

Late Addendum Report

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

a1 [GM-CM] Constitutional Referendum - Councillor Numbers

SUBMITTED BY: General Manager

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.2 Council will seek the best value in delivering services
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SUMMARY OF REPORT:

This report highlights that the election scheduled for Saturday 10 September 2016, following the death of a candidate has failed and a new date for the election has been determined of 29 October 2016. This date has been determined in consultation with the NSW Electoral Commission, Crown Solicitors Office, Office of Local Government and council officers, who requested that the date be the earliest that the legislations permits. The establishment of the revised election date also necessitates that the entire election process must be re-run.

At the Council Meeting of 20 August 2015, it was resolved that:

- "1. In accordance with Section 224 of the Local Government Act 1993, Council determines the number of Councillors for the electoral term commencing September 2016 to be seven (7).
2. A Constitutional Referendum be conducted in conjunction with the 2016 Ordinary Election to determine approval for an increase to nine (9) Councillors to then be effective for the term commencing in September 2020."

Given the circumstances, Council is required to note the date of the rescheduled election of Saturday 29 October 2016 and that the Constitutional Referendum will also be conducted in conjunction with that election.

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With the failure of the September election, the current caretaker provisions have been lifted, but the Caretaker provisions will now apply to the 4 weeks preceding the election, commencing Friday 30 September 2016.

RECOMMENDATION:

That the:

- 1. Revised date of Saturday 29 October 2016 be noted as the date of the election and the constitutional referendum.**
- 2. Caretaker Period commencing Friday 30 September 2016 and concluding Saturday 29 October 2016 be noted.**

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REPORT:

This report highlights that the election scheduled for Saturday 10 September 2016, following the death of a candidate has failed and a new date for the election has been determined of 29 October 2016. This date has been determined in consultation with the NSW Electoral Commission, Crown Solicitors Office, Office of Local Government and council officers , who requested that the date be the earliest that the legislations permits.

The establishment of the revised election date also necessitates that the entire election process must be re-run. This process includes all the statutory advertising, closing of the roll of electors, inviting voters to be included on the non-residential roll and the calling of and closing of nominations from candidates. Pre-poll voting will commence on Monday 17 October 2016.

At the Council Meeting of 20 August 2015, it was Resolved:

- "1. *In accordance with Section 224 of the Local Government Act 1993, Council determines the number of Councillors for the electoral term commencing September 2016 to be seven (7).*
2. *A Constitutional Referendum be conducted in conjunction with the 2016 Ordinary Election to determine approval for an increase to nine (9) Councillors to then be effective for the term commencing in September 2020."*

Given the circumstances, Council is required to note the date of the rescheduled election of Saturday 29 October 2016 and that the Constitutional Referendum will also be conducted in conjunction with that election.

With the failure of the September election, the current caretaker provisions have been lifted, but the Caretaker provisions will now apply to the 4 weeks preceding the election, commencing Friday 30 September 2016.

Following the election it is anticipated that the declaration of the poll will be determined prior to Friday 11 November 2016.

OPTIONS:

That Council notes the date of the rescheduled election, being Saturday 29 October 2016.

CONCLUSION:

Given the circumstances, Council is required to note the date of the rescheduled election of Saturday 29 October 2016 and that the Constitutional Referendum will also be conducted in conjunction with that election.

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COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

In accordance with the applicable Sections of the Local Government Act 1993.

b. Budget/Long Term Financial Plan:

Additional expenditure will have to be taken into account at the September Budget Review for the additional costs associated with the rescheduled election.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.
