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BUSINESS PAPER

Ordinary Council Meeting

11 January 2022

Warwick Bennett
General Manager

We hereby give notice that an Ordinary Meeting of Council will be held on:

Tuesday, 11 January 2022 at 6pm
in the Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn

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Warwick Bennett
General Manager

1 OPENING MEETING

The General Manager will open the meeting and notify that this meeting is webcast live on the Council's website.

2 ACKNOWLEDGEMENT OF COUNTRY

The following acknowledgement will be made by the General Manager.

"I would like to Acknowledge and pay our respects to the Aboriginal Elders both past and present, as well as emerging leaders, and Acknowledge the traditional custodians of the Land on which we meet today."

3 COUNCILLORS OATH OR DECLARATION

The Local Government Act 1993 requires Councillors to take an oath of office or make an affirmation of office prior to undertaking their role. The relevant section of the Act is section 233A which states:-

233A OATH AND AFFIRMATION FOR COUNCILLORS

(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.

Or

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).

4 COUNCILLORS DECLARATION AND/OR PRAYER

The General Manager will ask a Councillor to read either the following Declaration or Prayer on behalf of the Councillors present.

Declaration

“On behalf of the elected Councillors present here tonight I solemnly and sincerely declare and affirm that we will undertake the duties of the office of Councillor in the best interests of the people of Goulburn Mulwaree and that we will faithfully and impartially carry out the functions, powers, authorities and discretions vested in us to the best of our ability and judgement.”

OR

Prayer

“We thank thee, Lord, for this position of honour and trust. Give us the courage to serve our Council and community with honesty and integrity; and to discharge the duties entrusted to us for the common good of all mankind.”

5 APOLOGIES

The General Manager will call for any apologies.

Council will resolve to accept any apology.

6 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

7 LATE ITEMS / URGENT BUSINESS

The General Manager will call for any Late Items, Information or Urgent Business.

Council may resolve to accept any late item, information or urgent business to be discussed and/or determined at this meeting.

8 DISCLOSURE OF INTERESTS

With reference to Chapter 14 Local Government Act 1993, and Council’s Code of Conduct, Councillors are required to declare any conflicts of interest in the matters under consideration by Council at this meeting.

9 PRESENTATIONS

Nil

10 PUBLIC FORUM

- (1) In accordance with Council's Public Forum Guideline, Council permits members of the public to address Council meetings in open forum at every Ordinary Council meeting.
- (2) A person wishing to address a meeting must contact staff in Council's Executive Section by 5.00pm [either in writing or via telephone call] on the day of the meeting and provide their name, their contact details and summary details of the item they wish to speak about.
- (3) The Mayor or Chairperson will call members of the public to address the meeting in accordance with the order of business. The address should be for no more than 5 minutes duration.
- (4) Members of the public addressing Council must abide by similar standards that apply to Councillors under the Council's Code of Conduct and this Code of Meeting Practice.
- (5) If a member of the public addressing the meeting fails to comply with the Mayor or Chairperson's call to order, the Mayor or Chairperson may withdraw that person's right to address the meeting.
- (6) In making the address:
 - a. If the chairperson is the Mayor he or she should be addressed as 'Mr Mayor' or 'Madam Mayor' or 'Mayor Surname' or 'Mayor First Name'.
 - b. When the chairperson is not the Mayor they should be addressed as Mr. or Madam Chair or Mr. or Madam Chairperson.
 - c. Councillors must be addressed as 'Councillor Surname or Councillor First Name'.
 - d. Officers must be addressed as Mr. or Madam [job title or surname] e.g Mr. General Manager.

The general standards that apply in Council's Code of Conduct and Code of Meeting Practice (Section 4) are applicable to addresses made by the public in Public Forum.

11 NOTICE OF MOTION(S)

Nil

12 NOTICE OF RESCISSION(S)

Nil

13 REPORTS TO COUNCIL FOR DETERMINATION

13.1 RETURNING OFFICER

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report of the General Manager on the Returning Officer for the Mayor and Deputy Mayor Elections be received

BACKGROUND

The purpose of this report is to advise Council that the General Manager will be the Returning Officer for the Mayor and Deputy Mayor elections.

REPORT

The Local Government Act appoints the General Manager or the person appointed by the General Manager to be the Returning Officer.

Local Government (General) Regulation 2005

Cl 394 Election of mayors by councillors

1. *If a mayor or deputy mayor is to be elected by the councillors of an area, the election is to be in accordance with Schedule 7.*

Schedule 7 – Election of mayor by councillors (Clause 394)

Part 1 - Preliminary

1 *Returning officer*

2. *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.

This report is to advise that the General Manager will act as the Returning Officer for the Mayor and Deputy Mayor elections.

13.2 MAYORAL DELEGATIONS

Author: General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. **Mayoral Delegation 11 January 2022 to September 2023** [↓](#) 

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	No cost to Council
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the Manager Governance on Mayoral Delegations be received.
2. That in accordance with s377 Local Government Act 1993 Council delegates to the Mayor the powers, functions, duties and authorities as specified in the attached “Delegation of Authority” for the Mayor.

BACKGROUND

This report is to authorise delegations to the elected Mayor

REPORT

The Council can delegate certain responsibilities to the Mayor. The current delegations are attached and it is not recommended they be change. The recommendation in this report is to continue with the existing delegations.

Goulburn Mulwaree Council
Delegation of Authority
Section 377 Local Government Act 1993



11 January 2022 to September 2023 Mayoral Term Delegation

Goulburn Mulwaree Council, hereby delegates under s377 *Local Government Act 1993*, to the **Mayor Cr [Name]** and to the person holding the aforementioned position in an acting capacity (Deputy Mayor), the exercise of Council's powers, functions, duties and authorities specified in Schedule 1 subject to the limitations specified in Schedule 2.

Schedule 1 (Authority)

1. Authorise travel and attendance at Seminars/Conferences for elected members in accordance with Council policy
2. Respond to correspondence not specifically requiring the consideration of Council
3. In consultation with the General Manager, authorise briefing of Counsel on legal matters as required
4. With the General Manager, or one other Councillor, to assign and affix the Seal of Council to documents requiring such seal
5. Authorise urgent work up to an estimated cost not exceeding \$5,000 subject to reporting to Council at its next meeting and approve the hire of resources in emergency situations within funds voted by Council each year
6. Refer to the General Manager any matter the Mayor considers needs investigation and report
7. Consent to the withdrawal of an appeal or other legal matter in progress where the parties have agreed, subject to being notified by Council's solicitors and their recommendations for such action
8. Authorise actions to be taken to comply with Council's Policies or Codes or any provisions of the *Local Government Act 1993*
9. Make recommendations in accordance with s83 *Rural Fires Act 1997* to the appropriate authority regarding the declaration and revoking of bush fire danger periods in the Goulburn Mulwaree Council area
10. Sign certificates required under State and Federal Codes, Regulations, or Authority in accordance with s659 *Local Government Act 1993*
11. To authorise expenditure up to \$5,000
12. To respond to members of the media and issue press releases on matters relative to the affairs of the Council in accordance with Council's Media Release Policy
13. Conduct discussion and negotiations with State, Federal and other Local Government organisations on behalf of the Goulburn Mulwaree Council. Mayor to provide a report to Council on the matters raised and outcome of such meetings or negotiations
14. Approve leave applications of the General Manager up to 4 weeks
15. Any other 'temporary' delegations that Council may proceed to meet a specific area of concern

Schedule 2 (Exclusions)

1. Any authority specifically prohibited by Council Resolution
2. Any authority not specifically conferred on the Mayor by Council
3. Subject to the provisions of the *Local Government Act 1993* and any other legislation relevant to the delegations
4. The Mayor shall exercise the functions herein delegated in accordance with and subject to:
 - a) The provisions of the *Local Government Act 1993*, as amended
 - b) All and every policy of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated

In addition to the above delegations the Mayor has the following Legislative Role and Functions:**Role as the Mayor:**

In accordance with s226 Local Government Act 1993, the role of the Mayor is:

- 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.
- services, and the management plans and revenue policies of the Council

Authorised by Council resolution dates 11 January 2022.

Warwick Bennett
General Manager

Cr [Name]
Mayor

Note:

The signed Delegation will be filed in the Delegations Register in Governance and may be inspected at any time.

13.3 ELECTION OF MAYOR

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	The cost of the election is nil and the remuneration paid to the Mayor is included in the operational budget
Use of Reserve Funds:	Nil

<p>RECOMMENDATION</p> <p>That</p> <ol style="list-style-type: none"> 1. The report of the General Manager on the election of the Mayor be received. 2. Council elects the Mayor for the period from 11th January 2022 until September 2023 3. Following the close of nominations for the position of Mayor the method of electing the Mayor be determined from one of the following options in accordance with Schedule 7 Local Government (General) Regulation 2005 (delete two) if there is more than one nomination: <ol style="list-style-type: none"> a) Preferential Ballot or b) Ordinary Ballot or c) Open Voting
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BACKGROUND

The purpose of this report is to elect a Mayor from 11th January 2022 until the next Mayoral election in September 2023.

REPORT

As the previous term of Council was extended twice, this current term of Council is from January 2022 until September 2024.

Councils that elect mayors will be required to hold mid-term mayoral elections in September 2023 for mayors elected following the December 2021 elections. This means that, because of the postponement of the ordinary elections they will hold office for slightly less than the usual 2 years. The mayor elected in September 2023 holds their office for 1 year. This is the requirement of Section 290(1)(b) - *The election of the mayor by the councillors is to be held—if it is not that first election or an election to fill a casual vacancy—during the month of September.*

Section 226 of the Local Government Act 1993 states the role of the Mayor which is 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.

Nomination papers for the election of Mayor for this 20 month term have been circulated to all Councillors.

Nominations for the Mayor shall be in writing, but may be without notice, by two (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.

The nomination is to be delivered or sent to the Returning Officer who is to announce the names of the nominees at the Council Meeting at which the election is to be held.

If only one candidate is nominated, that Councillor is elected.

When more than one candidate is nominated, the Council may, by resolution, decide whether the election shall be carried out by:

- a) Ordinary Ballot - Involving the marking of Ballot Papers - subsequent exclusion of one candidate; further voting and exclusions; repeated until two candidates only remain, final vote between remaining two candidates.
- b) Open Voting - Procedure identical to Ordinary Ballot, however, the voting is by show of hands or similar means, not a Ballot Paper.
- c) Preferential Ballot - The complete numbering of Ballot Papers in consecutive order of preference for all candidates, commencing with "1" as first preference.

Drawing of lots may become necessary, it shall be done by the Returning Officer.

13.4 ELECTION OF DEPUTY MAYOR

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	The cost of the Deputy Mayor election is nil and there is no additional remuneration for this position
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report of the General Manager on the election of the Deputy Mayor be received.
2. Council elects a Deputy Mayor from 11th January 2021 until September 2023
3. Following the close of nominations for the position of Deputy Mayor the method of electing the Deputy Mayor be determined from one of the following options in accordance with Schedule 7 Local Government (General) Regulation 2005 (delete two) if more than one nomination is received:
 - a. Preferential Ballot or
 - b. Ordinary Ballot or
 - c. Open Voting

BACKGROUND

The purpose of this report is to elect a Deputy Mayor from 11 January 2022 until September 2023.

REPORT

Council may elect a Deputy Mayor to cover the first part of this term of Council from January 2022 until September 2023 being the same term as the Mayor. The last part term will be the final 12 months of the term being completed in September 2024.

Section 231 *Local Government Act 1993* provides that Councillors may elect a person from among their number to be the Deputy Mayor. The Councillor may be elected as Deputy Mayor for the Mayoral term or a shorter period. It is Council’s practice is to elect a Deputy Mayor for the Mayoral term which is now two years. Council does have the option of electing the Deputy Mayor for just a one year term or of course not appointing a Deputy Mayor at all.

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 Mayor.

Section 249(5) *Local Government Act 1993* allows a Council to pay the Deputy Mayor a fee for such time in which the Deputy Mayor acts in the position of Mayor. The amount paid to the Deputy Mayor must be subtracted from the Mayor’s annual fee.

Nomination papers for the election of Deputy Mayor for the September 2020 to 2021 term have been circulated to all Councillors.

In accordance with Clause 1 Schedule 7 *Local Government (General) Regulation 2005*, the General Manager is the Returning Officer.

Nominations will be accepted by the Returning Officer until the time the matter is before Council at its meeting on 1 September 2020 and the Returning Officer declares nominations to have closed.

Nominations for the election of Deputy Mayor shall be in writing, but may be without notice, by two (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.

The nomination is to be delivered or sent to the Returning Officer who is to announce the names of the nominees at the Council Meeting at which the election is to be held.

If only one candidate is nominated, that Councillor is elected.

When more than one candidate is nominated, the Council may, by resolution, decide whether the election shall be carried out by:

- a) Ordinary Ballot - Involving the marking of Ballot Papers - subsequent exclusion of one candidate; further voting and exclusions; repeated until two candidates only remain, final vote between remaining two candidates.
- b) Open Voting - Procedure identical to Ordinary Ballot, however, the voting is by show of hands or similar means, not a Ballot Paper.
- c) Preferential Ballot - The complete numbering of Ballot Papers in consecutive order of preference for all candidates, commencing with "1" as first preference.

Drawing of lots may become necessary, it shall be done by the Returning Officer.

13.5 COMMITTEE APPOINTMENTS

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	There is no cost to Council in appointing members of Committees. However Councillors are entitled to claim mileage for attendance at these meetings
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report of the General Manager on the appointment of Councillors to Committees be received
2. Council determines the following appointment to the Committees and frequency of those meetings

Name of Committee	Council Representative	Frequency of Meetings
Sports Council		Twice per year
Recreation Area Committee		Twice per year
Traffic Committee		Quarterly
Sporting Hall of fame		As required
Ray Harvey Sports Foundation Committee		Annually

BACKGROUND

The purpose of this report is to appoint Councillors to the Committees.

REPORT

This report is recommending that the membership of the Committees be endorsed for this term of Council. By using this terminology – that is extension for this term of Council - it will allow these committee membership to stay in place in case of any future deferral of Council elections which is currently being discussed within the sector.

These committees are as follows:-

Name of Committee	Role	Current Appointments
Sports Council	To ensure fairness and equity of sports users in the region. This committee needs only to meet twice per year – at the beginning of the winter and summer sports seasons	Cr O’Neill Cr Rowland
Recreation Area Committee	To make and direct policy for the management of the Recreation area and to act as a consultative forum for users. This Committee meets six times per year but the business they address should reduce the frequencies of meeting to twice per year. The vast majority of the business on these agendas is operational reports with no recommendations	Cr O’Neill Cr Sturgiss Cr P Walker
Traffic Committee	To make recommendations to Council on traffic management issues. This committee meets quarterly	Cr Banfield Cr P Walker
Sporting Hall of Fame	To manage Council’s Sporting Hall of Fame function. This Committee meets once per year. However this needs to change that they only meet as required. Often in the annual meeting we tend to hunt for recipients rather than considering genuine and credible Hall of Fame applicants	Cr O’Neill Cr Rowland
Ray Harvey Sports Foundation Committee	To allocate funds to young sports people in our region. . This Committee meets once per year	Cr O’Neill Cr P Walker

13.6 COUNCIL WORKING PARTY MEMBERSHIP

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	Cost of Working party'ds are included in the Operation Budget
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

- The report of the General Manager on the Councillor membership for working parties be received.
- Council determines the following appointment to the Working Party's

General Managers Performance Review	Mayor Deputy Mayor Cr Cr
Goulburn Mulwaree Youth Council	Cr.....
Goulburn Flood Management Study Working Party	Cr
Marulan Flood Management Study Working Party	Cr
Bungonia Village Discretionary Fund Working Party	Cr Mayor (Alternate)
Tarago Village Discretionary Fund Working Party	Cr Mayor (Alternate)
Marulan Village Discretionary Fund Working Party	Cr Mayor (alternate)
Parkesbourne Village Discretionary Fund Working Party	Cr Mayor (alternate)
Towrang Village Discretionary Fund	Cr

Working Party	Mayor (alternate
Middle Arm Discretion Fund Working Party	Cr Mayor (alternate
Tallong Discretion Fund Working Party	Cr Mayor (alternate

3. Council advertises Expression of Interest for four community representatives to work with the Councillor representative and staff on the following working parties

- Bungonia Village Discretionary Fund
- Tarago Village Discretionary Fund
- Marulan Village Discretionary Fund
- Parkesbourne Village Discretionary Fund
- Towrang Village Discretionary Fund
- Middle Arm Discretionary Fund

4. The Tarago Discretionary Fund allocation authority be delegated to the Tarago and Districts Progress Association Inc Executive.

5. The Windellama Discretionary Fund allocation authority be delegated to the Windellama Progress Association.

BACKGROUND

The purpose of this report is to determine the Council representatives on the Working Parties.

REPORT

Council has a number of working parties to undertake various roles delegated to them from time to time. These working parties sometimes include community members to give a wider representation

This report is recommending the Councillor(s) to be appointed to these working parties and that expressions of Interest be called for the community representatives on

Please note the following

General Managers Performance Review Working Party - The role of this working party is to assess the performance of the General Manager in accordance with the performance agreement and make recommendations to Council.

Goulburn Mulwaree Youth Council – The youth Council has been in existence for 7 years with the primary focus on youth activities in the region. Their main focus at the time is the NSW Youth Conference to be held in March at the Recreation Area.

Goulburn Flood Management Study Working Party - A floodplain management committee is a formal requirement in the floodplain risk management process required by NSW Department of Planning, Industry and Environment. It is an advisory committee for the discussion of technical, social, economic and ecological issues in the flood management process. This group provides information of the flooding they have observed; suggests options for flood management; and considers and provides feedback on the recommended management options.

Marulan Flood Management Study Working Party – this is a new working party with a requirement of the State Government grant for the data gathering and public consultation phase of a flood study. EOI's have already been sought for the community representatives – we now need the Council representative to work with staff.

The Sustainability Working Party was only appointed in August 2021 and only met twice before the elections. This report recommends that the community membership remains unchanged being:-

- Darrell Weekes be noted as the Goulburn Chamber of Commerce representative.
- The two representatives from Mulwaree High School being Molly De Cseuz and Hannah Davey
- One representative from Trinity Catholic College being Chloe Regterschot,
- Council appoints Danielle Marsden-Ballard, Penny Ackery, Ray Shiel, Roger Grice and Sonya Reyes as the community representatives to this working party. Sam Rowland to be appointed the additional community representative position available (due to the unused student position), following the Council elections if required.

Goulburn Mulwaree Award Working Party – this working party was appointed in October 2021 and Council resolved at the time that this working party stay in place until September 2024. The community representatives are Danae Vitnell, Richard Derrick and Gary Lourigan

Entertainment and Night Time Economy Working Party – this working party was established by Council in November 2021 and Expressions of interest have been called for the community representatives. A report on those expressions of interest plus a brief for the working party will be presented to Council in February.

The Village Discretionary Fund Working Party's – Council process to date is to have one Councillor and one senior staff member to work with 4 community representatives to distribute funds for community projects. Council allocates \$107,000 in total for these working parties. The recommendation is to appoint one Councillor and seek Expression of Interest from the respective community's to allocate the funds.

The following is a list of those working parties with the current Council representative shown.

Name of Working Party	Summary of Brief	Number of Council Representative
General Managers Performance Review Working Party	To review the performance of the General Manager in accordance with the performance agreement	Mayor Deputy Mayor Cr Cr
Goulburn Mulwaree Youth Council	To recommend to Youth staff projects and ideas in the Goulburn Mulwaree area for the youth in our community.	Cr.....
Goulburn Flood Management Study Working Party	To recommend options for flood management	Cr
Marulan Flood Management Study Working Party	New working party to undertake data gathering and consultation	Cr

Bungonia Village Discretionary Fund Working Party	To work with the Bungonia community to distribute the discretionary fund and promote other community issues to Council	Cr Mayor (Alternate)
Tarago Village Discretionary Fund Working Party	To work with the Tarago community to prioritise the projects in the Village Plan, distribute the discretionary funds and promote other community issues to Council	Cr Mayor (Alternate)
Marulan Village Discretionary Fund Working Party	To work with the Marulan community to prioritise the projects in the Village Plan, distribute the discretionary funds and promote other community issues to Council	Cr Mayor (alternate)
Parkesbourne Village Discretionary Fund Working Party	To work with the Parkesbourne community to distribute the discretionary fund and promote other community issues to Council	Cr Mayor (alternate)
Towrang Village Discretionary Fund Working Party	To work with the Towrang community to distribute the discretionary fund and promote other community issues to Council	Cr Mayor (alternate)
Goulburn Mulwaree Award Working Party	The Goulburn Mulwaree Award Working Party be delegated authority to make all decisions relating to receipt, processing, assessment and presentation of the Goulburn Mulwaree Award.	Mayor Deputy Mayor 3 x Community Representatives with the potential to appoint two additional
Sustainability Working Party	To discuss climate change and biodiversity loss locally to develop strategies and options to address these issues at the local level to develop achievable, affordable and practical options that can be implemented in our community	Cr Community and school representatives as detailed above

13.7 EXTERNAL COMMITTEE APPOINTMENTS

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Civic Leadership
Cost to Council:	If there is any travel costs associated with these meetings then those costs are covered in the operational budget
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report of the General Manager on Appointments to External Committees be received.
2. Council confirms the following appointment to the External Committees

Committee Name	Council Delegates
Ardmore Park Community Consultative Committee	Director Planning & Environment
ClubGRANTS	Mayor Cr Cr Cr
Goulburn Liquor Accord*	Cr
Gullen Range Wind Farm Community Fund S355 Community Committee	Director Planning & Environment
Gunlake Community Consultative Committee	Cr Director Planning & Environment
Heron Resources Pty Limited Woodlawn Project Consultative Committee	Cr
Joint Regional Planning Panel	Cr
Local Emergency Management	Cr Director Operations
Lynwood Consultative Committee	Cr General Manager

Marulan Hall	Cr Cr
Pepper Tree Community Consultative Committee	Cr
South East Australian Transport Strategy (SEATS)	Cr
Southern Tablelands Zone Bush Fire Management Committee	Cr
Southern Tablelands/South Coast Region Noxious Plants Committee	Cr
Veolia Woodlawn Bioreactor Community Liaison / Tarago Consultative Committee	Cr

3. Council notes that this Council representative on the following external committees are for the Mayor and/or General Manager only:-
- Regional Cities NSW
 - Canberra Regional Joint Organisation
 - Country Mayors Association
 - Corrective Services Community Consultative Committee

BACKGROUND

The purpose of this report is to provide an opportunity for Council to review its participation in other organisations and, if necessary, appoint Councillors as delegates

REPORT

This report is recommending that the membership of the external Committees be determined for the term of this Council. .

The following table lists the current Council representatives on various external Committees and organisations with frequency of the meetings.

Committee Name	Current Council Delegates	Frequency
Ardmore Park Community Consultative Committee	Director Planning and Environment	Twice a year
Regional Cities NSW	Mayor General Manager	Every second Month
Canberra Regional Joint Organisation	Mayor General Manager	Quarterly
ClubGRANTS	Mayor Cr Cr..... Cr	Annually

Committee Name	Current Council Delegates	Frequency
Corrective Services Community Consultative Committee	Mayor	As required
Country Mayors Association	Mayor	Quarterly
Goulburn Liquor Accord	Cr	Quarterly
Gullen Range Wind Farm Community Fund S355 Community Committee	Director Planning & Environment	As required
Gunlake Community Consultative Committee	Director Planning & Environment	Quarterly
Heron Resources Pty Limited Woodlawn Project Consultative Committee	Cr	Quarterly
Joint Regional Planning Panel	Cr	As required
Local Emergency Management	Director Operations Cr	Monthly
Lynwood Consultative Committee	Cr	Quarterly
Marulan Hall	Cr Cr	As required
Pepper Tree Community Consultative Committee	Cr	Every 2-3 months
South East Australian Transport Strategy (SEATS)	Cr	Quarterly
Southern Tablelands Zone Bush Fire Management Committee	Cr	Twice a year
Southern Tablelands/South Coast Region Noxious Plants Committee	Cr	Quarterly
Veolia Woodlawn Bioreactor Community Liaison / Tarago Consultative Committee	Cr	Quarterly

Council will note that some external committee appointments are for the Mayor and/or General Manager only as part of their constitution.

13.8 POTENTIAL OF BY ELECTIONS IN THE EVENT OF CASUAL VACANCY

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	Our Civic Leadership CL 1
Cost to Council:	There is no financial cost to Council unless a vacancy occurs
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report of the General Manager in regard to the potential of a By-Election in the event of a Casual Vacancy be received
2. Pursuant to Section 291A of the Local Government Act 1993, Council declares that any Councillor casual vacancy that occurs within 18 months of the 4th December 2021 Local Government Election is to be filled by a countback of votes cast at that election for that office.

BACKGROUND

His report relates to the opportunity of eliminating a by-election if a vacancy occurs in Council in the first 18 months of this term

REPORT

The Local Government Act 1993 allows Councils to avoid a by-election if a vacancy occurs within the first 18 months of this term. This will avoid an expensive by election which would cost the Council in excess of \$180,000. Section 291A of the Act states:-

291A COUNTBACK TO BE HELD INSTEAD OF BY-ELECTION IN CERTAIN CIRCUMSTANCES

- (1) This section applies to a casual vacancy in the office of a councillor if--*
- (a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and*
 - (b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.*
- (2) This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected--*
- (a) in an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or*
Note : See section 285 (Voting system for election of councillors).
 - (b) in an election without a poll being required to be held.*
Note : See section 311 (Uncontested elections).
- (3) A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.*

- (4) A countback election to fill a casual vacancy to which this section applies must be conducted--*
- (a) if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner--by a returning officer appointed by the Electoral Commissioner, or*
- (b) if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council--by a returning officer appointed by the electoral services provider.*
- (5) If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election--*
- (a) the returning officer must notify the general manager of the council concerned, and*
- (b) a by-election in accordance with this Part must be held to fill the casual vacancy.*
- (5A) If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.*
- (6) This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.*

The recommendation in this report puts in place a provision to avoid an expensive by-election by approving this recommendation.

13.9 ELECTORAL FUNDING OBLIGATIONS

Author: General Manager
Authoriser: Warwick Bennett, General Manager
Attachments: Nil

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION
 That the report from the General Manager on Electoral Funding Obligations be received.

REPORT

I have been asked by Mr Steve Robb | Director Customer Service & Relationship Management, NSW Electoral Commission to include on the agenda for council’s first meeting information about the disclosure obligations of elected members of councils. That information is as follows:-

Disclosures of political donations and electoral expenditure

Elected members must submit political donation and electoral expenditure disclosures to the NSW Electoral Commission for the remainder of their term.

There are 3 types of disclosures to submit each year as an elected member: two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

In relation to the 2021/22 financial year, an elected member must also submit disclosures in their capacity as a candidate. These being two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

The relevant periods each disclosure covers and the lodgement periods for disclosures for 2021/2022 are:

Disclosure type	Disclosure period	Disclosure lodgement period	Disclosure due
1 st half-yearly political donations disclosure	1 July 2021 to 31 December 2021	1 January 2022 to 25 February 2022	25 February 2022
2 nd half-yearly political donations disclosure	1 January 2022 to 30 June 2022	1 July 2022 to 28 July 2022	28 July 2022
Annual electoral expenditure disclosure	1 July 2021 to 30 June 2022	1 July 2022 to 22 September 2022	22 September 2022

If no political donations are made or received or no electoral expenditure is incurred, 'Nil' disclosure forms must still be submitted.

Disclosures can be made through Funding and Disclosure Online, the NSW Electoral Commission's secure, accessible and convenient online portal for electoral participants.

Detailed information about disclosures is available on the NSW Electoral Commission website.

Elected member contact details

Elected members who have not provided the NSW Electoral Commission with up-to-date contact details are requested to do so as soon as possible by emailing fdc@elections.nsw.gov.au .

A current email address and mobile number for each elected member is required so that the NSW Electoral Commission can send notifications about when and how to disclose political donations and electoral expenditure. Elected members who do not comply with disclosure requirements could be penalised, including a fine or prosecution.

More information

More information about electoral funding obligations of elected members can be found on the NSW Electoral Commission website. The Electoral Funding Act 2018 can be accessed on the NSW Legislation website.

Elected members can contact us if they have any questions.

14 CLOSED SESSION

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

There were no closed session reports for determination.

15 CONCLUSION OF THE MEETING

The Mayor will close the meeting.