



Ordinary Meeting

Date of meeting: 23 August 2022
Location: Council Chambers
Time: 6:30 p.m.

BUSINESS PAPER

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ORDINARY MEETING
Procedural Matters
Meeting Date: 23 August 2022

PROCEDURAL MATTERS

Welcome

The Chairperson will acknowledge the Indigenous Heritage.

The General Manager will address the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

Election of Chairperson

Attendance

Attending Councillors and Council staff members will be noted for the purposes of the Minutes.

Apologies and Leave of Absence

The Chairperson will ask for any Apologies or Leave of Absence Requests to be noted.

Statement of Ethical Obligations

On 11 January 2022 in accordance with Section 233A of the Local Government Act 1993, Councillors took an oath or made an affirmation of office to undertake the duties of the office of Councillor in the best interests of the people of the Hawkesbury City Council Local Government Area and the Hawkesbury City Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in Councillors under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Council's Code of Conduct requires Councillors to disclose and appropriately manage conflicts of interest.

Declaration of Interest

The Chairperson will ask for any Declaration of Interests from the attending Councillors. These will then be addressed at the relevant item.

Acknowledgement of Official Visitors to the Council

The Chairperson will acknowledge and welcome official visitors to the Council and make any relevant presentations as required.

ORDINARY MEETING

Procedural Matters

Meeting Date: 23 August 2022

Ordinary

Section 1

Confirmation of minutes

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 23 August 2022

SECTION 1 - Confirmation of Minutes



Ordinary Meeting

Date of meeting: 09 August 2022
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MINUTES

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ORDINARY MEETING

Minutes: 09 August 2022

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 9 August 2022, commencing at 6:30pm.

Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

ATTENDANCE

PRESENT: Councillor Patrick Conolly, Mayor, Councillor Barry Calvert, Deputy Mayor and Councillors Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Sarah McMahon, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Elizabeth Richardson, Acting Director City Planning – Amanda Kearney, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Manager Corporate Communications - Suzanne Stuart, Manager Strategic Planning - Andrew Kearns, Manager Community Planning and Partnerships - Meagan Ang, Manager Governance - Charles McElroy and Administrative Support Coordinator - Tracey Easterbrook.

APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK

There were no apologies or leave of absences received from Councillors.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

SECTION 1 - Confirmation of Minutes

167 RESOLUTION:

RESOLVED on the motion of Councillor Reardon and seconded by Councillor Zamprogno that the Minutes of the Ordinary held on the 19 July 2022, be confirmed.

ORDINARY MEETING

Minutes: 09 August 2022

SECTION 2 – Mayoral Minutes

Item: 137 MM - Upgrades to Evacuation Routes - (125610)

Mr Christopher Bell and Mr Peter Ryan addressed Council speaking for the recommendation in the business paper.

MOTION:

RESOLVED on the motion by the Mayor, Councillor Conolly.

Refer to RESOLUTION

168 RESOLUTION:

RESOLVED on the motion by the Mayor, Councillor Conolly.

That:

1. Council writes to the local State Member the Hon Robyn Preston MP, Minister for Metropolitan Roads the Hon Natalie Ward MP and the Minister for Emergency Services and Resilience the Hon Steph Cooke MP:
 - a) Calling for the urgent funding of the immediate safety upgrades of the Pitt Town Evacuation Route as recommended in the Upper House enquiry.
 - b) Advocating for an expedited delivery timetable for the current proposed improvements to existing flood evacuation routes in the Hawkesbury-Nepean Valley; and
 - c) Requesting that, with the knowledge acquired from the five most recent flood events, a thorough review be undertaken of what additional upgrades to flood evacuation routes may be necessary.
2. Council requests that the local State Member the Hon Robyn Preston MP, Minister for Metropolitan Roads the Hon Natalie Ward MP and the Minister for Emergency Services and Resilience the Hon Steph Cooke MP along with Opposition and Minor Parties Spokespeople for Roads and Disaster Emergency take part in a tour of the evacuation networks.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

SECTION 3 – Reports for Determination

GENERAL MANAGER

Item: 138 **GM - Review of Delegations of Authority under Section 377 of the Local Government Act 1993 - (79351)**

Previous Item: 129, Ordinary (25 July 2017)

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

169 RESOLUTION:

RESOLVED on the motion of Councillor Wheeler, seconded by Councillor Lyons-Buckett.

That this matter be deferred to a future Councillor Briefing Session.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

Item: 139 **GM - Motions - 2022 Local Government NSW Annual Conference - (79351, 79633)**

Previous Item: 126, Ordinary (19 July 2022)

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Lyons-Buckett.

Refer to RESOLUTION

170 RESOLUTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Lyons-Buckett.

That:

1. The report be received and noted.
2. Council submit to the 2022 Local Government NSW Annual Conference a motion regarding inclusion of heatwaves as Natural Disasters and revision of the National Building Code and Basix to include heat resilience.
3. A copy of Council's 2022 Local Government NSW Annual Conference motion be forwarded to WSROC.

For the Motion: Councillors Conolly, Calvert, Kotlash, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprognio.

Against the Motion: Councillors Djuric, Dogramaci and Sheather.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

SUPPORT SERVICES

Item: 140 **SS - Investment Report - June 2022 - (95496)**

Previous Item: 129, Ordinary (19 July 2022)

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

171 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That the Monthly Investment Report for June 2022 be received and noted.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

Item: 141 **SS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)**

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

172 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That the Clause 4.21(a) Pecuniary Interest Returns be received and noted.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

Item: 142 **SS - Payment of Expenses and Provision of Facilities to Councillors Policy - (95496)**

Previous Item: 113, Ordinary (15 June 2021)
 133, Ordinary (13 July 2021)
 143, Ordinary (27 July 2021)
 206, Ordinary (26 October 2021)

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor McMahon.

Refer to RESOLUTION

173 RESOLUTION:

RESOLVED on the motion of Councillor Kotlash, seconded by Councillor McMahon.

That:

1. The Draft Payment of Expenses and Provision of Facilities to Councillors Policy, attached as Attachment 1 to this report, be placed on public exhibition for 28 days, with submissions being accepted from interested parties for 42 days.
2. At the expiration of the public notification period, a further report be submitted to Council.

For the Motion: Councillors Conolly, Calvert, Djuric, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

SECTION 4 – Reports of Committees

Item: 143 **ROC - Community Services Committee - 28 June 2022 - (151937)**

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Kotlash.

Refer to RESOLUTION

174 RESOLUTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Kotlash.

That in relation to the Minutes of the Community Services Committee Meeting held on the 28 June 2022:

1. Council receive and note the Community Services Committee Minutes in respect to Item 1 resolution part 1, namely:

"That the Committee recommend to Council that:

 1. *Council Officers continue involvement on the WSROC Heat Smart Program, and projects associated with addressing the impacts of urban heat."*
2. In respect of part 2 of the Community Services Committee Minutes, the following motion be put to Local Government NSW:
 - i. That Local Government NSW calls on the State and Federal Governments to:
 - a) Include heatwaves as Natural Disasters
 - b) Revise the National Building Code and Basix to include heat resilience.
3. In respect of part 3 of the Community Services Committee Minutes, that Council refer consideration to developing a long term Heat Plan to the 2023/2024 Operational Plan.
4. In respect of part 4 of the Community Services Committee Minutes, that resourcing of Council's involvement in the WSROC Heat Smart Program currently continue on the basis of Officers from across the organisation performing that role and further consider the need and resourcing of the Heat Smart Coordinator in determining subsequent budgets.

For the Motion: Councillors Conolly, Calvert, Djuric, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprognio.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

Item: 144 **ROC - Local Traffic Committee - 11 July 2022 - (80245)**

Directorate: Infrastructure Services

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

175 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Traffic Committee meeting held on 11 July 2022.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

Item: 145 **ROC - Audit, Risk and Improvement Committee - 15 July 2022 - (158054, 95496)**

Directorate: Support Services

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

Refer to RESOLUTION

176 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Wheeler.

That Council receive and note the Minutes of the Audit, Risk and Improvement Committee held on the 15 July 2022.

For the Motion: Councillors Conolly, Calvert, Djuric, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillor Dogramaci.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

SECTION 5 – Notices of Motion

Item: 146 **NM - Opting into the State Government e-Scooter Trial - (138884)**

MOTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Sheather.

Refer to RESOLUTION

177 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Sheather.

That Council:

1. Express its in principle support of the E-Scooter Trial program.
2. Note that there is currently work underway that will advance Council's position to favourably register an interest to participate in the E-Scooter Trial program in future years, including incorporation and implementation into each of the following projects:
 - a) Net Zero and Water Efficiency Strategy
 - b) Liveability Project
 - c) Active Transport Plan.
3. Is mindful of the advent of E-Scooters in the implementation of the above policies, and tasks the Innovation and Partnerships Committee to assess the success of trials in other Local Government Areas for future consideration in the Hawkesbury Local Government Area.

For the Motion: Councillors Conolly, Djuric, Lyons-Buckett, McMahon, Reardon, Veigel, Wheeler and Zamprogno.

Against the Motion: Councillors Calvert, Dogramaci, Kotlash and Sheather.

Absent: Nil.

ORDINARY MEETING

Minutes: 09 August 2022

CONFIDENTIAL REPORTS

178 RESOLUTION:

RESOLVED on the motion of Councillor McMahon, seconded by Councillor Reardon.

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Council Chambers during consideration of the following items:

Item: 147 MM – Staff Matter – (125610)

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personnel matters concerning particular individuals (other than councillors).*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

The Mayor asked for representation from members of the public as to why Council should not go into closed Council to deal with these confidential matters.

There was no response, therefore, the public and staff left the Council Chambers.

179 RESOLUTION:

RESOLVED on the motion of Councillor McMahon, seconded by Councillor Reardon that open meeting be resumed.

ORDINARY MEETING

Minutes: 09 August 2022

Item: 147 MM - Staff Matter - (125610)

MOTION:

The Mayor, Councillor Conolly advised that whilst in closed session, the Council RESOLVED on the motion of Councillor McMahon, seconded by Councillor Reardon.

Refer to RESOLUTION

180 RESOLUTION:

The Mayor, Councillor Conolly advised that whilst in closed session, the Council RESOLVED on the motion of Councillor McMahon, seconded by Councillor Reardon.

That:

1. The report of the General Manager's Performance Review be received and noted.
2. Council approve the recommendation of the General Manager's Review Panel that pursuant to Clause 8.3 of the General Manager's Contract of Employment, the General Manager's total Remuneration package be increased by 3%, following the assessment of the General Manager's performance as being of better than satisfactory standard.
3. The increase in the General Manager's total remuneration package be applied effective 1 June 2022.

For the Motion: Councillors Conolly, Calvert, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

The meeting terminated at 9:35pm.

Submitted to and confirmed at the Ordinary meeting held on 13 September 2022.

.....
Mayor

Ordinary

Section **2**

Mayoral minutes

ORDINARY MEETING
SECTION 2 - Mayoral Minute
Meeting Date: 23 August 2022

SECTION 2 - Mayoral Minutes

There was no Mayoral Minute at the time of preparing this Business Paper.

Notwithstanding the above, pursuant to Clauses 9.6-9.9 of Council's Code of Meeting Practice, the Mayor may submit a Mayoral Minute to the meeting without notice in relation to any matter or topic that:

- Is within the jurisdiction of the Council
- Council has official knowledge of.

However, a Mayoral Minute must not be put without notice if it relates to a routine or non-urgent matter.

A matter is considered to be urgent when it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

Ordinary

Section 3

Reports
for determination

ORDINARY MEETING

SECTION 3 - Reports for Determination

Meeting Date: 23 August 2022

ORDINARY MEETING
SECTION 3 - Reports for Determination
Meeting Date: 23 August 2022

SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 148 **GM - Election of the Mayor - (79351)**

Previous Item: 001 (Ordinary, 11 January 2022)
 002 (Ordinary, 11 January 2022)

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to outline the procedures for the election of the Mayor of Hawkesbury City Council.

EXECUTIVE SUMMARY:

At its meeting on 11 January 2022, Council resolved to elect Councillor Patrick Conolly as Mayor until the end of the two year Mayoral Term in January 2024.

On 11 August 2022, Councillor Conolly resigned as Mayor in writing to the General Manager, effective 22 August 2022.

Section 295(1) of the Local Government Act 1993 requires that an election of a Mayor that is elected by Councillors be held within 14 days of a casual vacancy occurring.

Therefore, the election of Mayor of Hawkesbury City Council for the balance of the Mayoral Term is now required.

If more than one Councillor is nominated for Mayor, Council must resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting. Ballot means a secret ballot and open voting means voting by show of hands or similar means.

This report sets out the procedures for the election of the Mayor in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.

RECOMMENDATION:

That an election for the position of Mayor of Hawkesbury City Council for the balance of the Mayoral Term from August 2022 to January 2024 be carried out.

BACKGROUND

Section 230(1) of the Local Government Act 1993 (the Act) says:

“A mayor elected by the councillors holds the office of mayor for 2 years, subject to this Act.”

ORDINARY MEETING
SECTION 3 - Reports for Determination
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Section 230(4) of the Act says:

“A person elected to fill a casual vacancy in the office of mayor holds the office for the balance of the predecessor’s term.”

On 11 August 2022, Council was advised in writing of the resignation of the Mayor, causing a casual vacancy.

Section 295 of the Act says:

- “(1) If a casual vacancy occurs in the office of a mayor elected by the councillors, the vacancy is to be filled at a meeting of the council to be held within 14 days after the occurrence of the vacancy.*
- (2) If the councillors fail to elect a mayor as required by this section, the Governor may appoint one of the councillors as mayor.”*

In accordance with Clause 3.6 of Council’s Code of Meeting Practice, Council’s meeting schedule was amended so that an Ordinary Meeting could be held to elect a Councillor for the position of Mayor of Hawkesbury City Council for the balance of the January 2022 to January 2024 Mayoral Term.

Relevant Legislation

Local Government Act 1993
Local Government (General) Regulation 2021

Procedures

Schedule 7 of the Local Government (General) Regulation 2021 (the Regulation), as specified by Clause 394 of the Regulation and Section 230(1) of the Act, applies to the process of election of a Mayor by Councillors.

The following provisions of the Regulation apply to the election of a Mayor:

“Part 1 - Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) The nomination is to be delivered or sent to the returning officer.*
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

ORDINARY MEETING
SECTION 3 - Reports for Determination
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3 Election

- (1) *If only one councillor is nominated, that councillor is elected.*
- (2) *If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) *The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) *In this section—*

ballot has its normal meaning of secret ballot.

open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) *If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*
- (2) *The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.*
- (3) *An informal ballot-paper must be rejected at the count.*

6 Count—2 candidates

- (1) *If there are only 2 candidates, the candidate with the higher number of votes is elected.*
- (2) *If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*

7 Count—3 or more candidates

- (1) *If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*
- (2) *If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
- (3) *If, after that, 3 or more candidates still remain, the procedure set out in subsection (2) is to be repeated until only 2 candidates remain.*
- (4) *A further vote is to be taken of the 2 remaining candidates.*
- (5) *Section 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
- (6) *If at any stage during a count under subsection (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

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Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) *The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.*
- (2) *The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.*
- (3) *An informal ballot-paper must be rejected at the count.*

10 Count

- (1) *If a candidate has an absolute majority of first preference votes, that candidate is elected.*
- (2) *If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.*
- (3) *A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.*
- (4) *In this section, **absolute majority**, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.*

11 Tied candidates

- (1) *If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.*
- (2) *If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.*

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

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SECTION 3 - Reports for Determination
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13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is—

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and*
- (b) to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW."*

DISCUSSION

The balance of the current Mayoral Term is from August 2022 to January 2024.

In accordance with Section 295(1) of the Act, Council is now required to hold an election for the position of Mayor for the remainder of the current Mayoral Term and it is to be undertaken in accordance with the procedures outlined in this report. Appropriate nomination forms for this purpose were previously distributed to Councillors under separate cover.

Deputy Mayor

Section 231 of the Act says:

- "(1) The councillors may elect a person from among their number to be the deputy mayor.*
- (2) The person may be elected for the mayoral term or a shorter term."*

At its meeting on 11 January 2022, Council resolved to elect a Deputy Mayor for the Mayoral Term from January 2022 to January 2024. Councillor Barry Calvert was elected as the Deputy Mayor.

If due to the result of the Mayoral election the office of Deputy Mayor becomes vacant, Council would need to determine whether to hold an election for the position of Deputy Mayor, and if so, the length of the term up to January 2024.

If an election for Deputy Mayor is required, it is recommended for consistency that the Deputy Mayor hold office for the balance of the current Mayoral Term.

The election of a Deputy Mayor is, if required, to be undertaken in accordance with the procedures outlined in this report, and nomination forms have been circulated for that purpose.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

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ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Meeting Date: 23 August 2022

Item: 149 **GM - Appointment of Councillor Representatives - Forum on Western Sydney Airport and Peppercorn Services Inc. - (79351, 95496)**

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to provide information concerning the resignation of Councillor representatives to the Forum on Western Sydney Airport and Peppercorn Services Inc. and to recommend Council consider the nomination of replacement representatives.

EXECUTIVE SUMMARY:

Council's Committee structure contains four broad Committee types, being: Committees of Council, Statutory Committees, Committees in which Council has a Financial Interest, and Other Committees.

At its meeting on 11 January 2022 Council made appointments of delegates and representatives to various Committees for the two year Mayoral Term from January 2022 to January 2024. Two Councillors have resigned from those appointments:

- Councillor Dogramaci Forum on Western Sydney Airport
- Councillor McMahon Peppercorn Services Inc.

It is recommended that Council appoint replacement representatives to the Forum on Western Sydney Airport and Peppercorn Services Inc.

RECOMMENDATION:

That Council nominate and appoint Councillor representatives to the Forum on Western Sydney Airport and Peppercorn Services Inc. for the period from August 2022 to January 2024.

BACKGROUND

Council's Committee structure contains Committees generally described as follows:

- a) *Committees of Council* - Committees established under the provisions of Section 377 of the Local Government Act 1993. These Committees perform functions as identified in the Council Committee Constitution.
- b) *Statutory Committees* - Committees, which are required to be established by legislation, or to meet obligations set down by Government departments and/or funding agencies. These Committees have set functions and terms of reference. They differ from Section 377 Council Committees, in that they are issue-specific and may meet irregularly on a 'as needs' basis and in practical terms cannot operate under Council's Committee Constitution.
- c) *Committees in which Council has a Financial Interest* - these Committees may manage Council owned facilities or funded services auspiced by Council. They generally operate as autonomous entities (incorporated associations) in accordance with their own constitutions. These Committees have a financial relationship with Council in that Council either provides a direct (financial) or an in-kind contribution (land or facilities) to support their operations, or

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Council has delegated responsibility for the management of a Council funded or Council auspiced services to them.

- d) *Other Committees* - Committees, which operate as autonomous entities and generally perform non-Council related functions. Councillor representation on these Committees is on an invitation basis.

At its meeting on 11 January 2022, Council resolved to appoint delegates and representatives to various committees. These appointments included:

Committee	Function	Councillor Representation
a) Committees of Council		
General Manager's Performance Review Panel	To review the performance of the General Manager.	Mayor, Patrick Conolly, Deputy Mayor, Barry Calvert, Sarah McMahon
b) Statutory Committees		
clubGrants Local Committee	To consider and rank applications received under the clubGrants Scheme.	Mayor, Patrick Conolly
c) Committees in which Council has a Financial Interest		
Western Parkland Councils	A regional body comprising representatives of Commonwealth, State and Local Government established to implement the GSC Western District Plan and associated elements of the Western Sydney Deal.	Mayor, Patrick Conolly
Peppercorn Services Inc.	Incorporated body with delegated responsibility for management and operation of Council auspiced community services (externally funded).	Sarah McMahon
d) Other Committees		
Forum on Western Sydney Airport (FOWSA)	To attend meetings and raise community concerns during the planning and construction of the Western Sydney Airport and inform Council of any issues relating to the airport development.	Eddie Dogramaci

On 20 July 2022 Councillor Dogramaci resigned as Council's representative on the Forum on Western Sydney Airport.

On 5 August 2022 Councillor McMahon resigned as Council's representative on the Board of Peppercorn Services Inc.

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On 11 August 2022 Councillor Conolly advised the General Manager of his resignation as the Mayor.

Relevant Legislation

Local Government Act 1993
Local Government (General) Regulation 2021

DISCUSSION

Following the resignations of Councillor Dogramaci and Councillor McMahon as Council's representatives on the Forum on Western Sydney Airport and Peppercorn Services Inc. respectively, it is recommended that Council make replacement appointments.

The Mayor, by the holding of that office, is a representative of Council on the following Committees:

- General Manager's Performance Review Panel
- clubGrants Local Committee
- Western Parkland Councils.

The newly elected Mayor will be Council's representative on each of these Committees.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 150 **GM - 2022 Local Government NSW Annual Conference - (79351)**

Previous Item: 126 (Ordinary, 19 July 2022)

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to consider the nomination and attendance of Councillors at the 2022 Local Government NSW Annual Conference to be held from 23 to 25 October 2022.

EXECUTIVE SUMMARY:

At its meeting on 19 July 2022, Council considered the nomination and attendance of Councillors at the 2022 Local Government NSW Annual Conference. Council resolved to nominate Councillors Dogramaci and Wheeler to attend the Conference and act be Council's voting delegates on Conference motions.

On 15 August 2022, Councillor Dogramaci notified Council in writing that he would not be attending the Conference.

Council may wish to consider the nomination of another Councillor to attend the Conference and be a voting delegate.

RECOMMENDATION:

That:

1. Attendance of a nominated Councillor to replace Councillor Dogramaci at the 2022 Local Government NSW Annual Conference at an approximate cost of \$2,650 plus travel expenses per delegate be considered.
 2. The nomination of one Councillor voting delegate, for voting on Conference motions, to replace Councillor Dogramaci be considered.
-

BACKGROUND

The Local Government NSW Annual Conference is the annual policy-making event for NSW councils and an opportunity for councillors to come together to share ideas and debate issues that shape the way councils govern.

The 2022 Local Government NSW Annual Conference will be held in the Hunter Valley from 23 to 25 October 2022. Cost of attendance at the Annual Conference will be approximately \$2,650 plus travel expenses per delegate.

Voting Delegates

Council is entitled to have five voting delegates at the Conference and voting delegates must be registered to attend the Conference.

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At its meeting on 19 July 2022, Council resolved in part that:

- "2. Attendance of Councillors Dogramaci and Wheeler and staff as considered by the General Manager, at the 2022 Local Government NSW Annual Conference at an approximate cost of \$2,650 plus travel expenses per delegate be approved.*
- 3. Councillors Dogramaci and Wheeler be nominated as Council's voting delegates, for voting on Conference motions."*

On 15 August 2022, Councillor Dogramaci confirmed in writing that he would no longer be attending the 2022 Local Government NSW Annual Conference.

The Constitution of Local Government NSW enables the nominated voting delegates to be changed both before and during the Conference, subject to written notification by the Mayor or General Manager.

Relevant Legislation

The Payment of Expenses and Provision of Facilities to Councillors Policy is applicable to attendance at the Annual Conference. The Policy makes provision for the payment of costs associated with Councillors attending conferences, including the Local Government NSW Annual Conference.

DISCUSSION

At its meeting on 19 July 2022 Council approved the attendance of Councillors Dogramaci and Wheeler at the 2022 LGNSW Annual Conference and approved Councillors as voting delegates.

As Councillor Dogramaci will no longer be attending the Conference, consideration should be given to the nomination of another Councillor to attend the Conference and be a voting delegate.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The expenditure applicable is provided for in the Adopted 2022/2023 Operational Plan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Ordinary

Section **4**

Reports
of committees

ORDINARY MEETING
SECTION 4 - Reports of Committees
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SECTION 4 - Reports of Committees

No Reports of Committees.

Ordinary

Section 5

Notices of motion

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SECTION 5 - Notices of Motion

No Notices of Motion.



Ordinary meeting

End of Business Paper

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