



You are invited to attend the next Extraordinary Meeting of Council:

Date: Monday, 17 December 2018
Time: 630pm
Location: Council Chamber
62-64 Menangle Street
Picton NSW 2571

AGENDA



Extraordinary Council Meeting

17 December 2018

A handwritten signature in blue ink, appearing to read "Michael Malone", with a long, sweeping underline.

Michael Malone
Acting Chief Executive Officer

COMMUNITY STRATEGIC PLAN SNAPSHOT

CSP Theme	Strategies
<p>Sustainable and Balanced Growth</p> 	Strategy GR1 – Growth
	Strategy GR2 – Built Environment
	Strategy GR3 – Economic Development and Tourism
	Strategy GR4 – Liveable Communities
	Strategy GR5 – Wilton New Town
	Strategy GR6 – Peri-urban Areas
	Strategy GR7 – Agriculture Strategy
	Strategy GR8 – Advocacy
<p>Management and Provision of Infrastructure</p> 	Strategy IN1 – Improve the condition of our Road Network
	Strategy IN2 – Provision of Infrastructure and Facilities
	Strategy IN3 – Manage Infrastructure and Facilities
	Strategy IN4 – Emergency Management
<p>Caring for the Environment</p> 	Strategy EN1 – Protect and Enhance Biodiversity, Waterways and Groundwaters
	Strategy EN2 – Protect the Environment from Development Pressures
	Strategy EN3 – Vegetation Management
	Strategy EN4 – Community Involvement
	Strategy EN5 – Environmental Awareness
	Strategy EN6 – Sustainable Practices
	Strategy EN7 – Agricultural Land and Capability
	Strategy EN8 – Auditing, Monitoring and Enforcement
	Strategy EN9 – Waste Management
	Strategy EN10 – Advocacy
<p>Looking after the Community</p> 	Strategy CO1 – Strong Community
	Strategy CO2 – Health and Wellbeing
	Strategy CO3 – Social Planning
	Strategy CO4 – Engagement and Communication
	Strategy CO5 – Advocacy
<p>Efficient and Effective Council</p> 	Strategy EC1 – Employee Relations
	Strategy EC2 – Risk Governance
	Strategy EC3 – Customer Service
	Strategy EC4 – Financial Sustainability
	Strategy EC5 – Resource Efficiency
	Strategy EC6 – Information Management
	Strategy EC7 – Participation Strategy
	Strategy EC8 – Accountability and Transparency
	Strategy EC9 – Advocacy

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1 OPENING

2 RECORDING OF THE MEETING

3 WEBCAST NOTICE

4 NATIONAL ANTHEM

5 ACKNOWLEDGEMENT OF COUNTRY

The Mayor will acknowledge the traditional Custodians of the Land

6 APOLOGIES AND LEAVE OF ABSENCE REQUESTS

7 DECLARATION OF INTEREST

8 EFFICIENT AND EFFECTIVE COUNCIL

8.1 ELECTION OF THE MAYOR AND DEPUTY MAYOR (DECEMBER)

File Number: 10619#318

EXECUTIVE SUMMARY

- Councillors are required to elect a Mayor and Deputy due to vacancies occurring as the Mayor and Deputy Mayor have submitted their resignation to the Acting Chief Executive Officer.
- The Mayoral term is the remaining 21 months of the original 2 year term and it is proposed that the Deputy Mayor be elected for the same term.
- The election is to be conducted in accordance with Schedule 7 of the Local Government (General) Regulations 2005.
- It is recommended that:
 1. The term of the Deputy Mayor be 21 months.
 2. The election of the Mayor and Deputy Mayor be conducted at this meeting.

REPORT

The Mayor and Deputy Mayor are to be elected by the Councillors from amongst their number. The Mayoral term is set at 21 months. The Deputy Mayor may be elected for the Mayoral term or a shorter term.

Schedule 7 of the Local Government (General) Regulation 2005 (the regulation) outlines the rules for the election including the process for nomination of candidates and method of voting amongst other procedural requirements. A copy of Schedule 7 is attached to this report.

The Acting Chief Executive Officer will be the Returning Officer for the election. The Mayoral Chair is vacated prior to the election being held.

Notification of the results of the election will be sent to all relevant parties in particular the Minister for Local Government and the Chief Executive Officers of the Office of Local Government and Local Government NSW.

Consultation

Councillors have been provided with nomination forms for these positions.

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

1. **Schedule 7, Local Government (General) Regulation 2005** [↓](#) 

RECOMMENDATION

1. That the term of the Deputy Mayor be 21 months.
2. That the election of the Mayor and Deputy Mayor be conducted at this meeting.

Local Government (General) Regulation 2005

Current version for 1 July 2018 to date (accessed 13 August 2018 at 12:23)

Schedule 7

Schedule 7 Election of mayor by councillors

(Clause 394)

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:
 - ballot* has its normal meaning of secret ballot.
 - open voting* means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

Local Government (General) Regulation 2005 [NSW]

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.

Current version for 1 July 2018 to date (accessed 13 August 2018 at 12:23)

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Local Government (General) Regulation 2005 [NSW]

- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, *absolute majority*, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General**12 Choosing by lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Association of New South Wales.