



Whitehorse City Council

MINUTES

Council Meeting for the Election of the Mayor and Deputy Mayor

on

Wednesday 12 November 2025 at 7:00 PM

**Held in the
Council Chamber
Nunawading Civic Centre**

Meeting opened at 7.00pm

Present: Cr Andrew Davenport
Cr Prue Cutts
Cr Peter Allan
Cr Blair Barker
Cr Daniel Griffiths
Cr Jarrod Gunn
Cr Kirsten Langford
Cr Jason Martin
Cr Kieran Simpson
Cr Ben Stennett
Cr Hayley Weller

Officers: Simon McMillan	Chief Executive Officer
Stuart Cann	Director Corporate Services
Jeff Green	Director City Development
Lisa Letic	Director Community Services
Steve Day	Acting Director Infrastructure
Andrea Ghastine	Executive Manager Transformation
Vivien Ferlino	Manager Governance and Integrity
Fran Nolan	Manager Communications Advocacy and Investment
Sarah Candeland	Coordinator Governance
Alex Wintle	Senior Governance Officer

Recording of Meeting and Disclaimer

Please note every Council Meeting (other than items deemed confidential under section 3 (1) of the *Local Government Act 2020*) is being recorded and streamed live on Whitehorse City Council's website in accordance with Council's Live Streaming and Recording of Meetings Policy. A copy of the policy can also be viewed on Council's website.

The recording will be archived and made publicly available on Council's website within 48 hours after the meeting on www.whitehorse.vic.gov.au for a period of three years (or as otherwise agreed to by Council).

Live streaming allows everyone to watch and listen to the meeting in real time, giving you greater access to Council debate and decision making and encouraging openness and transparency.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of Whitehorse City Council. Council therefore accepts no liability for any defamatory remarks that are made during a meeting.

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1 Welcome and Apologies

The Chief Executive Officer opened the meeting, welcomed those in attendance and proceeded to the formalities for Electing the Mayor

Prayer for Council

We give thanks, O God, for the Men and Women of the past whose generous devotion to the common good has been the making of our City.

Grant that our own generation may build worthily on the foundations they have laid.

Direct our minds that all we plan and determine, is for the wellbeing of our City.

Amen.

Acknowledgement of Country

Whitehorse City Council acknowledges the Wurundjeri Woi-wurrung people of the Kulin Nation as the Traditional Owners of the land we are meeting on and we pay our respects to their Elders past, present and emerging and Aboriginal and Torres Strait Islanders from communities who may be present today.

2 Disclosure of Conflicts of Interest

Under section 129(g) of the Local Government Act 2020 and the Local Government (Governance and Integrity) Regulations 2020 (R7(1)(d) and (e) the nomination of a Councillor for election to the office of Mayor or Deputy Mayor is prescribed to be exempt from conflict of interest requirements.

3 Council Reports

3.1 Term of the Mayor and Deputy Mayor

Department

Governance and Integrity

Director Corporate Services

SUMMARY

The *Local Government Act 2020* (the Act) states that at a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

Before the election of the Mayor takes place, Council must determine by resolution whether the Mayor is to be elected for a one year or a two-year term.

In accordance with Section 26(3) of the Act, Council is required to determine the Mayoral term. A resolution is required to set the term of the Mayor, the same term is applicable for the term of the Deputy Mayor.

Whitehorse has traditionally elected a Mayor and Deputy Mayor for a one-year term.

On 18 November 2025 council resolved:

‘That Council resolves to elect the Mayor and Deputy Mayor for a term of one year commencing 18 November 2024.’

COUNCIL RESOLUTION

Moved by Cr Simpson, Seconded by Cr Allan

That Council resolves to elect the Mayor and Deputy Mayor for a term of one year commencing 12 November 2025 and this continues for the duration of the 2024-2028 Council term.

CARRIED UNANIMOUSLY**KEY MATTERS**

In accordance with Section 26(3) and Section 27(2) of the Act, Council is required to resolve a resolution to set the term of the Mayor and Deputy Mayor. In accordance with Section 26(3) a Mayor and Deputy Mayor can be for a one-year or two-year term.

DISCUSSION, OPTIONS AND ANALYSIS**Options**

There are two options to Council on the term of the office of the Mayor and Deputy.

3.1 (cont)

Option 1	One year appointment, annually
Option 2	Two-year appointment, followed by a one-year appointment

Should Council elect a two year term the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the two year term as is reasonably practicable.

In previous Council terms Whitehorse has traditionally elected a Mayor and Deputy Mayor for a one-year term. In determining the term of Mayor and Deputy Mayor, Council can proceed to elect a Mayor and Deputy Mayor according to the provisions set out by the Act.

The role of the Mayor is as set out in Section 18 of the Act. The role of the Deputy Mayor is set out in Section 21 of the Act, which states that the Deputy Mayor must perform the role of the Mayor and may exercise any of the power 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.

The Mayor and the Deputy Mayor must also be elected by an absolute majority of the Councillors, and their office becomes vacant at the time and day of the election of the next Mayor and Deputy Mayor.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services. This report reflects commitment to Strategic Direction 1, meeting the requirements set by <i>Local Government Act 2020</i>, <i>Local Government (Governance and Integrity) Regulations 2020</i>.
Financial and Resource Implications.	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report.

3.1 (cont)

Equity, Inclusion, and Human Rights Considerations	In developing this report to Council, the subject matter has been considered in accordance with the requirements of the <i>Charter of Human Rights and Responsibilities Act 2006</i>. It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	The <i>Local Government Act 2020</i> requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

3.2 Election of the Mayor

Department	Governance and Integrity
	Director Corporate Services

SUMMARY

The election of the Mayor takes place in accordance with Section 25 of the *Local Government Act 2020* (the Act) and the Whitehorse City Council Governance Rules which requires that:

The Mayor is responsible for leading Whitehorse City Council (the Council) and has a number of roles which are both legislative and functional. The legislative requirements are outlined in Division 3 of the Act.

Section 18(1) of the Act states that

The role of the Mayor is to:

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

In addition to the role outlined above, the Mayor has the following specific powers under Section 19 of the Act:

- 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; and*
- c) to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.*

3.2 (cont)

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

ELECTION OF THE MAYOR

The Chief Executive Officer called for nominations for the office of Mayor for the 2025/2026 term. The following nominations were received:

1. Cr Cutts

Cr Stennett nominated Cr Cutts
Cr Cutts accepted the nomination
Cr Weller seconded the nomination

2. Cr Langford

Cr Allan nominated Cr Langford
Cr Langford accepted the nomination
Cr Martin seconded the nomination

3. Cr Barker

Cr Barker self-nominated
Cr Davenport seconded the nomination

Candidates in order of nomination were each allowed up to three minutes to address Council.

The Chief Executive Officer conducted the vote for the election of Mayor in order of nominations.

1. Cr Cutts

Received four votes
Cr Cutts, Cr Simpson, Cr Weller and Cr Stennett (4)

2. Cr Langford

Received four votes
Cr Allan, Cr Martin, Cr Langford and Cr Griffiths (4)

3. Cr Barker

Cr Davenport, Cr Gunn and Cr Barker (3)

The Chief Executive Officer declared Cr Barker defeated after receiving the lowest number of votes.

The Chief Executive Officer conducted the vote for the election of Mayor with the remaining candidates and in order of nominations.

3.2 (cont)

1. Cr Cutts

Received five votes

Cr Cutts, Cr Simpson, Cr Barker, Cr Weller and Cr Stennett (5)

2. Cr Langford

Received six votes

Cr Allan, Cr Davenport, Cr Gunn, Cr Martin, Cr Langford and Cr Griffiths (6)

As an absolute majority of votes was achieved, no further voting was required and the Chief Executive Officer, Simon McMillan declared Cr Langford as the duly elected Mayor for the 2025/2026 term.

KEY MATTERS

The election of the Mayor must be conducted in accordance with Section 25 of the Act and Council's Governance Rules.

A Mayor is to be elected at a Council meeting that is open to the public and, the Councillors must elect a Councillor to be the Mayor of the Council.

The Mayor must be elected by an absolute majority of the Councillors, and their office becomes vacant at the time and day of the election of the next Mayor and Deputy Mayor.

DISCUSSION, OPTIONS AND ANALYSIS**Role of Mayor**

The Mayor is elected by Council to represent the views and directions of Council in performing various roles and duties.

The role of Mayor as Chair of Council and a community leader is crucial to effective relationships with the administration and to good governance.

The Mayor should ensure good governance within Council, providing the basis for sound strategy for the municipality.

The Mayor of the Council is a leader, a representative of the community and the custodian of Council's customs and traditions.

The Mayor as Civic Leader

The Mayor also acts as the principal spokesperson for Council and is seen in the community as representing the Council as a whole. The Mayor is often charged with speaking publicly on behalf of the Council both in the media and at public events.

In addition, the Mayor plays a key leadership role in engaging with community groups, businesses, and other stakeholders to promote the interests of the Council and the local community. In this capacity, the Mayor must reflect the

3.2 (cont)

views and policies of the Council, rather than personal opinions, ensuring that Council positions are communicated fairly and accurately.

The Mayor is also expected to undertake civic and ceremonial duties during their term of office; these duties are extensive and diverse and include the Mayor representing Council at important civic functions in the municipality in a respectful and dignified manner.

The Mayor as Chair

The Mayor plays an important civic and organisational role when presiding over formal meetings of Council.

For the Mayor to show good leadership and performance, they must display proper chairing of meeting skills and proper application of the Meeting Procedures.

It is expected that a high performing Mayor will have a positive impact on the performance and attitudes of Councillors in formal meetings.

The community's perception of Council is often formed on the performance of the Mayor in formal meetings. It is essential for the Mayor to be thoroughly prepared, ensuring a professional and effective presence. This includes reviewing the meeting agenda, understanding any special proceedings, and seeking governance advice when necessary.

Specific Powers of the Mayor

The Mayor has the following specific powers under Section 19(1) of the Act:

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

Election of the Mayor

The election of the Mayor must be conducted in accordance with the Governance Rules

The Chair calls for nominations for the position of Mayor noting:

- Councillors may self-nominate;
- nominations must be seconded by another Councillor;
- any Councillor nominated may refuse nominations.
- each candidate for Mayor is given up to three minutes to address Councillors.

The Chief Executive Officer conducts the election, and announces the appointment of the Mayor.

3.2 (cont)

The Mayor takes the Chair

The Mayor takes the Chair for the remainder of the meeting and has the opportunity to address and express appreciation of being elected Mayor. Councillors may also offer expressions of congratulations by to the new Mayor.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services. This report reflects commitment to strategic direction 1, meeting the requirements set by <i>Local Government Act 2020, Local Government (Governance and Integrity) Regulations 2020</i>.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report.
Equity, Inclusion, and Human Rights Considerations	In developing this report to Council, the subject matter has been considered in accordance with the requirements of the <i>Charter of Human Rights and Responsibilities Act 2006</i>. It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	The <i>Local Government Act 2020</i> requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

3.3 Election of the Deputy Mayor

Department

Governance and Integrity

Director Corporate Services

SUMMARY

Section 20A of the *Local Government Act 2020* (the Act) outlines that Council may establish an office of Deputy Mayor and if an office of Deputy Mayor is established, the legislative requirements of the Deputy Mayor are provided in sections 21 and 27 of the Act.

Council resolved to establish an office of the Deputy Mayor on 18 November 2020.

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

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

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

ELECTION OF THE DEPUTY MAYOR

The Mayor called for nominations for the office of Deputy Mayor for the 2025/2026 term. The following nominations were received:

1. Cr Griffiths

Cr Griffiths self-nominated

Cr Gunn seconded the nomination

2. Cr Simpson

Cr Davenport nominated Cr Simpson

Cr Simpson accepted the nomination

Cr Stennett seconded the nomination

Candidates in order of nomination were each allowed up to three minutes to address Council.

The Mayor conducted the vote for the election of Deputy Mayor in order of nominations.

3.3 (cont)

1. Cr Griffiths

Received four votes

Cr Barker, Cr Griffiths, Cr Langford (3)

2. Cr Simpson

Received eight votes

Cr Allan, Cr Cutts, Cr Gunn, Cr Simpson, Cr Weller, Cr Martin,
Cr Davenport Cr Stennett (8)

As an absolute majority of votes was achieved, no further voting was required and the Mayor declared Cr Simpson as the duly elected Deputy Mayor for the 2025/2026 term.

KEY MATTERS

Traditionally Whitehorse City Council elects a Deputy Mayor. The Act states in 20A(1) '*A Council may establish an office of Deputy Mayor. (2) If the Council has established an office of Deputy Mayor, the provisions of this Act relating to the office of Deputy Mayor apply. (3) If a Council has not established an office of Deputy Mayor, section 20B applies.*'

The Deputy Mayor must be elected by an absolute majority of the Councillors, and their office becomes vacant at the time and day of the election of the next Mayor and Deputy Mayor.

DISCUSSION, OPTIONS AND ANALYSIS

The role of the Deputy Mayor is set out in section 21 of the Act, which states that the Deputy Mayor must perform the role of the Mayor and may exercise any of the power 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.*

As per the Act, the election of the Deputy Mayor, is to be held at a Council meeting that is open to the public. Any Councillor is eligible for election to the office of the Deputy Mayor. However, the Mayor is not eligible to also be elected to the office of the Deputy Mayor.

If Council decide not to elect a Deputy Mayor section 20B Acting Mayor applies.

1) *A Council may appoint a Councillor to be the Acting Mayor when—*

- a) *the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or Authorised by the Chief Parliamentary Counsel 39 Local Government Act 2020 No. 9 of 2020 Part 2—Councils*

3.3 (cont)

- 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.*
- 2) *An appointment under subsection (1) must be for a period specified by the Council.*
- 3) *If—*
 - a) an appointment has not been made under subsection (1) or has expired; and*
 - b) any of the circumstances specified in subsection(1)(a), (b) or (c) apply—the Council must appoint a Councillor to be the Acting Mayor for a period specified by the Council.*
- 4) *An Acting Mayor—*
 - a) must perform the role of the Mayor; and*
 - b) may exercise any of the powers of the Mayor— until the circumstances specified in subsection (1) no longer apply or the period of the appointment expires, whichever first occurs.*
- 5) *If an Acting Mayor has been appointed, unless inconsistent with the context or subject matter, a reference in this Act (except in sections 20 and 23, Division 4 of this Part and sections 61(6) and 236(4)) to the Mayor includes a reference to the Acting Mayor.*

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services. This report reflects commitment to strategic direction 1, meeting the requirements set by <i>Local Government Act 2020, Local Government (Governance and Integrity) Regulations 2020</i>.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	In presenting this report, Council is fulfilling section 20A(1) of the <i>Local Government Act 2020</i> in determining that Councillors may elect a Councillor to be the Deputy Mayor.

3.3 (cont)

Equity, Inclusion, and Human Rights Considerations	In developing this report to Council, the subject matter has been considered in accordance with the requirements of the <i>Charter of Human Rights and Responsibilities Act 2006</i>. It is considered that the subject matter does not raise any human rights issues.
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4 Close Meeting

The Council Meeting was closed at 8.04pm.

These minutes are circulated subject to confirmation by Council at the next Council Meeting to be held on 24 November 2025.