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AGENDA

**SPECIAL MEETING OF COUNCIL
MONDAY 7 NOVEMBER 2016
TO BE HELD AT YARROWEYAH HALL, MURRAY VALLEY HIGHWAY, YARROWEYAH
COMMENCING AT 5:00 PM**

1. CALLING TO ORDER – CEO

2. PRAYER - CEO

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 - CEO

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. COUNCILLOR OATH AND DECLARATION OF CODE OF CONDUCT

5. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

7. ELECTION

7 CORPORATE

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8. CLOSE OF MEETING

FILE NO: 120.02.0010
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 7.1

ELECTION OF 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 Council's Meeting Procedures Local Law 2007. At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council. The Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year.

2. Background and Options

Under section 71(3)(a) of the *Local Government Act 1989* (the Act), the Mayor is to be elected after the fourth Saturday in October but not later than 30 November in each year. Any Councillor is eligible for election or re-election to the office of Mayor.

Before a Mayor is elected under section 71, the Council may resolve to elect a Mayor for a term of two years. It has been Council's practice to elect a Mayor for a one year term with the term concluding in accordance with Section 72 term of office provisions.

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 Part 2, Clause 7, of Council's Meeting Procedures Local Law 2007 (No.1 of 2007), as amended 22 July 2008

PART 2 - ELECTION OF MAYOR AND OTHER CHAIRPERSONS

7. Election of Mayor

(1) At any meeting to elect the Mayor, the Chief Executive Officer or delegate may act as a temporary chair to deal with the receipt of nominations for the election to the position of Mayor and to conduct the election of the Mayor in accordance with the provisions of this Local Law;

(2) The election of the Mayor will be carried out by a show of hands. .

(3) In determining the election of the Mayor, the following process will apply:

- (a) where only one nomination is received, that Councillor must be declared elected; or
- (b) where two nominations are received, the Councillor with the majority of votes cast will be declared elected; or
- (c) where there are two or more nominations and all votes cast are equally divided between two or more nominees, the election must be determined by lot; or
- (d) where there are more than two nominations received and the result has not been determined under paragraphs (b) or (c), the nominee with fewest number of votes cast must be eliminated (and if there is more than one nominee with an equal number of the fewest votes then a lot will determine the successful nominee in this instance) and the names of the remaining nominees must be put to the vote again; and
- (e) the procedure in paragraph (d) must be repeated until the circumstances in Paragraph (c) apply or until there are only two nominees remaining in which case a further vote must be

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3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 71

ELECTION OF MAYOR (cont'd)

taken and the nominee with the majority will be declared elected or if there is an equal division of votes, the election must be determined by lot.

3. Financial Implications

There are no financial costs outside the adopted budget to consider within this report.

4. Risk Management

There are no risk management issues to consider within the report.

5. Internal and External Consultation

The election of Mayor is required to be held in a meeting open to the public.

6. Regional Context

All Victorian Councils will be notified of the outcome of the Mayoral Election.

7. Council Plan Strategy

Governance: Moira will meet governance, communication, compliance and regulatory standards through its commitment to advocacy and effective decision making and demonstrate good governance by being consensus orientated, equitable, effective and efficient..

8. Legislative / Policy Implications

The advice provided within this report complies with the *Local Government Act 1989*.

9. Environmental Impact

There are no environmental implications to consider within this report.

10. Conflict of Interest Considerations

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

11. Conclusion

Moira Shire Council is required to elect a Mayor in accordance with sections 71 and 72 of the *Local Government Act 1989* and Part 2, clause 7 of Council's Meeting Procedures Local Law 2007.

Attachments

Nil

FILE NO: 100.01.001
6. GOVERNANCE

ITEM NO:7.2

INCOMING MAYORAL STATEMENT

Executive Summary

The Mayor of the Moira Shire (2016/2017) will present an incoming statement to the Council and members of the public gallery.

Attachments

Nil

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3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 7.3

STATEMENT FROM OUTGOING MAYOR

Executive Summary

The outgoing Mayor will make an outgoing speech to Council and the public gallery reflecting on their term (2015/16) as Mayor of the Moira Shire Council.

Attachments

Nil

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3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 7.4

ELECTION OF DEPUTY MAYOR

Executive Summary

In accordance with Part 2, clause 7 (5) of Council's Meeting Procedures Local Law 2007 (No.1 of 2007) the election of the Deputy Mayor follows the same procedure as that for the election of the Mayor.

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 73 of the *Local Government Act 1989*.

3. Financial Implications

There are no financial costs outside the adopted budget to consider within this report.

4. Risk Management

There are no risk management issues to consider within the report.

5. Internal and External Consultation

The election of Deputy Mayor is required to be held in a meeting open to the public.

6. Regional Context

All Victorian Councils will be notified of the outcome of the Mayoral Election.

7. Council Plan Strategy

Governance: Moira will meet governance, communication, compliance and regulatory standards through its commitment to advocacy and effective decision making and demonstrate good governance by being consensus orientated, equitable, effective and efficient

8. Legislative / Policy Implications

The advice provided within this report complies with the *Local Government Act 1989*.

9. Environmental Impact

There are no environmental implications to consider within this report.

10. Conflict of Interest Considerations

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

11. Conclusion

That Council determine whether to elect a Deputy Mayor and if so, elect a Deputy Mayor to serve until the day of the next Mayoral election.

Attachments

Nil