

NOTICE OF EXTRAORDINARY MEETING

8:30am Welcome and introductions followed by professional photography then issue of laptops and training on their use.

The dress code for the photography will be for the women, business attire, blouse and/or jacket please. Men would you please wear a jacket and tie.

Notice is hereby given that an Extraordinary Meeting of Council will be held in the Council Chambers on Tuesday, 8 October September at 10.00am.

Following the Extraordinary Meeting of Council, a workshop will be held in accordance with the *attached* Council Induction Program.

Agenda

1. Affirmation or Oath for all Councillors
2. Election of Mayor and Deputy Mayor
3. National Anthem
4. Prayer
5. Acknowledgement of Traditional Owners:

"I acknowledge the traditional custodians of the land on which we live, work and play. I pay my respects to our Elders past and present and thank them for the contribution they have made, and continue to make, in the cultural identity of our nation."

6. Submission of Questions for Next Meeting
7. Commencement of recording
8. Apologies
9. Declarations of Interest

At this juncture, Councillors should indicate any items in which they have an interest and therefore will not be participating in discussion or voting.

10. Reports



David Neeves
General Manager

ELECTION OF MAYOR

SUMMARY

To elect Council's Mayor for the forthcoming period.

.....

Section 290 (l) (b) of the Local Government Act 1993 provides that the election of the Mayor by the Councillors, if first election after an ordinary election, is to be held within three (3) weeks after the ordinary election.

An amendment to the Act (Section 230 (1) provides that a Mayor elected by the Councillors (on or after 30 August 2016) holds the Office of Mayor for two years commencing on the day the person elected to the Office is declared to be so elected.

Nomination

The regulations under the Local Government Act, 1993, provide that a Councillor may be nominated without notice for election as Mayor. Nominations are to be made in writing by two or more Councillors (one of whom may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing. (Nomination forms for both the Mayoral and Deputy Mayoral positions have been forwarded separately with this business paper).

The nomination is to be delivered or sent to the Returning Officer or handed to the Returning Officer at the meeting.

Returning Officer

The regulations (Clause 1) under the Act provide for the General Manager to be the Returning Officer for Mayoral elections.

Method of Election

If only one councillor is nominated, that councillor is elected.

Where more than one candidate nominates for election, the Council is to resolve whether the election is to proceed by:

- (a) ordinary ballot
- (b) preferential ballot
- (c) open voting

Open voting means voting by a show of hands or similar means, while the ballots referred to are to be secret ballots.

Where the election is by ballot, it will be conducted by the preparation, marking and counting of ballot-papers in the presence of the Council and the General Manager/Returning Officer is to decide the manner in which votes are to be marked on the ballot papers.

In cases where there are only two candidates, the ordinary ballot or open voting methods are considered most efficient and also allow for the election of Mayor if more than two candidates stand. Council has previously adopted the ordinary ballot method of voting.

Where there are more than two candidates, the preferential ballot may be utilised.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Plan Actions</u>	4.3.1.1 Ensure all governance targets and statutory requirements are met in line with the relevant Acts and Regulations and Council policy

RECOMMENDATION

That, should there be two or more nominations received for the position of Mayor for the ensuing term, an election be conducted by way of ordinary ballot.

David Neeves
General Manager

ELECTION OF DEPUTY MAYOR

SUMMARY

To consider election of a Deputy Mayor for the forthcoming period.

.....

Section 231 of the Local Government Act 1993 authorises a Council to elect one of its Members as Deputy Mayor who may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the Office of Mayor.

Section 231 states:

231 Deputy Mayor

- (1) The councillors may elect a person from among their number to be the deputy mayor.*
- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

Firstly, Council must determine if it will elect a Deputy Mayor and the length of term. Secondly, if it decides in the affirmative, it should determine the procedure for such election.

As with Mayoral elections, if only one councillor is nominated, that councillor is elected and, where more than one candidate nominates for election, the Council is to resolve whether the election shall be carried out by:

- (a) ordinary ballot
- (b) preferential ballot
- (c) open voting

It is suggested that, in the event of an election, the procedure should be the same as in the case of the election of Mayor.

As noted earlier, nomination forms are included with the Business paper and ballot papers will be available for use if required.

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Plan Actions</u>	4.3.1.1 Ensure all governance targets and statutory requirements are met in line with the relevant Acts and Regulations and Council policy

RECOMMENDATION

1. That Council elect a Deputy Mayor for the ensuing two year Mayoral term.
2. That should there be two or more nominations received for the position of Deputy Mayor, an election be conducted by way of ordinary ballot

David Neeves
General Manager

(GO.CO.1)

COUNCILLOR CASUAL VACANCIES

SUMMARY

To consider how best to fill any vacancies occurring in the office of Council with 18 months of the election.

.....

Councils must, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback of votes cast at the election if councils want to fill vacancies by these means – councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election (section 291A of the Act).

<u>Principal Activity</u>	Lead
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Plan Actions</u>	4.3.1.1 Ensure all governance targets and statutory requirements are met in line with the relevant Acts and Regulations and Council policy

RECOMMENDATION

Pursuant to section 291A(1) b) of the Local Government Act 1993 (the Act) Gilgandra Shire Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the Electoral Commissioner of the Council's decision within 7 days of the decision.

David Neeves
General Manager

(GO.CO.1)

DATES AND TIMES FOR ORDINARY MEETINGS

SUMMARY

To consider the date and time of Council's ordinary meetings.

.....

The first Clause of Council's Code of Meeting Practice refers to meeting requirements as follows:

- 1.1 Council is required to meet at least ten (10) times each year, each time in a different month. *(Section 365 Local Government Act 1993)*
- 1.2 If the Mayor receives a request in writing signed by at least two (2) Councillors, the Mayor must call an extra-ordinary meeting of Council to be held as soon as practicable but in any event within fourteen (14) days after receipt of the request. *(Section 366 Local Government Act 1993)*
- 1.3 Ordinary Meetings of Council are currently held on the third Tuesday of each month, commencing at 4 pm. *(Council resolution)*

Principal Activity

Lead

Policy Implications

Nil

Budget Implications

Nil

Delivery Plan Actions

4.3.1.1

Ensure all governance targets and statutory requirement are met in line with the relevant Acts and Regulations and Council policy

RECOMMENDATION

For Council's consideration and determination.

David Neeves
General Manager