



**Edward
River**
COUNCIL

Date: Thursday, 19 September 2019
Time: 9.00am
Location: Council Chamber 180 Cressy Street
Deniliquin

BUSINESS PAPER

Supplementary Reports

Ordinary Council Meeting

19 September 2019

**Adam McSwain
General Manager**

Order Of Business

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 9.26 Number of Councillors for 2020-24 Term of Office 3

12 Confidential Matters 5
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9 REPORTS TO COUNCIL**9.26 NUMBER OF COUNCILLORS FOR 2020-24 TERM OF OFFICE****Author:** Trish Kirkland, Director Corporate Services**Authoriser:** Trish Kirkland, Director Corporate Services**RECOMMENDATION**

That Council determines the number of councillors as (9) nine (including the Mayor) for the 2020-24 term of office.

BACKGROUND

Section 224(2) of the Local Government Act (the Act), states that '*not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office*'.

For the 2017-20 term, council has nine councillors. The next ordinary election will be held on 12 September 2020.

ISSUE/DISCUSSION

Council is required by section 224 (2) of the Act, to determine the number of councillors for the following term of office.

Under the provisions of the Act, Council is unable to change the number of Councillors without first obtaining approval at a constitutional referendum. It is, therefore, not possible to alter the number of Councillors for the 2020 election.

This report recommends that Council resolve to retain the current number of councillors for the 2020-24 term of office.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

5. A community working together to achieve its potential

5.3 Our local government is efficient, innovative and financially sustainable

FINANCIAL IMPLICATIONS

Council has an adopted 2019-20 budget, and Long-term Financial Plan accommodating councillor fees and expenses for nine (9) councillors.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

- Section 224 – How many councillors does a council have?

Council is required to determine the number of councillors for the 2020-24 electoral term prior by 11 September 2019. Not meeting the timeframe for this requirement is considered a breach of the legislation that has been recorded in Council's Register of Legislative Compliance. Establishing a register of the OLG Compliance and Reporting requirements is a key action in the 2019-20 Operational Plan (5.3.3.4) and will be finalised by 30 September 2019. This action is designed to improve Council's governance processes and compliance moving forward.

ATTACHMENTS

Nil

12 CONFIDENTIAL MATTERS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

12.1 CBD Painting Program

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.