speakers at the meeting are invited to stand at a lectern to address the Council, and all participants are amplified via an audio system. Meetings are conducted in English.

If you are unable to participate in this environment, we can make arrangements to accommodate you if sufficient notice is given. Some examples of adjustments are:

- a translator in your language
- the presence of an Auslan interpreter
- loan of a portable hearing loop
- reconfiguring the room to facilitate access
- modification of meeting rules to allow you to participate more easily.

Recording and Publication of Meetings

A recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

Order of business

1. **Acknowledgement of Country**
2. **Attendance, apologies and requests for leave of absence**
3. **Announcements**
4. **Declarations of conflict of interest**
5. **Council business reports**

1. Acknowledgment of Country

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have survived European invasion and never ceded sovereignty.

We also acknowledge the significant contribution made by the many other Aboriginal and Torres Strait Islander people to life in Yarra.

We acknowledge that Fitzroy and Collingwood are areas of special significance to Aboriginal and Torres Strait Islander people—as the cradle of Aboriginal and Torres Strait Islander affairs in Victoria, the birthplace of important Aboriginal and Torres Strait Islander organisations, the centre of political activism and a meeting place for Aboriginal and Torres Strait Islander people to link in with family, community and services.

We acknowledge the role played by past federal and state government policies in the social and cultural dispossession of Aboriginal and Torres Strait Islander people—and the dispossession of land—which has caused the current disadvantages faced by many Wurundjeri Woi Wurrung Aboriginal and Torres Strait Islander people. And we believe that having an awareness of, and taking steps towards, mending this disadvantage is the shared responsibility of all residents in the City of Yarra.

Council pays its respects to all in the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community and Elders from all nations with us today - and to their Elders past, present and future.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Claudia Nguyen Mayor
- Cr Edward Crossland Deputy Mayor
- Cr Michael Glynatsis Councillor
- Cr Stephen Jolly Councillor
- Cr Herschel Landes Councillor
- Cr Anab Mohamud Councillor
- Cr Bridgid O’Brien Councillor
- Cr Amanda Stone Councillor
- Cr Sophie Wade Councillor

Council staff

Chief Executive Officer

- Sue Wilkinson Chief Executive Officer

General Managers

- Brooke Colbert Governance, Communications and Customer Experience
- Sam Hewett Infrastructure and Environment
- Kerry McGrath Community Strengthening
- Mary Osman City Sustainability and Strategy
- Jenny Scicluna Corporate Services and Transformation

Governance

- Phil De Losa Manager Governance and Integrity
- Rhys Thomas Senior Governance Advisor
- Mel Nikou Governance Officer

3. Announcements

An opportunity is provided for the Mayor to make any necessary announcements.

4. Declarations of conflict of interest

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Council business reports

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5.1 Election of Mayor and Deputy Mayor

Reference	D23/422234
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	General Manager Governance, Communications and Customer Experience

Purpose

1. To elect Councillors to the office of Mayor and Deputy Mayor of the Yarra City Council.

Critical analysis

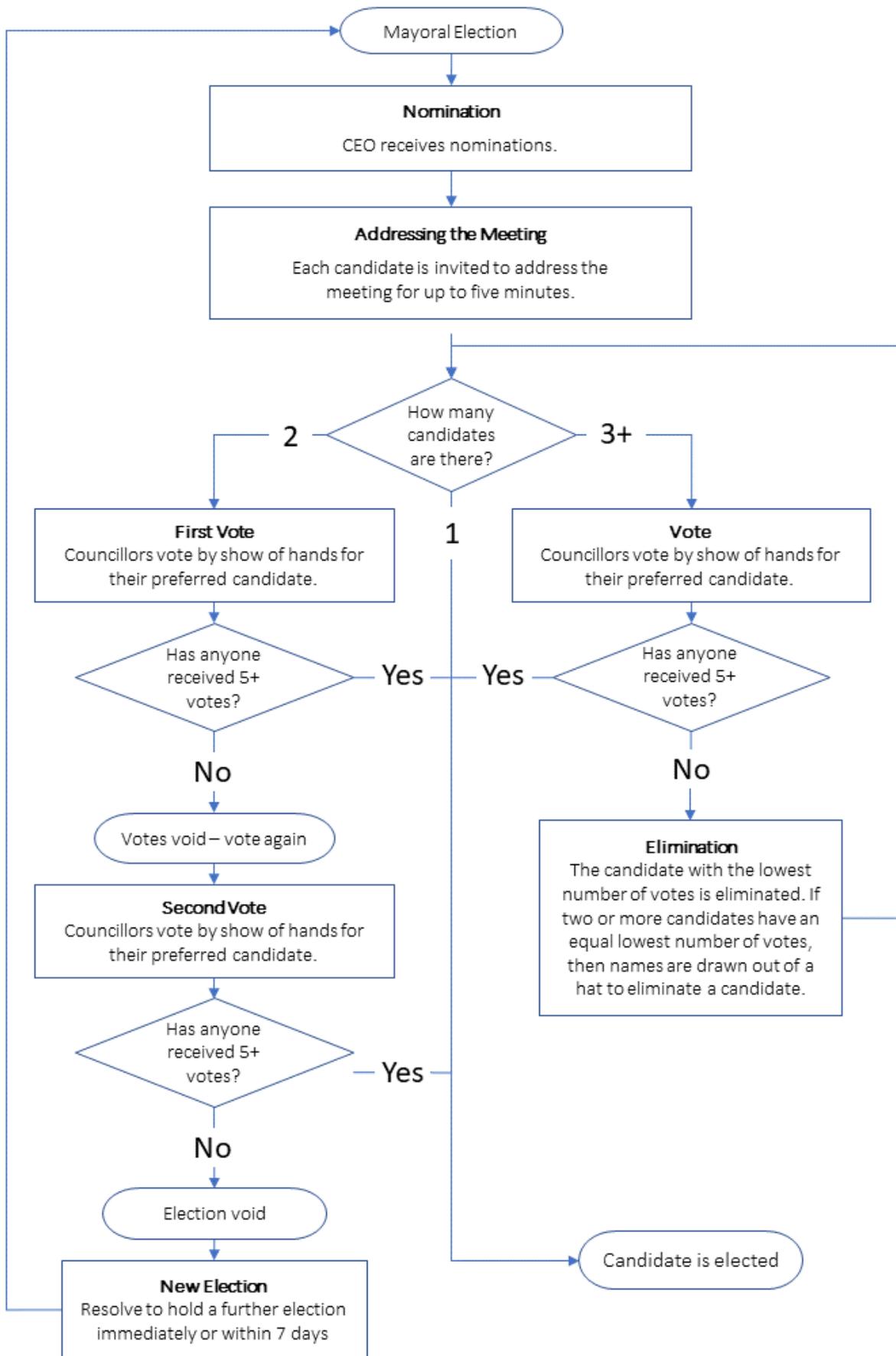
History and background

2. Any Councillor is eligible for election to the office of Mayor or Deputy Mayor. The City of Yarra Governance Rules set out the process for the conduct of an election.

Discussion

3. The Chief Executive Officer invites nominations for the office of Mayor, which must be:
 - (a) moved by a Councillor (which can be themselves); and
 - (b) accepted by the nominee, either in person at the meeting or in writing.
4. Once nominations have been received, the Chief Executive Officer will afford each Councillor with up to five minutes to address the Council, in the order in which their nominations were received.
5. The election for Mayor is then conducted in accordance with the Governance Rules, which is summarised as shown below:
 - (a) If there is one nomination, the candidate nominated is declared elected Mayor;
 - (b) If there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;
 - (c) If at any point, a candidate receives five votes, that candidate is declared to have been elected Mayor;
 - (d) If there are three or more candidates and no candidate receives five votes, the candidate with the fewest number of votes is eliminated and voting is repeated with the remaining candidates. If two candidates are tied for the lowest number of votes, one is eliminated by lot and voting is repeated with the remaining candidates;
 - (e) If there are two candidates remaining and neither receives five votes, then the votes are declared void and a second round of voting is held. If, after the second round, neither candidate has five votes, the election is declared void; and
 - (f) If the election is declared void, Council must resolve to hold another election either immediately or as soon as practicable (which must be within seven days).
6. The process is set out in the flow chart below.

Mayoral Election process



7. Following the election of the Mayor, the election of the Deputy Mayor is conducted in the same manner, except that the references to the Mayor shall be replaced with the Deputy Mayor and the references to the Chief Executive Officer shall be replaced with the Mayor.

Options

8. Council is required to elect a Mayor and, optionally, a Deputy Mayor.
9. Should it not be possible to achieve an absolute majority of votes for a candidate (five votes), then Council has the option of resolving to conduct a further election immediately, or at a later time or date (within seven days).

Community and stakeholder engagement

10. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Community Vision and Council Plan

11. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *“informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy.”*
12. The City of Yarra Council Plan 2021-2025 commits Council to *“provide opportunities for meaningful, informed and representative community engagement to inform Council’s decision-making”* and to *“practice good governance, transparency and accountable planning and decision-making.”*
13. The community leadership provided by a democratically and transparently elected Mayor and Deputy Mayor underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council’s ongoing commitment to good governance.

Climate emergency and sustainability implications

14. No climate emergency implications are presented in this report.

Community and social implications

15. No community or social implications are presented in this report.

Economic development implications

16. No economic development implications are presented in this report.

Human rights and gender equity implications

17. No human rights or gender equity implications are presented in this report.

Operational analysis

Financial and resource impacts

18. There are no financial or resource impacts arising from the election of a Mayor and Deputy Mayor.

Legal Implications

19. Council is required under the Local Government Act 2020 to elect a Mayor and, optionally, a Deputy Mayor.
20. Should it not be possible to achieve an absolute majority of votes for a candidate and Council resolving to conduct a further election immediately, or at a later time or date, it would be advisable to adjourn the meeting so as to ensure that the remaining business is considered after a duly elected Mayor is in place.

Conclusion

21. This report sets out the process for the election of a Mayor and Deputy Mayor.
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22. Following the election, it would be appropriate to provide an opportunity for the newly elected office holders to address the meeting.

RECOMMENDATION

The election of the Mayor and Deputy Mayor is conducted in accordance with the Yarra City Council Governance Rules. No Council resolution is required.

Attachments

There are no attachments for this report.

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