



Special Council Meeting

20 October 2025

Commencing at 5:30 PM

Agenda

Notice of Meeting.

To: The President and Councillors.

A Special Council Meeting of the Shire of Toodyay will be held at the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566 on the above-mentioned date and time.

The Special Meeting of Council has been called by the Shire President.

The Special Meeting of Council is for the purpose of conducting an election for the Office of Shire President and Deputy Shire President.

Aaron Bowman JP

CHIEF EXECUTIVE OFFICER



Information

Our Vision, Purpose and Values

The Shire of Toodyay's Plan for the Future (Council Plan 2023-2033) is the Community's Strategic Plan outlining the direction that the Shire is undertaking to meet the needs and aspirations of its community.

Our Vision

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle.

Our Purpose

The Shire of Toodyay exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

Our Values

We conduct ourselves in line with values the local community cares deeply about:

- **Integrity** - we behave honestly to the highest ethical standard;
- **Accountability** – we are transparent in our actions and accountable to the community;
- **Inclusiveness** – we are responsive to the community, and we encourage involvement by all people; and
- **Commitment** – we translate our plans into actions and demonstrate the persistence that will provide results.

Community Aspirations

There are five core performance areas in this plan: People, Planet, Place, Prosperity, and Performance. These areas are interrelated, and each must be satisfied to deliver excellent quality of life in the Shire of Toodyay.

For each area, there is an overarching aspirational statement and desired outcomes, summarised in the Council Plan which is available on the Shire's website at: <https://www.toodyay.wa.gov.au/documents/432/council-plan-plan-for-the-future-2023-2033>

Availability of Meeting Agenda and its Attachments

Information about Council Meetings is located on the website

<http://www.toodyay.wa.gov.au/Council/Council-Meetings>

Agendas & Minutes are located under the heading "Council Meetings" at

<http://www.toodyay.wa.gov.au/Council/Council-Meetings/Agendas-Minutes-and-Notes>

Information

Conduct of Members of the Public at Council Meetings

The *Shire of Toodyay Standing Orders Local Law 2008* prescribes the ways in which members of the public can contribute to a Council meeting. Members of the public attended Council meetings must comply with the Standing Orders Local Law. In particular, members of the public are reminded of sections 5.17 and 8.6 of the Standing Orders Local Law.

Section 5.17 Prevention of disturbance

- (1) A reference in this clause to a person is to a person other than a Member.
- (2) A person addressing the Council or committee must extend due courtesy and respect to the Council or committee and the processes under which it operates and must comply with any direction by the Presiding Member.
- (3) A person present at a meeting must not create a disturbance, by interrupting or interfering with the orderly conduct of the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

Section 8.6 Right of Presiding Member to adjourn

- (1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

Public Question Time

Procedures for Question Time for the public are governed by the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996*, and the *Shire of Toodyay Standing Orders Local Law 2008*. Regulation 6 specifies that minimum time for Question Time for the public is 15 minutes.

Procedures for Asking Questions

Regulation 7(1)(a) of the *Local Government (Admin) Regulations 1996* states the procedures for the asking of and responding to public questions are to be determined by the person presiding at the meeting. In accordance with the regulation and advice from the Department of Local Government, the Shire President of the Shire of Toodyay, has determined the following as a procedure for Public Question Time:

Procedure set by the Shire President pursuant to regulation 7(1)(a) of the *Local Government (Administration) Regulations 1996*

Members of the public who wish to ask a question at a Council Meeting **must complete** a [Public Question Registration Form](#) and submit it to the Chief Executive Officer by **12 noon on the day of the Council Meeting** via email: records@toodyay.wa.gov.au or in person at the Shire of Toodyay Administration Office, 15 Fiennes Street, Toodyay WA 6566.

Anyone that is incapable of submitting their questions in writing due to a physical or other

limitation is requested to contact the Shire of Toodyay as assistance is available.

A register will be kept of incoming questions and questions will be asked and responded to in order of receipt. The person presiding the meeting will manage public question time and ensure that each person wishing to ask their pre-submitted questions is given a fair and equal opportunity to do so.

The following general rules apply to question time:

- Questions relating to Council Business or to matters affecting Council will be

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considered at an Ordinary Council Meeting;

- At a Special Council Meeting only questions related to the purpose of the meeting will be considered.
- The first priority will be given to persons who are asking questions relating to items on the current meeting agenda.
- A person is required to state their name and to what item on the agenda their question refers to before they ask their question. Two questions are permitted to be asked at a time.
- Any preamble to provide context before a question is to be brief and relevant to the question itself and must directly support the question being asked.
- Questions should not include a statement or personal opinion.
- Questions may not be directed at specific Councillors or employees;
- Questions are not to be framed in such a way as to reflect adversely on a Councillor or Employee.
- No debate or discussion about the question or answer will take place at the meeting.
- Only pre-submitted questions will be allowed to be asked at the Council meeting.
- During the Council Meeting, no member of the public may interrupt the meeting's proceedings or enter into private conversations.
- Questions asked will be included in the minutes of the meeting however any pre-ambles to the questions asked will not be included.
- If questions cannot be answered at the meeting they will be 'taken on notice'. A written response will be provided, and the response will be recorded in the agenda of the next Ordinary Council Meeting.

Council Meetings

The Shire President presides at Council Meetings in accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

The Chief Executive Officer and the Divisional Managers attend Council meetings to provide advice or any other information Councillors may seek but cannot vote or participate in debate.

Agendas are available for public inspection, at least 72 hours prior to the commencement of the meeting, from the Shire of Toodyay Administration Centre (between 8.30 am and 4.30 pm).

Disclosure of Interests

Councillors and Council Officers are required to disclose an interest when there may be a perception that there is a financial or proximity interest that could affect their impartiality.

Councillors must leave the meeting whilst the matter is discussed; however Council Officers are required to disclose their interest at the time of giving their advice to Council, whether in writing or verbally.

Confidential Items

Some reports or attachments to reports are not for publication or distribution to members of the public, gallery or Council Officers. Such reports are dealt with at a time when the meeting is closed to the public. The matters that can be considered when the public is excluded from a meeting is limited to Section 5.23 of the *Local Government Act 1995*.

Unconfirmed and Confirmed Minutes

A copy of the Unconfirmed Minutes of Council Meetings will be made available on the Shire's website within 14 days after the meeting is held pursuant to r.13 of the *Local Government (Admin) Regulations 1996*.

Council will confirm the minutes of a meeting at the next available Council Meeting.

Information



Public Question Time Registration

s.5.24 of the Local Government Act 1995

Members of the public who wish to ask a question at a Council Meeting must complete this form

Date of Council Meeting: _____

Name(s): _____

Postal Address: _____

Organisation (if applicable): _____

Phone: _____ Email: _____

I am a: ☐ Resident ☐ Ratepayer ☐ Non-Resident ☐ Non-Ratepayer

Privacy Statement – In accordance with privacy requirements, the Questioner's address will not be made public. The information collected will only be used for matters related to Public Question Time.

Please be advised that I intend to ask the following questions in the order as numbered:

(1) _____

_____ Agenda Item No: _____

(2) _____

_____ Agenda Item No: _____

(3) _____

_____ Agenda Item No: _____

(4) _____

_____ Agenda Item No: _____

(5) _____

_____ Agenda Item No: _____

If you require extra room, please attach an A4 page

Signature: _____

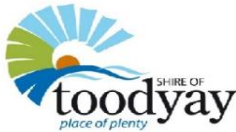
Date: _____



Administration Centre
15 Fiennes Street (PO Box 96)
TOODYAY WA 6566

T (08) 9574 9300
E records@toodyay.wa.gov.au
W www.toodyay.wa.gov.au

Information



Disclosure of Interest Form

This form is provided for Councillors, Committee Members, Employees, or Contractors to use for the purpose of declaring an interest in a matter to be considered by Council or a Committee. It is to be completed and given to the CEO before the meeting takes place or at the meeting immediately before the matter is discussed.

This information will be read out by the Presiding Member at the Council or Committee Meeting in accordance with the Code of Conduct for Council Members, Committee Members and Candidates.

Meeting Date: _____ Meeting type: ☐ Council Meeting ☐ Committee Meeting
Report No: _____ Report Title: _____

Disclosure made by: ☐ Councillor ☐ Employee ☐ Contractor ☐ Committee Member

Your Full Name: _____

Type of Interest: ☐ Financial ☐ Proximity ☐ Impartiality
☐ Indirect Financial ☐ Closely Associated Persons

Nature of Interest: _____

Extent of Interest: _____

Signature: _____ Date: _____

CEO Sign off

Signature: _____ Date: _____
Chief Executive Officer

Applicable Legislation and Operational Guidelines:

[Local Government Act 1995 \(Sections 5.65, 5.66, 5.67, 5.70, 5.71, 5.71A, 5.71B, 5.73 and 5.88 \(2\) \(b\)\)](#)

[Local Government \(Administration\) Regulations 1996 \(Regulation 19AD\)](#)

[Local Government \(Model Code of Conduct\) Regulations 2021 \(Regulation 22\)](#)

[Local Government Operational Guideline \(Disclosures of Interest\)](#)

[Local Government Operational Guideline \(Disclosure of gifts and disclosure of interests relating to gifts\)](#)

OFFICE USE ONLY

☐ recorded in Minutes of Meeting ☐ recorded in Disclosure of Interests Register

Date: _____ Officer Signature: _____

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ATTACHMENTS are included in this agenda.

1 OPENING AND ANNOUNCEMENT OF VISITORS

The Chief Executive Officer will declare the Special Council Meeting open.

Acknowledgement of Country: *"I acknowledge the Ballardong Noongar people and the Yued and Whadjuk people, the traditional custodians of the land where we meet today within the Shire of Toodyay. I pay my respect to their Elders, past and present."*

2 ATTENDANCE AND APOLOGIES**3 DISCLOSURE OF INTERESTS****4 PUBLIC QUESTION TIME****5 APPROVED LEAVE OF ABSENCE****6 PRINCIPAL OFFICE ELECTION****6.1. Elect the positions of the Shire President and Deputy Shire President**

Date of Report:	26 August 2025
Author:	M Rebane – Governance Coordinator
Responsible Officer:	A Bowman JP – Chief Executive Officer
Attachments:	1. Local Government Act 1995 - Schedule 2.3 - When and how mayors, presidents, deputy mayors and deputy presents are elected by the Council. ↓ 2. Local Government (Elections) Regulations 1997 - extract of r.30; ↓ 3. Elections Process; ↓ 4. Nomination form for Office of Shire President or Deputy Shire President; ↓ 5. Ballot Paper Shire President; ↓ 6. Ballot Paper Deputy Shire President. ↓ 7. Declaration of Office form. ↓

PURPOSE

To receive nominations for the Office of Shire President and Deputy Shire President pursuant to Schedule 2.3, Division 1 Mayors and Presidents; and

From among the Councillors, elect a Shire President and Deputy Shire President in accordance with Schedule 2.3 of the *Local Government Act 1995* (the Act) (**Attachment 1**).

The Chief Executive Officer shall preside over the meeting until a Shire President is elected.

The CEO will manage the election of the Shire President and the Deputy Shire President as per the Elections process attachment (**Attachment 3**).

Legal and Statutory:

Local Government Act 1995:

Local Government (Elections) Regulations 1997

DECLARATION AND NOTICE OF RESULT (by the Chief Executive Officer)

Local Government Act 1995

When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council **Schedule 2.3**

Mayors and presidents **Division 1**
cl. 1

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

[Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents**1. Terms used**

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of councillor mayor or president.

2. When council elects mayor or president

- (1) The office is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.

Local Government Act 1995

Schedule 2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Division 1 Mayors and presidents

cl. 5

- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that the nominee is willing to be nominated for the office.
- (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

[Clause 4 amended: No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14; No. 47 of 2024 s. 160.]

5. Votes may be cast a second time

- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
- (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

Local Government Act 1995

When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Schedule 2.3

Deputy mayors and deputy presidents

Division 2**cl. 6****Division 2 — Deputy mayors and deputy presidents****6. Terms used**

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of deputy mayor or deputy president.

7. When council elects deputy mayor or deputy president

- (1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —
 - (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.

Local Government Act 1995

Schedule 2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Division 2 Deputy mayors and deputy presidents

cl. 9

- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (4) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (5) If a councillor is nominated by another council member, the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that they are willing to be nominated for the office.
- (6) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
- (7) Subject to clause 9(1), the votes cast under subclause (6) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (8) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

[Clause 8 inserted: No. 47 of 2024 s. 145.]

9. Votes may be cast a second time

- (1) If when the votes cast under clause 8(6) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.

Local Government Act 1995

When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Schedule 2.3

Validity of elections

Division 3

cl. 10

- (3) When the meeting resumes the council members are to vote again on the matter by secret ballot as if they were electors voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

[Clause 9 inserted: No. 47 of 2024 s. 145.]

Division 3 — Validity of elections

[Heading inserted: No. 49 of 2004 s. 69(11).]

10. Term used: election

In this Division —

election means an election under this Schedule.

[Clause 10 inserted: No. 49 of 2004 s. 69(11).]

11. Complaints about validity of election

- (1) A councillor who is dissatisfied with the result of an election or with the way in which an election was conducted may make an invalidity complaint.
- (2) An **invalidity complaint** is a complaint that an election is invalid, or that another person should be declared elected.

[Clause 11 inserted: No. 49 of 2004 s. 69(11).]

12. Complaints to go to Court of Disputed Returns

- (1) An invalidity complaint is to be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.
- (2) Regulations made under section 4.81(2) apply in respect of an invalidity complaint made under this Division in so far as they are capable of being so applied.
- (3) If the court declares the election to have been invalid —
 - (a) the election is null and void; and

Local Government Act 1995

Schedule 2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

Division 3 Validity of elections

cl. 13

- (b) any office filled at the election is vacant; and
 - (c) the court is to fix a day for holding any poll needed for a fresh election; and
 - (d) the CEO is to prepare for, conduct and ascertain and declare the result of the fresh election.
- (4) If the court declares that a person (**candidate A**) ought to have been elected to an office in place of another person (**candidate B**) —
- (a) candidate B is not to act in that office; and
 - (b) candidate A is to be regarded as having been elected; and
 - (c) notice of candidate A's election is to be published in accordance with regulations.

[Clause 12 inserted: No. 49 of 2004 s. 69(11).]

13. No appeal

There is no appeal from a decision of a Court of Disputed Returns.

[Clause 13 inserted: No. 49 of 2004 s. 69(11).]

14. Certain defects do not affect election

An election is not invalid because of —

- (a) a failure to do something in connection with the election within the time, or for the period or before the date allowed or required under this Act, so long as the failure does not affect the result of the election; or
- (b) a formal omission, irregularity or defect in a document, declaration, publication or other thing that a person has made, issued or done in good faith.

[Clause 14 inserted: No. 49 of 2004 s. 69(11).]

15. Regulations about retention and availability of electoral papers

Regulations made under section 4.84 apply in respect of elections in so far as they are capable of being so applied.

[Clause 15 inserted: No. 49 of 2004 s. 69(11).]

Local Government (Elections) Regulations 1997**Part 5** Nominations**r. 30**

30. Drawing lots for positions on ballot paper — s. 4.56(a)

- (1) As soon as possible after nominations have been declared the RO is to make out in respect of each candidate a slip bearing the candidate's name.
- (2) The RO is to place each of the slips in separate hollow opaque spheres of exact similarity, securely close the spheres, deposit the spheres in an empty container, and securely fasten the container.
- (3) Then the RO is to shake and rotate the container and permit anyone else present to do likewise if they so wish.
- (4) Then the RO is to open the container, take out and open the spheres one by one to obtain the slips enclosed in them, and record on a list the names appearing on the slips in the order in which they were obtained.
- (5) When the list is complete the RO is to sign and date it.
- (6) The steps set out in subregulations (1) to (5) are to be carried out in front of all the people present and the RO is to show them the list of candidates before retaining it with other records of the election.
- (7) The RO is to cause the ballot papers to be printed so that the names of the candidates appear in the order in which they appear on the list.

Election Process

Principal office election – Attachment 3

The office of Shire President and Deputy Shire President is to be filled as the first matter dealt with at a Special Council Meeting to be held after the ordinary local government election process has concluded.

The election of both those positions is to be conducted by the Chief Executive Officer (CEO) in accordance with **Schedule 2.3 – When and how mayor's, presidents, deputy mayors and deputy presidents are elected by the Council** of the *Local Government Act 1995* (the Act). The schedule from the Act is the procedure the Shire will follow for the conduct of the election (**Attachment 1**).

Nominations for the office of Shire President or Deputy Shire President shall be in writing and given to the CEO before the meeting or during the meeting before the close of nominations. It is recommended that nominations be made on the form provided and submitted to the CEO, prior to the commencement of the meeting (**Attachment 4**).

The election for the office of Shire President will be conducted first, followed by the election of the Deputy Shire President.

The process for both elections is as follows:

1. The CEO will announce the time that nominations will close to allow for any nominations made at the meeting to be dealt with in accordance with Schedule 2.3 Clause 4(3a).
2. If a Councillor is nominated by another Councillor the CEO will not accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office. This is in accordance with Schedule 2.3 Clause 4(4).
3. If there is only one nomination that person is elected unopposed.
4. If there is more than one nomination then the CEO will act as Returning Officer (RO) to draw lots for positions on the ballot paper in accordance with regulation 30 of the *Local Government (Elections) Regulations 1997* (s.4.56(a) of the Act) (**Attachment 2**).
5. Ballot papers shall be prepared by the CEO in accordance with regulation 33 of the *Local Government (Elections) Regulations 1997* (**Attachment 5 and 6**).
6. The CEO will invite each nominated councillor to address Council in support of their nomination, for a maximum of three minutes.

7. Each Councillor will be invited to cast their vote one by one, using a polling booth provided.
8. On completion of the ballot paper, the Councillor is to place their ballot paper in the ballot box provided.
9. The votes are then counted by the CEO.
10. When the result of the election is known, the CEO will declare and give notice of the result.
11. The Councillor elected to the Office of either Shire President or Deputy Shire President will then make a verbal and written declaration on a prescribed form (**Attachment 7**) in the presence of a Justice of the Peace.

How votes are counted and results ascertained

1. **Round 1**

- a) First preference votes are counted. These are the number "1" votes each candidate receives.
- b) The quota is the number of votes a candidate needs to be elected. It is calculated as:
Quota = (Total number of first preference votes ÷ (Number of positions to fill + 1)) + 1.
Example: With 1 position and 7 votes, the quota is: $(7 \div (1 + 1)) + 1 = 4.5$
- c) Elect the candidate who gets 4 votes or a greater number of votes.
- d) Where two candidates receive the same number of votes, **in the first-round** votes may be cast a second time in accordance with Schedule 2.3 Clause 5(1) (**refer to Attachment 1**). That process is to be as follows:
 - (i) The CEO will adjourn the meeting for 15 minutes.
 - (ii) During the adjournment any nomination for the office may be withdrawn and further nominations may be made, before or when the meeting resumes.
 - (iii) When the meeting resumes if there is only one nomination that person is elected unopposed.
 - (iv) If there is more than one nomination then the CEO will draw lots for positions on the ballot paper in accordance with regulation 30 of the Local Government (Elections) Regulations 1997 (s.4.56(a) of the Act) (**Attachment 2**).

- (v) Ballot papers shall be prepared by the CEO in accordance with regulation 33 of the Local Government (Elections) Regulations 1997 (**Attachment 5 and 6**).
- (vi) The CEO will invite each nominated councillor to address Council in support of their nomination, for a maximum of three minutes.
- (vii) Each Councillor will be invited to cast their vote again, one by one, using a polling booth provided.
- (viii) On completion of the ballot paper, the Councillor is to place their ballot paper in the ballot box provided.
- (ix) The votes are then counted by the CEO.

2. **Round 2**

If no one gets 4 votes in the second round:

- a) The candidate with the fewest votes is excluded.
- b) If there's a tie for the lowest number of votes (i.e. two candidates both have the fewest), the decision on who to exclude is made by drawing lots.
- c) Voting continues until one candidate gets 4 votes.

Declaration of results

The results are to be declared at the meeting including the names of the candidates and the name and term of office of the candidate elected in accordance with Schedule 2.3 Clause 4(8) and Clause 8(8) for the office of Shire President and Deputy Shire President, respectively.

The term of the Shire President and Deputy Shire President is two years as per s.2.28 of the *Local Government Act 1995*.

**SHIRE OF TOODYAY**

(08) 9574 9300

15 FIENNES STREET

Nomination - Shire President and Deputy Shire President

Division 1, Schedule 2.3 (Clause 4(3)) of the *Local Government Act 1995* states

"Nominations for the office of Shire President or Deputy Shire President are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations."

Note: The CEO will make an announcement at the meeting in accordance with clause 4(3a).

A. NOMINATION OF SELF

I :

(insert your name)

of :

(insert your residential address)

having been elected to the office of Councillor of the Shire of Toodyay hereby give notice of my nomination for the position of:

☐

Shire President

☐

Deputy Shire President

B. NOMINATION OF COUNCILLOR OTHER THAN SELF

I :

(insert your name)

of :

(insert your residential address)

having been elected to the office of Councillor of the Shire of Toodyay hereby nominate another Councillor for the position of:

☐

Shire President

☐

Deputy Shire President

C. ACCEPTANCE OF NOMINATION

I :

(insert your name)

of :

(insert your residential address)

having been elected to the office of Councillor of the Shire of Toodyay hereby accept the nomination for the position of:

☐

Shire President

☐

Deputy Shire President

To be decided at a Special Council Meeting on:

Signature

Date

BALLOT PAPER

Election of Shire President

Shire of Toodyay

Election Date: 20 October 2025

How to Vote

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of the other candidates in the order of your choice, starting with the number 2 up to four.

Do not make any other marks on the ballot paper.

Candidate 1	_____	☐
Candidate 2	_____	☐
Candidate 3	_____	☐
Candidate 4	_____	☐

BALLOT PAPER

Election of Shire President

Shire of Toodyay

Election Date: 20 October 2025

How to Vote

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of the other candidates in the order of your choice, starting with the number 2 up to four.

Do not make any other marks on the ballot paper.

Candidate 1	_____	☐
Candidate 2	_____	☐
Candidate 3	_____	☐
Candidate 4	_____	☐

BALLOT PAPER

Election of Deputy Shire President
Shire of Toodyay
Election Date: 20 October 2025

How to Vote

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of the other candidates in the order of your choice, starting with the number 2 up to four.

Do not make any other marks on the ballot paper.

Candidate 1	_____	☐
Candidate 2	_____	☐
Candidate 3	_____	☐
Candidate 4	_____	☐

BALLOT PAPER

Election of Deputy Shire President
Shire of Toodyay
Election Date: 20 October 2025

How to Vote

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of the other candidates in the order of your choice, starting with the number 2 up to four.

Do not make any other marks on the ballot paper.

Candidate 1	_____	☐
Candidate 2	_____	☐
Candidate 3	_____	☐
Candidate 4	_____	☐



Declaration by Elected Member of Council

Form 7 [reg.13(1)(c)] - Local Government Act 1995

Local Government (Constitution) Regulations 1998

I ¹: _____
(Insert your name)

of ²: _____
(Insert your residential address)

having been elected to the office of:

☐ Shire President ☐ Deputy President ☐ Councillor

of the Shire of Toodyay, declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the code of conduct adopted by the Shire of Toodyay under section 5.104 of the *Local Government Act 1995*.

Declared at Shire of Toodyay, Council Chambers, on:

By:

Before me:

25/10/2022

Declaration by Elected Member of Council (Form 7)

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7 CLOSURE OF MEETING