

# **AGENDA**

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**1. Acknowledgement to Country**

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting and pays its respects to Elders past and present.

**Webcasting Statement**

The public gallery should note that Council records and webcasts its Council Meetings live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community.

Council Meetings can now be viewed live via webcast, downloaded from Council's website for later viewing, or purchased from Council for viewing on a computer.

At the appropriate time during the meeting pre registered or invited members of the gallery may Address the Council at which time their image, comments or submissions will be broadcast live and recorded.

Council accepts no responsibility for any defamatory or offensive statements.

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

**2. Apologies / Leave of Absence****3. Pecuniary Interest and Conflict of Interest Declarations**

Nil

**4. Addresses to Council****5. Adjournment – Consideration of Addresses to Council (only to be taken where deemed to be required by the Council and determined by Resolution of the Council)**

## 6. Reports

### 6.1 Election of Mayor (9567117)

To the Council

**Division:** General Manager's Division  
**Department:** Executive Office

**Manager:** Flora MastroDomenico - Manager Executive Services  
**Author:** Deborah Arney - Executive Assistant

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## Summary

This report advises of the procedure for the election of the Mayor

## Background

Schedule 7 of the Local Government (General) Regulation 2005 sets out the procedures for the election of a Mayor by Councillors. The General Manager is appointed as the Returning Officer for such an election. Nominations can be made without notice, but must be made in writing by two 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.

A blank nomination form has been prepared and circulated with this business paper for Councillors to use if so desired. There is no necessity to use this form, but the criteria detailed above must be met for a nomination to be valid. The nomination forms must be delivered to the General Manager and can be so delivered at any time up to consideration of this item. Further blank nomination forms will be available at the Council Meeting.

Council will need to decide on whether or not the Mayor will be elected by secret ballot (preferential or ordinary) or open voting. Local Government (Elections) Regulation 1993 - Schedule 3 Clause 3 details the method of election:

## Election

- "3. (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."

The Mayor normally holds office for 12 months, with an election held in September of each year.

Where at any time in such an election there is equality in votes for the remaining two candidates, a draw by lot is undertaken with the candidate first drawn being taken to be elected. If at any time there is equality for two or more candidates when three or more candidates remain in the count (ie when a draw by lot will not decide the election), a draw by lot is undertaken and the candidate first drawn is excluded.

## **Consultations**

### **Internal**

Nil

### **External**

Nil

### **Political Donations Disclosure**

Not applicable

## **Recommendation**

**That:**

- (1) written nominations be called for the Office of Mayor for the period September 2011 - September 2012;**
- (2) Council determine the form of election;**
- (3) thereafter, Council proceed with the election of the Mayor.**



Approved for Council's consideration: \_\_\_\_\_

## **Attachments**

Nil

## 6.2 Election of the Deputy Mayor (9573619)

To the General Manager

**Division:** General Manager's Division

**Department:** Executive Services

**Manager:** Flora Mastro Domenico - Manager Executive Services / Public Officer

**Author:** Julie Larsen - Agenda / Administration Officer

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### Summary

This report advises the procedure for the election of Deputy Mayor if Council decides to elect a Deputy Mayor.

### Background

Section 231 (1) of the *Local Government Act 1993*, states that the councillors may elect a person from among their numbers to be the Deputy Mayor.

If Council resolves to elect a Deputy Mayor it needs to consider whether or not the Deputy Mayor will be elected by secret ballot (preferential or ordinary) or open voting. Local Government (Elections) Regulation 1993 - Schedule 3 Clause 3 details the method of election:

### Election

- "3. (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."

If the Council decides to elect a Deputy Mayor the election will follow the same procedure as for the election of the Mayor.

**Consultations**

**Internal**

Nil

**External**

Nil

**Political Donations Disclosure**

Not applicable

**Recommendation**

**Submitted for Consideration**

Approved for Council's consideration:



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**Attachments**

Nil

**6.3 Ordinary Council Meeting Cycle October 2011 - September 2012 (9566825)**

To the Council

**Division:** General Manager's Division  
**Department:** Executive Offices

**Manager:** Flora MastroDomenico - Manager Executive Services / Public Officer  
**Author:** Julie Larsen - Agenda / Administration Officer

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**Summary**

Section 365 of the *Local Government Act 1993*, states that a council is required to meet at least 10 times each year, each time in a different month.

The current meeting cycle is set out in the Code of Meeting Practice.

Ordinary Council meetings are generally scheduled for a three-week cycle on Tuesdays. Various start times for meetings have been trialled. It is suggested that a formal dinner for councillors and staff attending the meeting, be held prior to the Council Meeting from 5.30pm to 6.30pm and that the Council Meeting begin at 6.30pm.

In order to maintain consistency and assist with scheduling, it is proposed to set any future training, information sessions and briefing sessions on Tuesdays commencing at 6.30pm, in effect making Tuesday evenings 'Council Evenings'. All of the information / training sessions will be open to the public unless they are closed in accordance with the provisions of the *Local Government Act 1993* and Council's Code of Meeting Practice.

These sessions will be notified on Council's website and whenever possible in the local newspaper.

Set out below is a table showing the dates of Council meetings if the current three-week pattern is continued allowing some variation to accommodate conferences and public holidays/events.

Ordinary Council Meeting dates October 2011 – September 2012			
<b>OCTOBER 2011</b>  <i>(Labour Day 3 October)</i>  18 October  <i>(LGA Conference 23-26 Oct 2011)</i>	<b>NOVEMBER</b>  8 November 29 November	<b>DECEMBER</b>  13 December	<b>JANUARY 2012</b>  No Meetings
<b>FEBRUARY</b>  7 February 28 February	<b>MARCH</b>  20 March  <i>Two weeks to next meeting due to Easter dates</i>	<b>APRIL</b>  3 April <i>(Easter 6-9 April)</i> 24 April	<b>MAY</b>  15 May
<b>JUNE</b>  5 June <i>(Queen's B'day 11 June)</i> 26 June	<b>JULY</b>  17 July	<b>AUGUST</b>  7 August 28 August	<b>SEPTEMBER</b>  18 September

### Recommendation

1. That Council continue with the existing 3 week meeting cycle for the next 12 months (September 2012) and adopt the Council meeting dates as detailed in this report.
2. That Council Meetings commence at 6.30pm preceded by a dinner for councillors and staff attending the meeting from 5.30pm to 6.30pm.
3. That any information / briefing / training sessions set during the term of Council be held on available Tuesdays commencing at 6.30pm. Further, that these sessions be open to the public whenever possible.



Approved for Council's consideration: \_\_\_\_\_

**Attachments** Nil



**9. Urgent Business**