



I hereby give notice that an Extraordinary Meeting of Council will be held on:

Date: Friday, 10 December 2021
Time: 12 noon
Location: Bourke Shire Council
29 Mitchell Street Bourke NSW

BUSINESS PAPER

Extraordinary Council Meeting

10 December 2021

Mark Riley
General Manager



DECLARATION OF INTEREST FORM

COUNCIL OFFICIAL

FOR USE AT COUNCIL AND COUNCIL MEETINGS

NAME OF COUNCIL OFFICIAL DECLARING INTEREST:
ACTION PROPOSED:
<p>Tick one box only:</p> <p><input type="checkbox"/> In my opinion, my interest is pecuniary, and I am therefore required to take the action specified in Part 4 of Council's Code of Conduct.</p> <p><input type="checkbox"/> In my opinion, my interest is non-pecuniary but significant. I am unable to remove the source of conflict. I am therefore required to treat the interest as if it were pecuniary and take the action specified in clause 5.10 of Council's Code of Conduct.</p> <p><input type="checkbox"/> In my opinion, my interest is non-pecuniary and less than significant. I therefore make this declaration as I am required to do pursuant to clause 5.11 of Council's Code of Conduct. However, I intend to continue to be involved with the matter.</p>
COUNCIL OFFICIAL
<p>I, _____ (name of COUNCIL OFFICIAL) disclose the above interest and acknowledge that I will take appropriate action as I have indicated above.</p> <p>Signed: _____ Date: _____</p>
GENERAL MANAGER – required for all declarations:
<p>I have noted the above declaration and I note your opinion and/or the action you have proposed.</p> <p>Signed: _____ Date: _____</p>
DEFINE YOUR INTEREST:
<p>Is your interest:</p> <p><input type="checkbox"/> Pecuniary (see dealing with pecuniary interests)?</p> <p><input type="checkbox"/> Non pecuniary (see dealing with non-pecuniary interests)</p>
MATTER IN WHICH YOU HAVE AN INTEREST: (Please provide full details, including item number on Council agenda)
NAME OF THE INTEREST:
<p>Be specific and include information such as:</p> <ul style="list-style-type: none"> - The names of any person or organisation with which you have a relationship; - The nature of your relationship with the person or organisation; - The reason(s) why you consider the situation may (or may be perceived to) give rise to a conflict between your personal interests and your public duty as a COUNCIL OFFICIAL .

MANAGING LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS:
Clause 5.11 of Council's Code of Conduct provides that if you determine that a non-pecuniary conflict of interest is less than significant and does not require further action, you must provide an explanation of why you consider that conflict does not require further action in the circumstances.
IS YOUR NON-PECUNIARY INTEREST LESS THAN SIGNIFICANT?
If you are of the view that your non-pecuniary interest is less than significant, please provide your explanation directly below (only complete if you are claiming that your non-pecuniary interest is less than significant).
DEFINITIONS:
A PECUNIARY INTEREST is an interest that a designated person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person (see Part 4 of Council's Code of Conduct). A NON-PECUNIARY INTEREST is a private or personal interest that does not amount to pecuniary interest as defined by Part 5 of Council's Code of Conduct.
MANAGING PECUNIARY INTERESTS:
Part 4.10 of Council's Code of Conduct requires designated persons to declare in writing to the General Manager the nature of a pecuniary interest the person has in any Council matters, as soon as practicable after becoming aware of the interest.
MANAGING SIGNIFICANT NON-PECUNIARY INTERESTS:
Clause 5.10 of Council's Code of Conduct provides that you must manage a significant non-pecuniary interest by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29 of the Code.
MANAGING NON-PECUNIARY INTERESTS:
Clause 5.8 of Council's Code of Conduct states that how you manage a non-pecuniary interest will depend on whether or not it is significant. Clause 5.9 of Council's Code of Conduct states that, as a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but involves:- <ul style="list-style-type: none"> a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 of the Code or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household; b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship; c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation; d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter; e) a financial interest (other than an interest of a type referred to in clause 4.6 of the Code) that is not a pecuniary interest for the purposes of clause 4.1 of the Code; f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

Order Of Business

1	Apologies	6
2	Declaration of Interest.....	6
3	General Manager.....	7
3.1	*** Oath or Affirmation of Office by Councilors.....	7
3.2	*** Election of Mayor	9
3.3	*** Election of Deputy Mayor.....	17
3.4	*** Determination of Meeting Times and Schedule	20
3.5	*** Composition of Council Committees and Appointment of Delegates to other Organisations.....	24
3.6	*** Delegations to the Mayor.....	32
3.7	*** Delegations to the Deputy Mayor	37

1 APOLOGIES

2 DECLARATION OF INTEREST

3 GENERAL MANAGER

3.1 *** OATH OR AFFIRMATION OF OFFICE BY COUNCILORS

File Number: C11.5
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Section 233A of the *Local Government Act 1993* (the Act) requires Councillors (including Mayors) to take an oath or make an affirmation of office.

The legislation provides as follows:

1. A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.
2. The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form--

Oath: I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment.

Affirmation: I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment.

3. A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.
4. Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.
5. Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.
6. The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).

Current Situation

Given that the meeting of 10 December 2021 is the first meeting of the Council after the council elections, it is a requirement that either the oath or affirmation is taken by each Councillor.

The prescribed words of the oath and affirmation are provided below.

Oath

I **[name of councillor]** swear that I will undertake the duties of the office of councillor in the best interests of the people of Bourke Shire and the Bourke Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.

Affirmation

I **[name of councillor]** solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Bourke Shire and the Bourke Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgement.





Financial Implications

Nil

Recommendation

That each Councillor proceed to take the Oath or make an Affirmation of office as required by the Local Government Act and that the General Manager record such action in the Meeting Minutes.

3.2 * ELECTION OF MAYOR**

File Number: C11.5
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: 1. [Schedule 7](#)  
2. [Nomination for the Office of Mayor](#)  

Background

As per the Local Government Act (s.287) an ordinary election of councillors for an area is to be held on the second Saturday of September in every fourth year after 2008. Accordingly, as per this cycle, an ordinary election for Bourke Shire Council would normally have been held on Saturday 12 September 2020. Due to the outbreak of COVID and resulting restrictions, these elections were subsequently postponed till 4 September 2021 and then again till 4 December 2021.

Candidate nominations for the 4 December 2021 Council elections for Bourke Shire Council closed at noon on Wednesday 3 November 2021. At the close of this nomination period, there were 10 persons who had nominated for the 10 Councillor positions. Given this situation, referred to as an uncontested election, the Returning Officer on Thursday 4 November 2021 declared the 10 candidates duly elected to Bourke Shire Council.

Those elected were as follows:

Victor Bartley. Sarah Barton. Sally Davis. Cec Dorrington. Lachlan Ford.
Barry Hollman. Samuel Rice. Grace Ridge. Nathan Ryan. Bob Stutsell.

The Local Government Act provides that where a person holds civic office without a poll being held, they are taken to have been elected on the day on which the poll for an ordinary election would have been held. In this case the election day was 4 December 2021. The term of this Council ends 14 September 2024.

In accordance with Sections 227(a) and 282(2) of the Local Government Act 1993 (the Act), the Mayor of Bourke Shire Council is elected by the Councillors from among their number.

As per Section 290 (1)(a) of the Act, the election of the Mayor by the Councillors is to be held, if it is the first election after an ordinary election of councillors, within 3 weeks after the ordinary election.

Mayors elected by councillors, as is the case in Bourke, normally hold their office for two years (unless a casual vacancy occurs). Because of the postponement of the ordinary council elections to 4 December 2021, mayors elected by councillors during this term will have a shorter term than the usual two years.

Councils that elect their mayors are required under the Act Section 290 (1)(b) to hold mid-term mayoral elections in the month of September, based on a four(4) year election cycle. The Office of Local Government in its "Post-election guide for Councils and Joint Organisations 2021" has

advised for this cycle “that the mid-term mayoral elections will need to be held in September 2023. The mayor elected at the mid-term mayoral election (2022) will hold their office until the day of the council’s next ordinary election in September 2024 when their civic office as a councillor and mayor will expire.”

Current Situation

Having regard to the requirements for the election of Mayor, nominations are invited for the Office of Mayor of Bourke Shire Council for the Mayoral Term, being the period from the declaration of the Mayor as to be elected to office at the Extraordinary Meeting of Council to be held on 10 December 2021 until the position becomes vacant at the time of the Mayoral Election to be held in September 2023.

Procedure for Election of Mayor

The election of Mayor of Bourke Shire Council must be held in accordance with Schedule 7 of the Local Government (General) Regulation 2005. A copy of Schedule 7 forms part of this report for information as Attachment 1 Election of Mayor and Deputy Mayor.

Councillors attention is drawn to the following from the Schedule:

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.

For information, “Preferential Ballot” means the placing of the numbers 1 and 2 and so on against the various names so as to indicate the order of preference for all of the candidates.

In regard to the issue of the method of voting, Bourke Shire Council has traditionally utilised ordinary or secret ballots to determine the Office of Mayor and Deputy Mayor.

Given the amendments that have been made to Councils Code of Meeting Practice which allows Councillors to participate in meetings by Audio-Visual Link instead of attending in person, the

Office of Local Government has previously provided the following information for Councillors when determining the issue of “Method of Voting”:

Open ballots (Show of hands) can be undertaken remotely where a council is conducting its meetings by audio visual link. Ordinary and preferential ballots are secret ballots and councillors will need to attend the meeting in person if the election is to be by way of an ordinary or preferential ballot.

In deciding which method to use for the mayoral election, councils should consider the personal circumstances of their councillors to ensure that all councillors can participate in the mayoral election.

Financial Implications

Councils Operational Plan provides for the payment of fees to the Mayor and Councillors in accordance with Section 252 of the Local Government Act 1993 and also provides for the payment of expenses and provision of facilities to the Mayor and Councillors in accordance with the adopted policy.

Recommendation

- 1. That should an election be required for the Office of Mayor and Deputy Mayor that Council determine the method of voting.**
- 2. That it be noted that the Mayoral Term for this period is from 10 December 2021 to September 2023, with the actual date in September being subject to determination of a meeting date in this month to conduct the Mayoral Election.**
- 3. That on the finalisation of the count all ballot papers, if applicable be destroyed .**

ATTACHMENT 1

ELECTION OF MAYOR AND DEPUTY MAYOR

Schedule 7 of the *Local Government (General) Regulation 2005*

PROCEDURES FOR THE ELECTION OF MAYOR AND DEPUTY MAYOR

Schedule 7 of the *Local Government (General) Regulation 2005* outlines the following procedures for the election of a Mayor and Deputy Mayor.

Schedule 7 Election of Mayor by Councillors**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.

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.

(2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the un-exhausted 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 un-exhausted 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 un-exhausted 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 Associations of New South Wales.

Note: This is the Chief Executive of the Office of Local Government and the Chief Executive of Local Government NSW.

345 Informal ballot-papers

- (1) A ballot-paper of an elector at an election is informal if:
- (a) the elector has failed to record a vote on it in the manner directed on it, or
 - (b) it has not been initialled on the front by an election official, or
 - (c) it contains a mark or writing that, in the returning officer's opinion, would enable the elector to be identified.
- (2) Despite subclause (1), a ballot-paper of an elector at an election in which only one candidate is to be elected is not informal merely because a tick or a cross has been placed in one square and the other square or squares have been left blank. In such a case the tick or the cross is to be treated as a first preference.
- (3) (Repealed)

(4) Despite subclause (1), a ballot-paper of an elector at an election is not informal merely because a preference (other than a first preference) has been repeated or omitted so long as the ballot-paper shows at least the minimum number of preferences required by the directions.

(5) Despite subclause (1), a ballot-paper of an elector at an election is not informal merely because it has not been initialled on the front by an election official, so long as it bears the mark referred to in clause 305 (2).

(6) Despite subclause (1), a ballot-paper of an elector at an election is not informal by virtue of the existence of an unnecessary mark on the ballot-paper if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper.

(6A) Despite subclause (1), a ballot-paper is not informal by reason only that the elector has placed one or more numbers, a tick or one or more crosses adjacent to but outside a square or squares if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper. In such a case, each such number, tick or cross is taken to have been placed within the relevant square.

(7) Nothing in subclause (2) authorises any person to encourage a voter to place a tick or a cross in a square on a ballot-paper.

Note. Section 308C of the Act makes provision concerning the formality of ballot-papers where the voter marks, crosses or ticks a group voting square, or where the ballot papers contain the name of a candidate whom a court has declared to be incapable of being elected.

ATTACHMENT 2



NOMINATION FOR THE OFFICE OF THE MAYOR

In accordance with the provisions of Schedule 7 of the *Local Government (General) Regulation*

2005 we hereby nominate _____

for the office of Mayor for the period of 10 December 2021 to September 2023

Signed: _____
(Signature)

Councillor: _____
(Print Name)

Signed: _____
(Signature)

Councillor: _____
(Print Name)

I Councillor _____ (Print Name)

Hereby consent to my nomination as the Mayor of Bourke Shire Council.

Signature

Date

Please Note: The nomination must be made by at least two Councillors (one who can be the nominee) and accepted by the nominated Councillor and dated. The completed nomination form should be delivered to the Returning Officer (General Manager) either prior to or at the Council Meeting to be held on 10 December 2021.

3.3 * ELECTION OF DEPUTY MAYOR**

File Number: C11.6

Author: Mark Riley, General Manager

Authoriser: Mark Riley, General Manager

Attachments: 1. **Nomination for the Office of Deputy Mayor** [↓](#) 

Background

Section 231 of the Local Government Act 1993 provides in part:

- (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 sections, or if no Deputy Mayor has been elected.

Current Situation

On the assumption that Councillors wish to again create the Office of Deputy Mayor for Bourke Shire Council and in doing so, elect a Deputy Mayor for a term to coincide with the Mayoral Term, nominations are invited. A nomination form for the office has been prepared and is attached.

The election of Deputy Mayor will also be in accordance with Schedule 7 of the Local Government (General) Regulation 2005, as followed for the election of the Mayor.

Financial Implications:

Councils Operational Plan provides for the payment of fees to the Mayor and Councillors in accordance with Section 252 of the Local Government Act 1993 and also provides for the payment of expenses and provision of facilities to the Mayor and Councillors in accordance with the adopted policy.

In accordance with s.249 of the Local Government Act, Council may pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee so paid must be deducted from the Mayor's annual fee.

Financial Implications

Councils Operational Plan provides for the payment of fees to the Mayor and Councillors in accordance with Section 252 of the Local Government Act 1993 and also provides for the payment of expenses and provision of facilities to the Mayor and Councillors in accordance with the adopted policy.

In accordance with s.249 of the Local Government Act, Council may pay the Deputy Mayor (if there is one) a fee determined by the Council for such time as the Deputy Mayor acts in the office of the Mayor. The amount of the fee so paid must be deducted from the Mayor's annual fee.

Recommendation

- 1. That Council proceed to create the Office of Deputy Mayor, Bourke Shire Council and elect a Deputy Mayor.**
- 2. That the period for which the Deputy Mayor is to be elected is the Mayoral Term.**
- 3. That all ballot papers be destroyed following the declaration of the Office of Deputy Mayor.**



ELECTION OF DEPUTY MAYOR

NOMINATION FOR THE OFFICE OF DEPUTY MAYOR

In accordance with the provisions of Schedule 7 of the *Local Government (General) Regulation 2005* we hereby nominate _____ for the office of Deputy Mayor for the period 10 December 2021 to September 2023.

Signed: _____
(Signature)

Councillor: _____
(Print Name)

Signed: _____
(Signature)

Councillor: _____
(Print Name)

I Councillor _____ (Print Name)

hereby consent to my nomination as Deputy Mayor of Bourke Shire Council.

Signature

Date

Please Note: The nomination must be made by at least two Councillors (one who can be the nominee) and accepted by the nominated Councillor and dated. The completed nomination form should be delivered to the Returning Officer (General Manager) either prior to or at the Meeting of Council scheduled for the 10 December 2021.

3.4 * DETERMINATION OF MEETING TIMES AND SCHEDULE**

File Number: C12.1
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: Nil

Background

Council's adopted Code of Meeting Practice requires (3.2) "That Council shall by resolution set the frequency, time, date and place of its ordinary meetings."

Under the provisions of Section 365 of the Local Government Act 1993, the Council is required to meet at least ten times each year, each time in a different month.

The Local Government Act 1993 and the Local Government (General) Regulation provide the following in respect of Council Meetings:

Local Government Act 1993

Clause 9 - Public notice of meetings

1. A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are councillors.
2. A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.
2. In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public—
 - (a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and
 - (b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.
3. The copies are to be available to the public as nearly as possible to the time they are available to councillors.
4. The copies are to be available free of charge.
5. A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.

Clause 367 - Notice of meetings

1. The general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.
2. Notice of less than 3 days may be given of an extraordinary meeting called in an emergency.

3. A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a councillor in electronic form but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Local Government (General) Regulation 2005

Clause 232 - Method of Giving Notice

1. This clause prescribes the manner in which the requirements outlined in section 9 (1) of the Act are to be complied with.
2. A notice of a meeting of a Council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.
3. The notice must specify the time and place of the meeting.
4. Notice of more than one meeting may be given in the same notice.
5. This clause does not apply to an extraordinary meeting of a Council or committee

Current Situation

Council has previously resolved that the Ordinary Meeting of Council be scheduled for the fourth Monday of each month commencing at 9.15 am. The exception to this is that Council would generally meet on the third Monday in December and then not meet in January. Whilst the lead up to Christmas is a busy period, the month of January is traditionally a quite time in Bourke due to the holiday season and the resulting number of people away from the Town.

Meetings have generally been held in the Bourke Shire Council Chamber, 29 Mitchell St, Bourke.

It is important that Council selects a time and date suitable to all members of Council to ensure that all Councillors can regularly attend.

Whilst it is noted in the Code of Meeting Practice the time and date and place of Meetings is to be determined by resolution, a meeting time can be changed by resolution and public notice is given of the change.

Council should determine whether it wishes to hold its meeting on the same day of the month and at the same time or wishes to change the day or time.

In terms of Council meeting dates, it is also appropriate that Council has regard to the need to change a meeting date due to a Public Holiday. In this regard, in 2022, ANZAC Day falls on Monday 25th April 2022. As such, and based on past practice, it would be proposed that the April meeting be held on Tuesday 26 April 2022.

For information, Public Holidays for New South Wales for the balance 2021 fall as follows:

Holiday	Day	Date
Christmas Day	Saturday	25 th December 2021
Boxing Day	Sunday	26 th December 2021
Christmas Day Holiday	Monday	27 th December 2021
Boxing Day Holiday	Tuesday	28 th December 2021

Public Holidays for New South Wales in 2022- September 2023 fall on the following dates:

Holiday	Day	Date
New Year's Day	Saturday	1 st January 2022
New Year's Day Holiday	Monday	3 rd January 2022
Australia Day	Wednesday	26 th January 2022
Good Friday	Friday	15 th April 2021
Easter Saturday	Saturday	16 th April 2021
Easter Sunday	Sunday	17 th April 2022
Easter Monday	Monday	18 th April 2022
ANZAC Day	Monday	25 th April 2022 (4 th Monday)
Queen's Birthday	Monday	13 th June 2022
Labour Day	Monday	3 rd October 2022
Christmas Day	Sunday	25 th December 2022
Boxing Day	Monday	26 th December 2022
Christmas Day Holiday	Tuesday	27 th December 2022
New Year's Day	Sunday	1 st January 2023
New Year's Day Holiday	Monday	2 nd January 2023
Australia Day	Thursday	26 th January 2023
Good Friday	Friday	7 th April 2023
Easter Saturday	Saturday	8 th April 2023
Easter Sunday	Sunday	9 th April 2023
Easter Monday	Monday	10 th April 2023
ANZAC Day	Tuesday	25 th April 2023
Queen's Birthday	Monday	12 TH June 2023

Should the need arise, Extraordinary Meetings can be scheduled.

Once Council has determined the meeting schedule an advertisement will be placed in the next available issue of the Western Herald detailing the Meeting Dates for the Ordinary Meetings of Council for the period December 2021 to September 2023 with their location being the Council Chambers, 29 Mitchell Street Bourke, unless otherwise determined.

Should Council maintain the scheduled Meeting Day as generally the Fourth Monday of each month, a meeting in December on the third Monday, no meeting in January, and having regard to the ANZAC Day Public Holiday in 2022, the meeting schedule from December 2021 up till, and including September 2023, would be as follows:











Month/Year	Proposed Meeting Date	Reason
2021		
December	20 th	3 rd Monday
2022		
January	No Meeting	
February	28 th	4 th Monday
March	28 th	4 th Monday
April	26 th	4 th Tuesday (25 th is a Public Holiday)
May	23 rd	4 th Monday
June	27 th	4 th Monday
July	25 th	4 th Monday
August	22 nd	4 th Monday
September	26 th	4 th Monday
October	24 th	4 th Monday
November	28 th	4 th Monday
December	19 th	3 rd Monday

Month/Year	Proposed Meeting Date	Reason
2023		
January	No Meeting	
February	27 th	4 th Monday
March	27 th	4 th Monday
April	24 th	4 th Monday
May	22 nd	4 th Monday
June	26 th	4 th Monday
July	24 th	4 th Monday
August	28 th	4 th Monday
September	25 th	4 th Monday

Recommendation

1. That Council determine the day and time of its Ordinary Council Meetings.
2. That public notice be given in relation to the proposed meeting schedule in accordance with Clause 232 of the Local Government (General) Regulation.

3.5 * COMPOSITION OF COUNCIL COMMITTEES AND APPOINTMENT OF DELEGATES TO OTHER ORGANISATIONS**

File Number:	C6.1
Author:	Mark Riley, General Manager
Authoriser:	Mark Riley, General Manager
Attachments:	<ol style="list-style-type: none">1. Council Internal Committees  2. Local Government Organisations  3. Inter Government Liaison  4. Community Liaison Groups  5. Regional Advisory Groups  

Background

Council operates a number of committees internally and also has representation on a number of committees and organisations external to Council. It is appropriate to review the composition of these committees and delegates for the 2021-2023 Mayoral Term.

Current Situation

Membership of all Committees and delegates to various organisations are generally reviewed in conjunction with the Mayoral Election.

Council has four standing Committees, being the Roads and Plant Committee, Corporate Planning Committee, Town and Village Committee and the Tourism and Economic Development Committee.

All Councillors are members of each of the four (4) committees. It is acknowledged that apart from the Corporate Planning Committee, none of the other committees has met in the past 12 months, with any matters requiring determination being submitted direct to Council.

As per Clause 20.11 of Council's Code of Meeting Practice, the Mayor is the Chairperson of each of Council's Committees. Notwithstanding, should the Mayor decide otherwise, the election of Chairpersons is to be determined as the first item of business on each Committees Agenda following the Mayoral Election, with Chairpersons elected for the Mayoral Term.

In addition to the Internal Committees there are a number of other committees and organisations to which Council provides a delegate or is represented at meetings and these are included in the attached listing together with the name of the last appointee.

The listings also include brief details in relation to each of the organisations to which Council provides delegates and the level of involvement.

For information, the following have been deleted from the attached lists as it is understood that they no longer operate:

Local Government Organisations Listing:

Outback Shires Alliance.

Inter Government Liaison Listing:

Bourke Strategic Coordination Group.
Far West Regional Algal Coordinating Committee.
Regional Food Group.
Bourke Alcohol Working Group.
Youth Interagency Committee.

In addition, within such lists I have highlighted in bold instances where previous Councillors were Councils representative with a view to new representatives being determined.

Financial Implications

Provision has been made in the Operational Plan (Budget) for the expenses incurred in the attendance of Councillors and staff as members, delegates or representatives of the various committees as detailed

Recommendation

- 1. That Council review and amend the list of current internal committee memberships, as required.**
- 2. That Council review and amend the list of delegates to all external organisations.**
- 3. That having regard to any required changes, the listing of Committee members, representatives and delegates be adopted, and the revised listing be circulated to Councillors.**
- 4. That the Delegates to outside organisations be notified to those organisations together with appropriate contact details**

Council Internal Committees						
COMMITTEE	DELEGATE(S)	ALTERNATE	PURPOSE	MEETING PLACE	MEETING FREQUENCY	OTHER COMMENTS
PLANT & ROADS	All		As per Charter	As per Charter	As required	
CORPORATE	All		As per Charter	As per Charter	As required	
TOWN & VILLAGES	All		As per Charter	As per Charter	As required	
ECONOMIC DEVELOPMENT & TOURISM	All		As per Charter	As per Charter	As required	
GENERAL MANAGER PERFORMANCE REVIEW	Mayor Deputy Mayor		Review General Manager's Performance	Council Chambers	As per Employment Contract	

Local Government Organisations						
COMMITTEE	DELEGATE(S)	ALTERNATE	PURPOSE	MEETING PLACE	MEETING FREQUENCY	COUNCIL INVOLVEMENT
North West Joint Organisation of Councils (FWJOC)	Mayor General Manager	Deputy Mayor MCS	To look at regional based initiatives with positive outcomes for all Councils	Bourke	As scheduled	Member
Netwaste	Manager Environmental Services	Environmental Services Officer	To coordinate strategic waste disposal initiatives	Rotation amongst member Councils	Quarterly	Member
Orana Water Utilities Alliance Board	Mayor & General Manager	Deputy Mayor & MCS	Review the strategic direction and operation of OWUA	Rotation amongst member Councils	As required	Member
Orana Water Utilities Alliance Technical Committee	Manager Works	Nil	To determine ongoing direction and strategic direction of OWUA	Rotation amongst member Councils	As required	Member
General Managers' Advisory Committee	General Manager	MCS	To provide advice to the JO and to investigate regional collaboration	Bourke	As required	Member
Outback Arts	Sally Torr	Cr Thompson	Promotion of the Arts and Arts related Activities	Coonamble	Quarterly	Member
Kamilaroi Highway Promotional Committee	Cr Davis/Manager Tourism & Events	Cr Ford	To investigate, develop and institute promotion opportunities	Rotation amongst member Councils and By phone	As required	Member
Kidman Way Promotional Committee	Cr Davis/Manager of Tourism & Events	Cr Ford	To promote and develop the tourist opportunities of towns serviced by the Kidman Way	Rotation amongst Member Councils	As required	Member
Western Division Councils Of NSW	Mayor, Deputy Mayor & General Manager		To perform an advocacy role of all Councils located within the Western Division of NSW	Rotation amongst Members	Annual Conference Mid-year conference	Member
Darling River Run	Manager of Tourism & Events		To promote the Darling River Run as a Tourism Route	Various & by phone	As required	Member



Inter Government Liaison						
COMMITTEE	DELEGATE(S)	ALTERNATE	PURPOSE	MEETING PLACE	MEETING FREQUENCY	COUNCIL INVOLVEMENT
BUSHFIRE LIAISON COMMITTEE	Mayor General Manager MCS	Cr Davis	To Work with the RFS to ensure compliance with the service level agreement and preparedness for fires	Either Bourke or Brewarrina	Six Monthly	Attendee
LOCAL EMERGENCY MANAGEMENT COMMITTEE	General Manager	Manager of Works	To ensure adequate preparedness and planning for Emergency situations	Bourke	Quarterly	Provide Secretariat
BOURKE LOCAL TRAFFIC COMMITTEE <i>*Deputy Mayor is the Local Members Representative</i>	Manager of Roads Manager of Works Mayor	Services Technical Officer	To review local traffic flow issues, parking, speed zones, etc.	Bourke	As required	Provide Secretariat
JOINT REGIONAL PLANNING COMMITTEE	Mayor Deputy Mayor	Cr Stutsel	To review significant planning matters	Generally by teleconference	As required	Attendee on issues impacting Bourke Shire

Community Liaison Groups						
COMMITTEE	DELEGATE(S)	ALTERNATE	PURPOSE	MEETING PLACE	MEETING FREQUENCY	COUNCIL INVOLVEMENT
BOURKE LIQUOR ACCORD	Cr Bartley General Manager	Cr Dorrington	To review and develop policy in regard to the sales of Alcohol within the Shire	Bourke	Monthly	Provide Secretariat
COMMUNITY ABORIGINAL WORKING PARTY	General Manager Manager of Tourism & Events	Manager of Corporate Services	Provide an advocacy role on behalf of the Bourke Aboriginal Community	Bourke	Monthly	Invitee
BOURKE BUSINESS DEVELOPMENT GROUP	General Manager Manager of Tourism & Events Mayor	Manager of Economic Development	To develop and implement strategies aimed at strengthening the business sector of Bourke and the growth of the town itself	Bourke	Monthly	Provide Secretariat
BOURKE SHIRE COUNCIL ABORIGINAL CONSULTATIVE COMMITTEE	Mayor/Cr Ford Cr Cole/Cr Bartley Cr Barton		As per Charter	Council Chambers	As per Charter	Provide Secretariat
BOURKE TOURISM ADVISORY COMMITTEE (TAC)	Mayor Cr Stutsel Cr Cole Cr Barton 3 x Tourism Industry 1 x NP&W MT&E (Advisory)		The Tourism Advisory Committee is to provide a mechanism to ensure that significant issues affecting the tourism industry within the Bourke Shire Council are clearly identified and are raised in the appropriate forums		As per Charter	Provide Secretariat

<p>JB Renshaw Sporting Complex User Group Advisory Committee</p>	<p>Mayor Cr Stutsel Back O' Bourke Picnic Race Club (2) Bourke Gun Club (2) Bourke Pony Club (2) Bourke Show Committee (2)</p>	<p>Others on an as needs basis</p>	<p>Determine strategic priorities of the complex</p>	<p>JB Renshaw Sporting Complex</p>		<p>Provide Secretariat</p>
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Regional Advisory Groups							
COMMITTEE	DELEGATE(S)	ALTERNATE	PURPOSE	MEETING PLACE	MEETING FREQUENCY	OTHER COMMENTS	
MURRAY DARLING ASSOCIATION	Mayor	Cr Cole	To discuss water flow and allocation with the river system	Various			
MACQUARIE VALLEY ADVISORY COMMITTEE	Weeds Officer	Manager Environmental Services	Regional Weeds Eradication Strategy	By Phone Sydney x 1 Dubbo x 1			
BARWON DARLING WATER GROUP	Mayor Deputy Mayor	Manager Corporate Services General Manager	To discuss water flow and allocation within the river system	Walgett or Bourke Generally	Quarterly		

3.6	*** DELEGATIONS TO THE MAYOR
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File Number: A3.8
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: 1. Delegation to the Mayor  

Background

Section 377 of the Local Government provides the opportunity for Council to be able to delegate some of its functions to other organisations or people with the exception of these matters detailed in that section as functions that are only to be exercised by Council.

Section 377 of the Local Government Act provides that:

“A Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council, other than the following:-

- *the appointment of a General Manager*
- *the making of a rate*
- *a determination under section 549 as to the levying of a rate*
- *the making of a charge*
- *the fixing of a fee*
- *the borrowing of money*
- *the voting of money for expenditure on its works, services or operations*
- *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)*
- *the acceptance of tenders which are required under this Act to be invited by the Council*
- *the adoption of a management plan under section 406*
- *the adoption of a financial statement included in an annual financial report*
- *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6*
- *the fixing of an amount or rate for the carrying out by the Council of work on private land*
- *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work*
- *the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979*
- *the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194*
- *a decision under section 356 to contribute money or otherwise grant financial assistance to persons*
- *the making of an application, or the giving of a notice, to the Governor or Minister*
- *this power of delegation*
- *any function under this or any other Act that is expressly required to be exercised by resolution of the Council.”*

Further to this the Local Government Act at s.226 defines the role of the Mayor as follows:

- (a) to be the leader of the Council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council,
- (e) to preside at meetings of the Council,
- (f) to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the Council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council,
- (i) to promote partnerships between the Council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community,
- (l) to carry out the civic and ceremonial functions of the Mayoral office,
- (m) to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the Councillors, to lead performance appraisals of the General Manager,
- (o) to exercise any other functions of the Council that the Council determines.

Current Situation

The Mayors delegations are contained within the attached policy document to reflect the Local Government Act


Financial Implications

There are no significant financial impact arising from this report.

Recommendation

- 1. That Policy No 1.5.1 (v10) being Mayoral Delegations be adopted.**
- 2. That Council delegates to the Mayor, the delegations as detailed in attached Policy document numbered 1.5.1(v10).**

SECTION 1 Service Management
PART 5 Delegations

	POLICY NO:	1.5.1(v10)
	POLICY TITLE:	Mayor Delegations
	DATE ADOPTED:	xx/12/2021
	RESOLUTION NO:	2021/
	SUPERSEDES:	Mayor Delegations 1.5.1(v9) Adopted: 28/09/2020 Resolution No: 2020/311
	PROPOSED REVIEW DATE:	31/09/2022

BACKGROUND

In accordance with the provisions of Section 377 of the Local Government Act 1993, the Mayor is delegated the following powers and duties by Council on xx December 2021, effective from that date.

POLICY

To give effect to the provisions of the Local Government Act 1993, and any other Act conferring powers or duties upon the Mayor and to any resolution or direction give to the Mayor by the Council.

STATUTORY ROLE

- (a) to be the leader of the Council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council,
- (e) to preside at meetings of the Council,
- (f) to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the Council,
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council,
- (i) to promote partnerships between the Council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community,
- (l) to carry out the civic and ceremonial functions of the Mayoral office,
- (m) to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the Councillors, to lead performance appraisals of the General Manager,

(o) to exercise any other functions of the Council that the Council determines.

DELEGATIONS.

Pursuant to the Local Government Act and Regulations, and any expressed policy or direction of Council and as per Section 226 of the Local Government Act, being the defined Role of the Mayor, that Council in accordance with the provisions of Section 377 of the Local Government Act 1993 and every other enabling statutory power, delegates to the person who occupies the position of Mayor, to perform on behalf of Council the following powers, authorities, duties or functions.

1. Council Seal

Authorise the Mayor to be a necessary signatory to documents requiring Council's seal.

2. Media Relations/Promotion of Council

To make media statements or releases on behalf of Council.

To promote the area of Council through representations, delegations, functions and personal approaches within the budget provisions.

3. Negotiations

To represent Council, in conjunction with the General Manager, in deputations to Government officials and elsewhere where it is appropriate that the Mayor should present the Council's position.

To participate in negotiations on behalf of the Council with third parties and in connection with the sale, purchase and lease of lands and buildings in conjunction with the General Manager.

4. Policy Making

To exercise in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

5. Intergrated Planning

To give direction, in conjunction with the General Manager, to the Council in pursuit of the objectives and strategies contained within the Bourke Shire Community Strategic Plan and the Bourke Shire Council Operational and Delivery Plans.

6. Correspondence

To sign correspondence on behalf of the Council.

7. Urgent Works

To authorise any work which is deemed urgent at a cost not exceeding \$50,000 provided that such expenditure is reported to the Council at its next Ordinary Meeting.

8. Complaints Against the General Manager

The Mayor shall have the power to investigate substantive written complaints against the General Manager, and shall, if warranted, report as required to an Ordinary Meeting of Council.

9. Attendance at Conferences, Seminars, and Functions by Councillors

The Mayor may authorise a Councillor to attend a conference, seminar or function within or outside the Council area. (Conference means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training session events, etc, held within Australia, related to the industry of local

government – See Council Policy: Payment of Expenses and Provision of Facilities for Councillors.

10.Day-to-Day Oversight and Liaison with the General Manager


The Mayor shall be responsible for the day-to-day oversight and liaison with the General Manager including, but not limited to approving leave, approving expenses incurred and managing complaints about the General Manager.

RELATED POLICIES

1.5.2 (v.10) Deputy Mayor Delegations

1.5.3 (v.9) General Mangers Delegations

3.7 * DELEGATIONS TO THE DEPUTY MAYOR**

File Number: A3.8
Author: Mark Riley, General Manager
Authoriser: Mark Riley, General Manager
Attachments: 1. Delegation of the Deputy Mayor [↓](#) 

Background

Section 377 of the Local Government provides the opportunity for Council to be able to delegate some of its functions with the exception of those matters detailed within that section as functions that are only to be exercised by Council.

Under Section 231 of the *Local Government Act 1993*:

- (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 sections, or if no Deputy Mayor has been elected.

Current Situation

The Deputy Mayors delegations are contained within the attached policy document


Financial Implications

There is no significant impact.

Recommendation

- 1. That Policy No 1.5.2 (v10) being the Deputy Mayor Delegations be adopted.**
- 2. That Council delegates to the Deputy Mayor, the delegations as detailed in attached Policy document numbered 1.5.2(v10).**

SECTION 1 Service Management
PART 5 Delegations

	POLICY NO:	1.5.2(v10)
	POLICY TITLE:	Deputy Mayor Delegations
	DATE ADOPTED:	xx/12/2021
	RESOLUTION NO:	2020/xx
	SUPERSEDES:	1.5.2(v9) Adopted: 28/09/2020 Resolution: 2020/312
	PROPOSED REVIEW DATE:	31/09/2022

BACKGROUND

In accordance with the provisions of Section 377 of the Local Government Act 1993, the Deputy Mayor is delegated the following powers and duties by Council on 28th September 2015 effective from that date.

POLICY

- That the Deputy Mayor be authorised to exercise any function, power, duty or authority of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise, from exercising the function, power, duty and authority or if there is a casual vacancy in the office of Mayor.

RELATED POLICIES

- 1.5.1(V10) Mayor Delegations (v.10)
1.5.3 (V9) General Managers Delegations (v.9)

