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AGENDA

UNSCHEDULED MEETING OF COUNCIL FOR **WEDNESDAY 18 NOVEMBER 2020** **TO BE HELD AT COBRAM CIVIC CENTRE, PUNT ROAD COBRAM** **COMMENCING AT 6:00 PM**

RECORDING

Consistent with section 12.3 of our Governance Rules, Council officers have been authorised to record the public session of this meeting using an audio recording device.

LIVE STREAMING

Council meetings will now be lived streamed, allowing those interested to view proceedings without attending the meeting. This gives access to Council decisions and debate and enables residents to comply with COVID19 stay at home directions.

1. CALLING TO ORDER - CEO

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

7. OFFICER REPORTS FOR DETERMINATION

7 OFFICE OF CEO

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8. CLOSE OF MEETING

FILE NO: F18/01
4. A WELL RUN COUNCIL

ITEM NO: 7.1

ELECTION OF THE MAYOR

1. Executive Summary

The Chief Executive Officer will call for nominations for the election of Mayor of the Moira Shire Council in accordance with the *Local Government Act 2020* (the Act) and Moira Shire Council's Governance Rules.

The election of the Mayor is usually held at a meeting open to the public, however, due to Covid-19 this meeting is closed to the public. The Covid-19 Omnibus (Emergency Measures) Act 2020 allows for Council meetings to be live streamed. The election of the Mayor can be viewed via Moira Shire's social media page and website.

2. Background and Options

Section 25 of the Act outlines the requirements and Council must elect the Mayor within one month of a general election.

Before a Mayor is elected, the Council can determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term. Moira Councils in the past have adopted a one year term. Any Councillor is eligible for election or re-election to the office of Mayor.

The process for the election of the Mayor is prescribed in section 5.3 of Council's Governance Rules.

Method of Voting

The election of the Mayor must be carried out by a show of hands and made in accordance with rule 8.2(1), an electronic method that enables those observing (in attendance and those watching a livestream broadcast) to see who a Councillor has voted for at the time the vote is taken.

Determining the Election of Mayor

- (1) The Chief Executive Officer will preside during the election of the Mayor.
- (2) The Chief Executive Officer must invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee. Councillors cannot self-nominate and a nomination does not require a Councillor to second the nomination.
- (3) Where in an election for the Mayor:
 - (a) only one candidate has been nominated, that candidate must be declared elected;
 - (b) two candidates have been nominated, a vote must be taken and the candidate who receives a majority must be declared elected.
 - (c) two candidates have been nominated and no candidate receives a majority, the vote will be determined by lot.
 - (d) more than two candidates have been nominated and no candidate receives a majority vote from the Councillors present:
 - I. the candidate with the fewest number of votes cast must be eliminated;
 - II. the names of the remaining candidates must be put to the vote again; and
 - III. the procedure in 0 and 0 above must be continued until there remain only two candidates, at which point the candidate to be declared elected is to be determined by the procedures outlined in sub-clause 0 of this Clause.

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ELECTION OF THE MAYOR (cont'd)

IV. in the event of two or more candidates having an equality of votes the elected candidate shall be determined by lot.

(e) The provisions of sub- rules 0 and 0 apply to the election of the *Deputy Mayor* with all necessary modifications and adaptations.

3. Council Plan Strategy

A well run Council.

4. Legislative / Policy Implications

The election of the Mayor is in accordance with the *Local Government Act 2020* and Moira Shire Council Governance Rules adopted 26 August 2020.

5. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

6. Conclusion

Moira Shire Council is required to elect a Mayor in accordance with the *Local Government Act 2020* and Moira Shire Council Governance Rules.

Attachments

Nil

FILE NO: F18/01
4. A WELL RUN COUNCIL

ITEM NO: 7.2

INCOMING MAYORAL STATEMENT

Executive Summary

The Mayor of the Moira Shire (2020/2021) will present an incoming statement to the Council and members of the public.

Attachments

Nil

FILE NO: F18/02
4. A WELL RUN COUNCIL

ITEM NO: 7.3

ELECTION OF DEPUTY MAYOR

1. Executive Summary

The *Local Government Act 2020* (the Act) allows Council to elect a Deputy Mayor. The election of the Deputy Mayor will be conducted in accordance with the Act and Moira Shire Council's Governance Rules.

The election of the Deputy Mayor is usually held at a meeting open to the public, however, due to Covid-19 this meeting is closed to the public. The Covid-19 Omnibus (Emergency Measures) Act 2020 allows for Council meetings to be live streamed. The election of the Deputy Mayor can be viewed via Moira Shire's social media page and website.

It is recommended that Council appoint a Deputy Mayor for the period ending on the date of the next Mayoral election.

2. Background and Options

The duties of the position of Deputy Mayor include taking on the role of acting Mayor in accordance with section 25 of the Act.

Method of Voting

The election of the Mayor must be carried out by a show of hands and made in accordance with rule 8.2(1), an electronic method that enables those observing (in attendance and those watching a livestream broadcast) to see who a Councillor has voted for at the time the vote is taken.

Determining the Election of Deputy Mayor

- (1) The Mayor will preside during the election of the Deputy Mayor.
- (2) The Mayor must invite nominations for the office of Deputy Mayor and confirm acceptance of the nomination with the nominee. Councillors cannot self-nominate and a nomination does not require a Councillor to second the nomination.
- (3) Where in an election for the Deputy Mayor:
 - (a) only one candidate has been nominated, that candidate must be declared elected;
 - (b) two candidates have been nominated, a vote must be taken and the candidate who receives a majority must be declared elected.
 - (c) two candidates have been nominated and no candidate receives a majority, the vote will be determined by lot.
 - (d) more than two candidates have been nominated and no candidate receives a majority vote from the Councillors present:
 - I. the candidate with the fewest number of votes cast must be eliminated;
 - II. the names of the remaining candidates must be put to the vote again; and
 - III. the procedure in 0 and 0 above must be continued until there remain only two candidates, at which point the candidate to be declared elected is to be determined by the procedures outlined in sub-clause 0 of this Clause.
 - IV. in the event of two or more candidates having an equality of votes the elected candidate shall be determined by lot.

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4. A WELL RUN COUNCIL

ITEM NO: 7.3

ELECTION OF DEPUTY MAYOR (cont'd)

3. Council Plan Strategy

A well run Council.

4. Legislative / Policy Implications

The election of the Deputy Mayor is in accordance with the *Local Government Act 2020* and Moira Shire Council Governance Rules adopted 26 August 2020.

5. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

6. Conclusion

Moira Shire Council will elect a Deputy Mayor in accordance with the Local Government Act 2020 and Moira Shire Governance Rules.

Attachments

Nil

FILE NO: F18/03
4. A WELL RUN COUNCIL

ITEM NO: 7.4

OUTGOING MAYORAL STATEMENT

Executive Summary

The outgoing Mayor will make an outgoing speech to Council and the public reflecting on their term as Mayor of the Moira Shire Council.

Attachments

Nil