

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 09 October 2024, commencing at 5:30pm and concluding at 6.11pm.

PRESENT Cr M Cornish, Cr K Dicker, Cr A Karavas, Cr D Kennedy, Cr E Lang, Cr R Palmer, Cr P Shelley and Cr JP Thompson.

IN ATTENDANCE General Manager (Brad Cam), Director Development (Alina Azar), Director Operations (Julian Geddes), Director Corporate Services (Leonie Van Oosterum), Acting Director Corporate (Rachel Gill), Governance Coordinator (Ashleigh Marshall) and Executive Assistant (Mette Sutton).

All Councillors in turn read the oath or affirmation in the presence of the General Manager.

Cr Lang – oath
Cr Shelley – oath
Cr Dicker – oath
Cr Karavas – oath

Cr Palmer – affirmation
Cr Cornish – oath
Cr Thompson – oath
Cr Kennedy - oath

Acknowledgement of Country

I would like to acknowledge the traditional owners of the lands on which we meet, the Wiradjuri people and pay our respects to elders past and present

Item 1: Apologies

An apology was received for Cr S Fellows.

214/24 MOTION: Shelley / Thompson

That Council accept the apology received for Cr S Fellows.

The motion was carried with the Councillors voting unanimously.

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: Confirmation of Minutes

Nil

Item 4: Matters in Progress

Nil

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

Nil

Item 7: Office of the General Manager

Nil

Item 8: Development

Nil

Item 9: Corporate Services

Nil

Item 10: Operations

Nil

Item 11: Community

Nil

11.1 DELEGATIONS TO THE MAYOR

GOV400105, GOV400096

215/24 MOTION: Shelley / Palmer**That Council:**

1. receive the report by the Governance Co-ordinator on the Delegations to the Mayor; and
2. delegate the functions to the mayor set out in the attached Instrument of Delegation under s266(o) of the Local Government Act 1993.

The motion was carried with the Councillors voting unanimously.

11.2 ELECTION OF MAYOR

GOV400105, GOV400098

216/24 MOTION: Shelley / Dicker**That Council:**

1. receive the report by the Governance Co-ordinator on the Election of Mayor;
2. determine that the Ballot for the election of the Mayor be by Open Voting, Ordinary Ballot or Preferential Ballot; and
3. elect the Mayor for the term of 2 years.

AMENDMENT: Cornish / Thompson

That Council:

1. receive the report by the Governance Co-ordinator on the Election of Mayor;
2. determine that the Ballot for the election of the Mayor be by closed Ballot; and
3. elect the Mayor for the term of 2 years.

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Cornish		✓
Cr Dicker	✓	
Cr Karavas	✓	
Cr Lang		✓
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓

The motion, on being put, was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Cornish		✓
Cr Dicker	✓	
Cr Karavas	✓	
Cr Lang	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓

The General Manager announced that one nomination had been received for the position of Mayor, that nomination being for Councillor Kennedy. The General Manager declared Councillor Kennedy as Mayor, unopposed.

11.3 ELECTION OF DEPUTY MAYOR

GOV400105, A0110008

217/24

MOTION: Shelley / Lang

That Council:

1. **receive the report by the Governance Co-ordinator on the Election of Deputy Mayor;**
2. **determine that the Ballot for the election of the Deputy**

Mayor be by Open Voting, Ordinary Ballot or Preferential Ballot; and

3. elect the Deputy Mayor for the term of 2 years.

AMENDMENT: Thompson / Cornish

That Council:

1. receive the report by the Governance Co-ordinator on the Election of the Deputy Mayor;
2. determine that the Ballot for the election of the Deputy Mayor be by closed Ballot; and
3. elect the Deputy Mayor for the term of 2 years.

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy		✓
Cr Cornish	✓	
Cr Dicker		✓
Cr Karavas		✓
Cr Lang		✓
Cr Palmer		✓
Cr Shelley		✓
Cr Thompson	✓	

The motion, on being put, was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Cornish		✓
Cr Dicker	✓	
Cr Karavas	✓	
Cr Lang	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓

The General Manager announced that two nominations had been received for the position of Deputy Mayor, the nominations being for Cr Cornish and Cr Karavas.

The General Manager asked for a show of hands for all those in favour of Cr Cornish as Deputy Mayor, with Councillors voting as follows:

Councillors	Ayes
Cr Kennedy	
Cr Cornish	✓
Cr Dicker	

Cr Karavas	
Cr Lang	✓
Cr Palmer	
Cr Shelley	
Cr Thompson	✓

The General Manager then asked for a show of hands for all those in favour of Cr Karavas as Deputy Mayor, with Councillors voting as follows:

Councillors	Ayes
Cr Kennedy	✓
Cr Cornish	
Cr Dicker	✓
Cr Karavas	✓
Cr Lang	
Cr Palmer	✓
Cr Shelley	✓
Cr Thompson	

The General Manager declared Cr Karavas as Deputy Mayor for the next 2 years.

The Mayor proceeded to Chair the meeting, commencing with a welcome to his fellow Councillors, thanking them for their vote in confidence and that he is looking forward to working with them all over the next four years.

11.4 RECOGNITION OF OUTGOING COUNCILLORS

GOV400105, A0110038

218/24

MOTION: Shelley / Karavas

That Council:

1. receive the report by the Governance Co-ordinator on the Recognition of Outgoing Councillors; and
2. recognise the service of outgoing Councillors Paine, Cavalier and Stoddart.

The motion was carried with the Councillors voting unanimously.

11.5 CASUAL VACANCIES WITHIN 18 MONTHS OF ELECTION

GOV400105, GOV400015

219/24

MOTION: Shelley / Karavas

That Council:

1. receive the report by the Governance Co-ordinator on the Casual Vacancies Within 18 Months of Election;
2. write to the office of Local Government informing them that

we have a casual vacancy due to the resignation of a Councillor and as per section 291 of the Local Government Act 1993 is filled by way of by-election; and

- 3. amend the 2024/25 budget to increase the Elections budget by \$250,000 to be funded from unrestricted cash with the remainder of cash after the by-election to be returned to unrestricted cash.**

AMENDMENT: Thompson / Cornish

That Council:

1. receive the report by the Governance Co-ordinator on the Casual Vacancies Within 18 Months of Election; and
2. write to the office of Local Government informing them that we have a casual vacancy due to the resignation of a Councillor and as per section 291A of the Local Government Act 1993 is filled by way of countback.

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy		✓
Cr Cornish	✓	
Cr Dicker		✓
Cr Karavas		✓
Cr Lang		✓
Cr Palmer		✓
Cr Shelley		✓
Cr Thompson	✓	

The motion, on being put, was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Cornish		✓
Cr Dicker	✓	
Cr Karavas	✓	
Cr Lang	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓

220/24

SUPPLEMENTARY MOTION: Thompson / Shelley

That Council send a letter to Sharelle Fellows stating how disappointed the Council are that she is unable to take-up the role of Councillor after she put up such a great effort at the election and wishing her all the best in the future.

The motion was carried with the Councillors voting unanimously.

11.6 REVIEW OF DELEGATIONS TO THE GENERAL MANAGER
GOV400105, GOV400002

221/24

MOTION: Shelley / Palmer

That Council:

1. **receive the report by the Governance Co-ordinator on the Review of Delegations to the General Manager;**
2. **continue to grant the General Manager, or the person who acts in that position from time to time, all of the functions, powers, duties and authorities of Council that may lawfully be delegated under the Local Government Act 1993, any other Act, regulation, or the like (including any functions, powers, duties and authorities delegated to Council by any authority, body, person or the like).**

AMENDMENT: Cornish / Thompson

That Council:

1. receive the report by the Governance Co-ordinator on the Review of Delegations to the General Manager;
2. continue to grant the General Manager, or the person who acts in that position from time to time, all of the functions, powers, duties and authorities of Council that may lawfully be delegated under the Local Government Act 1993, any other Act, regulation, or the like (including any functions, powers, duties and authorities delegated to Council by any authority, body, person or the like); and
3. amend the 'Instrument of Delegations & Sub-delegations to General Manager; as follows:
 - 1.2 To accept Council tenders with a contract value of up to \$3,000,000 - to be reduced to \$5,000 so that contract tenders over \$5,000 will be voted on by Council;
 - 1.3 To determine and write-off rates, fees, charges and other debts up to and including \$2500 per annum per debt - to be reduced to \$1,000;
 - 2.3 The determination of a development application for a subdivision creating more than 20 allotments - to be reduced to 2 allotments; and
 - 2.4 The determination of a development application for the erection, alteration and/or additions to buildings

exceeding a construction value of \$3,000,00 - to be reduced to \$1 million.

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy		✓
Cr Cornish	✓	
Cr Dicker		✓
Cr Karavas		✓
Cr Lang		✓
Cr Palmer		✓
Cr Shelley		✓
Cr Thompson	✓	

The motion, on being put, was carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Kennedy	✓	
Cr Cornish		✓
Cr Dicker	✓	
Cr Karavas	✓	
Cr Lang	✓	
Cr Palmer	✓	
Cr Shelley	✓	
Cr Thompson		✓

11.7 APPOINTMENT OF A COUNCILLOR TO THE AUDIT RISK AND IMPROVEMENT COMMITTEE

GOV400105, COR400236

222/24

MOTION: Shelley / Cornish

That Council:

1. receive the report by the Acting Director Community on the Appointment of a Councillor to the Audit Risk and Improvement Committee; and
2. appoint Councillor Dicker to the Audit Risk and Improvement Committee for the new Council Term.

The motion was carried with the Councillors voting unanimously.

Item 12: Reports from Committees

Nil

Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session

Nil

Item 15: Urgent Confidential Business Without Notice

Nil

Item 16: Open Council

Item 17: Closure

There being no further business the meeting concluded at 6.11pm.

Unconfirmed