



# AGENDA

## EXTRAORDINARY COUNCIL MEETING

### 5 NOVEMBER 2024

MEMBERSHIP: Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, P Toynton, K Richardson, A Ryan, P Wells and M Wright.

The meeting is scheduled to commence at 5:00 PM.

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#### PRAYER:

O God, Grant that by the knowledge of thy will, all we may resolve shall work together for good, we pray through Jesus Christ our Lord. Amen!

#### ACKNOWLEDGEMENT OF COUNTRY:

“I would like to acknowledge the Wiradjuri People who are the Traditional Custodians of the Land. I would also like to pay respect to the Elders past and present of the Wiradjuri Nation and extend that respect to other Aboriginal peoples from other nations who are present”.

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#### CCL24/285 LEAVE OF ABSENCE (ID24/2026)

#### CCL24/286 CONFLICTS OF INTEREST (ID24/2027)

In accordance with their Oath/Affirmation under the Act, and Council’s Code of Conduct, Councillors must disclose the nature of any pecuniary or non-pecuniary interest which may arise during the meeting, and manage such interests accordingly.

#### CCL24/287 PUBLIC FORUM (ID24/2028)

#### REPORTS FROM STAFF:

#### CCL24/288 LOCAL GOVERNMENT NSW - 2024 ANNUAL CONFERENCE - CHANGE OF VOTING DELEGATE (ID24/2025)

The Council had before it the report dated 31 October 2024 from the Manager Corporate Governance regarding Local Government NSW - 2024 Annual Conference - Change of Voting delegate.

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## REPORT: Local Government NSW - 2024 Annual Conference - Change of Voting delegate

**DIVISION:** Organisational Performance  
**REPORT DATE:** 31 October 2024  
**TRIM REFERENCE:** ID24/2025

### EXECUTIVE SUMMARY

<b>Purpose</b>	<ul style="list-style-type: none"> <li>Seek direction or decision</li> </ul>	
<b>Issue</b>	<ul style="list-style-type: none"> <li>Council resolved at the October Council meeting the four voting delegates as representatives to the Local Government NSW (LGNSW) Annual Conference to be held from 17 November 2024 to 19 November 2024.</li> <li>One of the nominated voting delegates has had a change of circumstance and is now unable to attend.</li> <li>Council will need to determine another voting delegate to represent Council.</li> </ul>	
<b>Reasoning</b>	<ul style="list-style-type: none"> <li>The number of voting delegates that each member Council is entitled to, is determined according to a formula based on the population of the region.</li> <li>An Extraordinary Council Meeting is required so council can submit the names of the voting delegates to LGNSW by COB Wednesday 6 November 2024.</li> <li>The Mayor is unable to use his Mayoral Powers of necessity between council meetings for this matter as it does not fit within the policy making function, nor does it meet the definition of 'urgency' under the Local Government Act 1993 (LGA) – S226(d).</li> </ul>	
<b>Financial Implications</b>	Budget Area	Governance and Internal Control
	Funding Source	Members' Expenses - Delegates
<b>Policy Implications</b>	Policy Title	Payment of Expenses and Provision of Facilities for the Mayor and Councillors
	Impact on Policy	In line with policy

### STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six principle themes and a number of objectives and strategies. This report is aligned to:

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable

leadership and governance

Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable

**RECOMMENDATION**

1. That it be noted that Councillor K Richardson is unable to attend the Local Government NSW Annual Conference 2024 as a voting delegate.
2. That Council determine another councillor to attend the Local Government NSW Annual Conference 2024 as a voting delegate.
3. That council advise LGNSW of the four voting delegates by close of business Wednesday 6 November 2024.

*Jane Bassingthwaighte*  
Director Organisational Performance

*AR*  
Manager Corporate  
Governance

## BACKGROUND

The Local Government NSW Annual Conference 2024 will be held at the Tamworth Regional Entertainment and Conference Centre from 17 to 19 November 2024.

### Previous Resolutions of Council

24 October 2024	<ol style="list-style-type: none"><li>1. <i>That Councillors J Black, L Butler, M Wright and K Richardson act as voting delegates at the upcoming Local Government NSW Annual Conference 2024.</i></li><li>2. <i>That Council advise Local Government NSW who the voting delegates for motions and the board elections are, by no later than close of business Wednesday 6 November 2024.</i></li><li>3. <i>That the nominated delegates represent Council at the Local Government NSW Annual Conference 2024.</i></li><li>4. <i>That Councillors J Cowley, P Toynton, M Dickerson and A Ryan will be the non-voting attendees at the upcoming Local Government NSW Annual Conference 2024.</i></li></ol>
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## REPORT

Council resolved at its last meeting held 24 October 2024, the four voting delegates for the Local Government NSW Annual Conference 2024.

Councillor K Richardson has now advised that she is now unable to attend. Confirmation was received by Office of Local Government that council is required to call an Extraordinary Council meeting as this situation does not meet the threshold for the Mayor to use his Mayoral powers of necessity between Council meetings under the Local Government Act, i.e. a nomination for a voting delegate doesn't fit within a policy making function, nor does it meet the definition of 'urgency':

*LGA - Section 226 - Role of Mayor*

*(d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,*

An Extraordinary Council meeting has been called for Council to determine a new voting delegate so that council can meet the deadline for notifying LGNSW of the voting delegates.

### Planned Communications

- Local Government NSW must be notified of Council's voting delegates no later than 5pm, 6 November 2024.

**Timeframe**

Key Date	Explanation
5 November 2024	Extraordinary Council meeting for new Resolution
6 November 2024	Last day to notify LGNSW of voting delegates
17 to 19 November 2024	LGNSW Annual Conference 2024