

# DRAFT MINUTES

## Ordinary Meeting of Council



*We're with you*

Wednesday 9 October 2024

Council Chambers, Wingecarribee Shire Council Civic Centre

68 Elizabeth Street, Moss Vale

The meeting commenced at 3:30 pm

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 9 OCTOBER 2024**

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<b>1 OPENING OF THE MEETING</b> .....	<b>3</b>
<b>2 ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>3</b>
<b>3 TAKING OF OATH OR AFFIRMATION OF OFFICE</b> .....	<b>4</b>
<b>4 STATEMENT OF ETHICAL OBLIGATIONS</b> .....	<b>4</b>
<b>5 APOLOGIES</b> .....	<b>4</b>
<b>6 DECLARATIONS OF INTEREST</b> .....	<b>4</b>
<b>7 REPORTS</b> .....	<b>5</b>
7.1 Election Of Mayor .....	5
7.2 Election Of Deputy Mayor .....	7
7.3 Councillors' Welcome And Inaugural Speeches .....	9
7.4 Method To Fill A Casual Vacancy In The Office Of A Councillor .....	10
7.5 Disclosure Of Interest Returns 2023-2024 - Tabling Of Disclosures By Administrator And Designated Persons .....	11
<b>8 MEETING CLOSURE</b> .....	<b>12</b>

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 9 OCTOBER 2024**

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**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL  
CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 9 OCTOBER 2024  
COMMENCING AT 3:30 PM**

**Present:** Cr Heather Champion  
Cr Therese Duffy  
Cr James Farrell  
Cr Jesse Fitzpatrick  
Cr Erin Foley  
Cr David Kent  
Cr Sara Moylan  
Cr Rachel Russell  
Cr Nicole Smith

<b>In Attendance:</b> General Manager	Ms Lisa Miscamble
Director Corporate Strategy and Resourcing	Ms Shelley Jones
Director Communities and Place	Mr Michael McCabe
Director Service and Project Delivery	Mr Clinton McAlister
Executive Manager Strategic Outcomes	Mr Deniz Kilic
Chief Financial Officer	Mr Pav Kuzmanovski
Manager Governance and Corporate Performance	Ms Danielle Lidgard
Coordinator Communications and Engagement	Ms Talia Stringer
Content Creator	Ms Penny Webb
Communications Officer	Ms Abby Anstiss
Coordinator ICT Operations	Mr Ayhan Biyik
Governance Advisor	Mr Warwick Lawrence
Coordinator Governance	Ms Paige Zelunzuk

## **1 OPENING OF THE MEETING**

The General Manager opened the meeting and welcomed members of the public and the press.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

The General Manager acknowledged country:

"Wingecarribee Shire Council acknowledges the Gundungurra and Dharawal people as the Traditional Custodians of this land. I pay my respect to the Traditional Custodians, their Ancestors who cared for this Country for many thousands of years, and their Elders and descendants who continue to care for Country. I would also like to extend that respect to all Aboriginal and Torres Strait Islander peoples, including those here today."

### **3 TAKING OF OATH OR AFFIRMATION OF OFFICE**

In accordance with Section 233A of the Local Government Act 1993:

Cr Champion took an Affirmation of Office.

Cr Duffy took an Oath of Office.

Cr Farrell took an Oath of Office.

Cr Fitzpatrick took an Oath of Office.

Cr Foley took an Oath of Office.

Cr Kent took an Oath of Office.

Cr Moylan took an Oath of Office.

Cr Russell took an Affirmation of Office.

Cr Smith took an Affirmation of Office.

### **4 STATEMENT OF ETHICAL OBLIGATIONS**

Councillors were reminded of the Oath or Affirmation of Office made by them under Section 233A of the Local Government Act and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interests.

### **5 APOLOGIES**

Nil.

### **6 DECLARATIONS OF INTEREST**

Nil.

## 7 REPORTS

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### 7.1 Election of Mayor

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**Report of:** Warwick Lawrence  
Governance Advisor

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

#### OFFICER'S RECOMMENDATION

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**THAT Council:**

1. Note the call for nominations for the Office of the Mayor for a term of two (2) years, ending when the election for the Mayor is next required in September 2026.
2. Resolve that the election of the Mayor be undertaken by way of open voting pursuant to the provisions of Item 3(2) of Part 1 of Schedule 7 of the Local Government (General) Regulation 2021.
3. Note that the General Manager (or a person appointed by the General Manager) is the Returning Officer for this election.
4. Inform the NSW Office of Local Government of the results of the election of Mayor as soon as practicable after such election.

*MN 2024/299*

**MOTION** moved by Cr Russell, seconded by Cr Kent

**THAT Council:**

1. Note the call for nominations for the Office of the Mayor for a term of two (2) years, ending when the election for the Mayor is next required in September 2026.
2. Resolve that the election of the Mayor be undertaken by way of open voting pursuant to the provisions of Item 3(2) of Part 1 of Schedule 7 of the Local Government (General) Regulation 2021.
3. Note that the General Manager (or a person appointed by the General Manager) is the Returning Officer for this election.
4. Inform the NSW Office of Local Government of the results of the election of Mayor as soon as practicable after such election.

**CARRIED**

*For: Unanimous*

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 9 OCTOBER 2024**

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The General Manager as Returning Officer undertook the election process to elect a Mayor pursuant to the provisions of Item 3(2) of Part 1 of Schedule 7 of the *Local Government (General) Regulation 2021*.

The Returning Officer advised one valid nomination for the Office of Mayor was received and accepted by Cr Fitzpatrick (nominated by Cr Foley and Cr Duffy).

The Returning Officer declared Cr Jesse Fitzpatrick elected to the Office of Mayor for a two (2) year period.

Mayor Fitzpatrick addressed the Council.

## **7.2 Election of Deputy Mayor**

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**Report of:** Warwick Lawrence  
Governance Advisor

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### **OFFICER'S RECOMMENDATION**

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**THAT Council:**

1. Resolve to elect a Councillor to the position of Deputy Mayor and call for nominations for the Office of Deputy Mayor.
2. Determine the term of office for the position of Deputy Mayor to be that of the Mayor, that is, for two (2) years.
3. Resolve that the election of the Deputy Mayor be undertaken by way of open voting pursuant to the provisions of Item 3(2) of Part 1 of Schedule 7 of the Local Government (General) Regulation 2021.
4. Note that the General Manager (or a person appointed by the General Manager) is the Returning Officer for this election.
5. Inform the NSW Office of Local Government of the results of the election of Deputy Mayor as soon as practicable after such election.

*MN 2024/300*

**MOTION** moved by Cr Farrell, seconded by Cr Kent

**THAT Council:**

1. *Resolve to elect a Councillor to the position of Deputy Mayor and call for nominations for the Office of Deputy Mayor.*
2. *Determine the term of office for the position of Deputy Mayor to be that of the Mayor, that is, for two (2) years.*
3. *Resolve that the election of the Deputy Mayor be undertaken by way of open voting pursuant to the provisions of Item 3(2) of Part 1 of Schedule 7 of the Local Government (General) Regulation 2021.*
4. *Note that the General Manager (or a person appointed by the General Manager) is the Returning Officer for this election.*
5. *Inform the NSW Office of Local Government of the results of the election of Deputy Mayor as soon as practicable after such election.*

**CARRIED**

*For: Unanimous*

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
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The General Manager as Returning Officer undertook the election process to elect a Deputy Mayor for a two (2) year period by open voting pursuant to the provisions of Item 3(2) of Part 1 of Schedule 7 of the Local Government (General) Regulation 2021.

The Returning Officer advised two valid nominations for the Office of Deputy Mayor were received and accepted by Cr Foley (nominated by Cr Duffy and Cr Fitzpatrick) and Cr Champion (nominated by Cr Kent and Cr Champion).

Open voting was undertaken and the following votes were received:

Cnr Heather Champion:

For: Cr Champion, Cr Kent, Cr Smith

Cr Erin Foley:

For: Cr Fitzpatrick, Cr Duffy, Cr Farrell, Cr Foley, Cr Russell, Cr Moylan

At the completion of the election process, the Returning Officer declared Cr Erin Foley elected to the Office of Deputy Mayor for a two (2) year period.

Deputy Mayor Foley addressed the Council.



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### 7.3 Councillors' Welcome and Inaugural Speeches

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**Report of:** Paige Zelunzuk  
Coordinator Governance

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

#### OFFICER'S RECOMMENDATION

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**THAT** Councillors are invited to make a three-minute inaugural speech if they wish.

*MN 2024/301*

**MOTION** moved by Cr Foley, seconded by Cr Kent

**THAT** Councillors are invited to make a three-minute inaugural speech if they wish.

**CARRIED**

*For: Unanimous*

Cr Champion, Cr Duffy, Cr Farrell, Cr Kent, Cr Moylan, Cr Russell and Cr Smith made an inaugural speech.

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## 7.4 Method to Fill a Casual Vacancy in the Office of a Councillor

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Report of: Warwick Lawrence  
Governance Advisor

Authorised by: Shelley Jones  
Director Corporate Strategy and Resourcing

### OFFICER'S RECOMMENDATION

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**THAT Council:**

- 1 Pursuant to section 291A(1)(b) of the *Local Government Act 1993*, declare that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024, are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act.
2. Note the requirement for the General Manager to notify the NSW Electoral Commission of Council's decision within seven (7) days of this resolution.

The General Manager addressed the meeting.

*MN 2024/302*

**MOTION** moved by Cr Duffy, seconded by Cr Champion

**THAT Council:**

- 1 Pursuant to section 291A(1)(b) of the *Local Government Act 1993*, declare that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024, are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act.
2. Note the requirement for the General Manager to notify the NSW Electoral Commission of Council's decision within seven (7) days of this resolution.

**CARRIED**

*For: Unanimous*

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## 7.5 Disclosure of Interest Returns 2023-2024 - Tabling of Disclosures by Administrator and Designated Persons

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**Report of:** Warwick Lawrence  
Governance Advisor

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### OFFICER'S RECOMMENDATION

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**THAT** Council note the tabling of the annual returns of Disclosure of Pecuniary Interests and other matters for the Administrator, designated persons and relevant Committee members for the 2023/2024 financial year.

The General Manager addressed the meeting and tabled the 2023/24 Disclosure of Interest Returns for the Administrator and Designated Persons.

*MN 2024/303*

**MOTION** moved by Cr Kent, seconded by Cr Farrell

***THAT*** Council note the tabling of the annual returns of Disclosure of Pecuniary Interests and other matters for the Administrator, designated persons and relevant Committee members for the 2023/2024 financial year.

**CARRIED**

*For: Unanimous*

## **8 MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.24PM