



Ordinary Meeting of Council

SUPPLEMENTARY

AGENDA

11 October 2023

Council Chambers
253 Crawford St, Queanbeyan

Despite the easing of COVID restrictions, it should be noted that there is a limited number of public gallery seats available in the Chambers. Presentations can be made in writing or via Zoom. A live stream of the meeting can be viewed at:

<http://webcast.qprc.nsw.gov.au/>

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Queanbeyan-Palerang Regional Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

On-site Inspections - Nil

7 SUPPLEMENTARY REPORTS

7.1	Councillor Resignation	2
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LIST OF ATTACHMENTS

Open Attachments

Nil

Closed Attachments

Nil

7.1 Councillor Resignation (Ref: ; Author: Winchester/Winchester)

File Reference: 52.7.1

Recommendation

That Council:

- 1. Acknowledge and accept the resignation of Cr Webster as a Councillor of Queanbeyan-Palerang Regional Council.**
 - 2. Make application to the Minister for Local Government that the Councillor vacancy is not filled, as is within 18 months before the next ordinary election.**
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Summary

The formal resignation of Cr Edwina Webster as Councillor for QPRC has been received by the General Manager, effective 9 October 2023.

Background

Prior to the ordinary NSW local government elections held in December 2021, amendments to NSW Legislation enabled Councils to choose for the first time to use countback elections, instead of by-elections, to fill any Councillor vacancies arising after the ordinary elections.

However, we are outside this timeframe and within 11 months of the next election, and not able to call upon the Countback provisions to replace the vacant position.

A by-election is not required, as it is within 18 months of the next ordinary Council election.

For the next 11 months, Council will operate with 10 Councillors and the Mayor able to exercise a casting vote if required within a Council Meeting.

Report

Following a Councillor's resignation, the General Manager is to notify, within 7 days of the vacancy occurring, the Electoral Commission and the Secretary and the CEO of Local Government NSW (s285 of the Local Government General Regulation).

Risk/Policy/Legislation Considerations

Section 294 of the Local Government Act (1993): Dispensing with by-elections applies when a casual vacancy occurs in the office of Councillor, within 18 months before the date of the next ordinary election of Councillors.

The next ordinary election of Council in NSW is 14 September 2024.

Council must make application to the Minister for Local Government that the vacancy not be filled.

Financial, Budget and Resource Implications

There will be a saving of Councillor remuneration and expenses for the remaining term of Council to the Operational Plan.

Links to QPRC/Regional Strategic Plans

Strategic Pillar 5: Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

1. Our community is serviced by an efficient, effective and innovative Council.
2. Council is an open, accessible and responsive organisation.

Councillors have responsibilities under the Local Government Act (1993) to represent the views of the community while making decisions in their interests, demonstrate conduct that the community expects and deserves, and plan and oversee the running of a significant and complex business.

Conclusion

In accepting the resignation of Cr Webster, this creates a casual vacancy in the elected Council. As it is within 18 months before the date of the next ordinary election of Councillors a by-election is not required to be held.

Council will operate with 10 Councillors for the remaining Council term until the Local Government elections on 14 September 2024.

Council is required to make application to the Minister for Local Government that the vacancy not be filled in accordance with Section 294 of the Local Government Act.

Attachments

Nil