



Hawkesbury City Council

special meeting business paper

date of meeting: 21 September 1999

location: Council Chambers

time: 7.30pm

SPECIAL MEETING

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ITEM: 46 **Election of Mayor****FILE NUMBER:** GE1/004 PT02/GMA/ORI21SAX.G03

REPORT:

The following provisions in the Local Government Act apply to the election of Mayor.

“Returning Officer

1. The General Manager is the Returning Officer.

Nomination

2. (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 two or more Councillors, and 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.

Election

2. (1) If only one Councillor is nominated, that Councillor is to be declared 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 clause :

Ballot has its normal meaning.

Open Voting means voting by a show of hands or similar means.

Part 2 - Ordinary Ballot or Open Voting**Applications of Part**

4. This part applies if the election proceeds by Ordinary Ballot or by Open Voting.

Marking of Ballot Papers

5. 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.

Count - 2 candidates

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

Count - 3 or more candidates

7. (1) If there are three or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If three 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, three or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only two candidates remain.
- (4) Clause 6 of this Schedule then applies to the determination of the election as if the two remaining candidates had been the only candidates.
- (5) If at any stage during a count under subclause (1) or (2), two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 - Preferential Ballot**Application of Part**

8. This part applies if the election proceeds by Preferential Ballot.

Ballot Papers and Voting

9. (1) 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 the candidates.
- (2) The formality of a ballot paper under this part is to be determined in accordance with Clause 73 of this Regulation as if it were a ballot paper referred to in that Clause.

Count

10. (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 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 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 clause **absolute majority** in relation to votes means a number which is more than one half of the number of formal ballot papers.

Tied Candidates

11. (1) If, on any count of votes, the number of votes cast for two candidates are equal and;
- (a) those candidates are the only candidates in, or remaining in, the election - 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;
- (b) 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.
- (2) If, on the count of votes, the numbers of votes cast for three or more candidates are equal and 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**Choosing by Lot**

12. 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.

Result

13. 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 Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.”

RECOMMENDATION:

The election of Mayor of the City of Hawkesbury for the ensuing term be carried out.

ATTACHMENTS:

AT-1 Nomination forms

oooO END OF ITEM 46 Oooo

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Item: **47**

ITEM: 47 **Election of Deputy Mayor**

FILE NUMBER: GE1/004 PT02/GMA/ORI21SAX.G02

REPORT:

The provisions for the election of Mayor also apply to the election of Deputy Mayor.

RECOMMENDATION:

The election of Deputy Mayor of the City of Hawkesbury for the ensuing term be carried out.

ATTACHMENTS:

AT-1 Nomination forms

oooO END OF ITEM 47 Oooo

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Item: **48****ITEM: 48****Appointment of Committees, Delegates and Representatives****FILE NUMBER:**

GA030/014/GMA/ORI21SAX.G01

REPORT:

Hereunder is a list of Committees which have been appointed by Council, delegates and other organisations on which Council is represented.

Committees Appointed by Council :

Committee	Composition	Comment
General Purpose	Full Council	
Town Planning	Full Council	Matters now referred to General Purpose Committee. No longer required. Has not met for four years.
Rating Review	Full Council General Manager	Rating policy is now considered as part of the Management Plan preparation that establishes objectives and priorities including rating structure.
Extractive Industry	Full Council General Manager Director Asset Services & Recreation	This Committee was originally established to overview the management of the Cordners Corner Flood Mitigation Works which involved extraction. In recent years has been maintained to pursue the extraction at Macquarie Park, which at this stage is having some difficulty in obtaining approval. Matters now reported directly to General Purpose Committee. Has not met for four years.
Legal Consultative	Full Council General Manager Appropriate Directors	Established in 1992 to look at legal issues involving the Council. These matters are reported to Council, included in quarterly financial reviews and detailed in the annual report. Has not met for four years.
Local Traffic	1 Councillor Local State Members 1 Member Police Dept 1 Member RTA 1 Member Ministry of Transport	This Committee is established under the provisions of the Transport Administration Act to advise the Council in accordance with delegations from the RTA regarding the implementation of a number of traffic control facilities. Also to provide advice to the Council on some traffic generating development matters. The Council's sub delegate can be a Councillor, General Manager or an employee of the Council.
Hawkesbury Australia Day Awards	Mayor 2 Councillors General Manager Director Community & Corporate Services 1 Rep Chambers of Commerce Mrs J Peare Mrs J A Barkley-Jack Mrs Y Whalan Mr B E Brown	Meets as required to determine the Hawkesbury recipients of Australia Day Awards - Community Arts, Citizen, Junior Citizen & Sports.

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Committee	Composition	Comment
Hawkesbury Floodplain Management	2 Councillors Director Environment & Development Branch Manager Survey & Design Town Planner 2 Reps Dept of Public Works 2 Reps Dept of Planning 1 Rep Water Resources Commission 1 Rep SES	Established 1991.Terms of Reference a) To assist Council in the development and implementation of a Floodplain Management Plan for the City and b) To direct and monitor the progress and findings of the Study being undertaken.
Heritage Advisory	1 Councillor 1 Alt Councillor Director Environment & Development 4 Local Citizens J Barkley-Jack M Hatherly L Banks A Hendrikson 1 Conservation Architect G Edds	Inaugural meeting held on 17 May 1984. The major reason for the establishment of the Committee was to consider the streetscapes of Richmond and Windsor and to receive reports in respect to applications for financial assistance for restoration of heritage buildings.
Hawkesbury Prioritising Committee WSAAS	3 Councillors	Meets as required to determine local priorities for the Western Sydney Area Assistance Scheme.
Friends of the Hawkesbury Art Collection	3 Councillors	Council Meeting 9 May 1989 - <i>"That Council agree in principle to the establishment of a 'Friends of the Collection' and invite members of the community to join a Steering Committee..."</i> Recently reviewed objective as reported in minutes to Council.
Hawkesbury Leisure Centres Inc	2 Councillors 1 Alt Councillor Director Community & Corporate Services	Council Meeting 15 November 1994 <i>"That Council nominate two representatives to the Board of Directors of the proposed Hawkesbury Leisure Centre Inc and call for expressions of interest for the two community representatives."</i>
Hawkesbury Sister City Association	2 Councillors	Appointed 8 November 1983 following a public meeting held on 26 October 1983 for the purpose of establishing a Community Sister City Committee to investigate the possibility of encouraging Sister City relationships with similar areas overseas.
Hawkesbury Access & Equity Consultative Committee	2 Councillors 1 Rep UWSH 1 Rep Dept Education 1 Rep Chambers of Commerce Staff from Community Services; Development & Engineering areas as appropriate 2 Home & Community Care Forum Reps 4 Community Reps	The Hawkesbury Access Forum was established on 28 September 1993 when it was resolved that <i>"A Hawkesbury Disabled Access Forum be established with membership as proposed, to include one member from the Chambers of Commerce, but with the staff representation being 'staff from Community Services, Development and Engineering areas as appropriate.' The Committee being able to vary membership by addition of the forum as required and as necessary. That the Forum be a "Sunset Committee" and report back to Council within six months."</i> PTO

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Committee	Composition	Comment
Hawkesbury Access & Equity Consultative Committee (Continued)		Council resolution - 5 September 1995 - <i>"That the Access Forum Committee continues subject to review on an annual basis with Council's representative to be appointed at the same time as the other committees of Council are formed."</i> Recommended that the Multicultural Consultative Forum and Hawkesbury Access Forum be combined to create the Hawkesbury Access & Equity Consultative Committee.
Schaffer Quarry Environmental Monitoring	1 Councillor 2 Reps Schaffer Corp 2 Reps Local Community	Appointed to establish community liaison by the Land & Environment Court as part of the conditions of approval.
Hawkesbury Cultural	1 Councillor	Council Meeting 13 June 1995 - "Council establish a Hawkesbury Cultural Committee to replace the former Macquarie Towns Festival Committee with the aims and objectives of this Committee to be:- a) To promote and co-ordinate cultural events within the City of Hawkesbury b) To initiate appropriate cultural programs within the City c) To make submissions to government bodies and other agencies for funds to be utilised for cultural activities d) To co-ordinate other activities as requested by Council.
Multicultural Consultative Forum	1 Councillor	NESB (Non-English Speaking Background) Advisory Working Party was endorsed as a Committee of Council at the Meeting on 13 June 1995 to examine the issues of access for residents of non-English speaking background in the Hawkesbury. The name change occurred in March 1996. Note, this group was originally a sub committee of the Access Committee. Recommended that this function again be combined with access issues.
Prioritising Committee Capital Assistance Applications - Sport & Recreation	2 Councillors Sports Council Development Officer Branch Manager Parks Youth & Recreation Planner	Council Meeting 11 July 1995 - Committee formed to prioritise applications for assistance to the Dept of Sport, Recreation & Racing for Council's consideration.
Hawkesbury Sustainable Agricultural Development Strategy (HSADS)	3 Councillors	Originally Steering Committee for the Rural Lands Study - established Council Meeting 7 November 1995 under the heading of "Our City Our Future". Study to include regional, agricultural, industrial and urban lands and also to assess the scenic and rural amenities of the district. The Study to bring about a regional economic development plan.
Hawkesbury Wine, Food & Music Affair Committee	2 Councillors	Council Meeting 13 June 1995 - <i>"The Hawkesbury Wine, Food & Music Affair Committee be endorsed as a sub-committee of the proposed Hawkesbury Cultural Committee."</i> This group is now separately incorporated.

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Committee	Composition	Comment
Family Day Care Consultative Group	1 Councillor	Established Council Meeting 3 September 1996 - Mayoral Minute - following Workshop and Consultation Program held on 19 June 1996 to develop a strategic plan for the Family Day Care Service to focus its activities towards providing quality care aligned to the needs of the community.
Hawkesbury Healthy City Steering Committee	2 Councillors	Council Meeting 11 March 1997 - endorsement of City Health Plan and proposal to develop a Multi-City Action Plan (MICAP) with Hue in Vietnam.
Youth Strategic Plan	1 Councillor	Established in 1995. The aim of the plan was to inform and give direction to those individuals and organisations working with young people over the next four years. Involved widespread consultation to clearly define the key areas of need and priority for allocations of resources and funding. This Committee includes five task forces which are employment/unemployment; health; venues & activities; homelessness; prevention motor vehicle accidents and transport.
Crime Prevention/Safer Community Sub-Committee	2 Councillors	The Local Crime Prevention Plan Co-Ordinating Committee was established at the Council meeting on 24/2/98 as an addendum to the Youth Strategic Plan, identifying and extending the strategies already outlined in that plan and specifically focussed to crime prevention on the basis of positive action. This Committee was renamed Crime Prevention/Safer Community Sub-Committee.
Hawkesbury City Economic Development Board	2 Councillors 1 Rep Local Business 1 Rep Chambers of Commerce 1 Rep RAAF 1 Rep Tourism 1 Rep Agricultural/ Horticultural Industry Appropriate Staff	

Representation on other organisations:

Organisation	Composition
Hawkesbury Food Program	1 Councillor
Bligh Park Primary School Council	1 Councillor
Hawkesbury-Nepean Local Government & Catchment Management Reference Group	1 Councillor
Hawkesbury Sports Council Inc	1 Councillor
Board of Directors Tourism Hawkesbury Inc	1 Councillor
Museum & Information	1 Councillor
Macquarie Towns Junior Symphony Orchestra	1 Councillor
Hawkesbury District Concert Band	1 Councillor
Board of Management Fitzgerald Memorial Hostel Inc	2 Councillors

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Organisation	Composition
Central East Regional Fire Association	1 Councillor
Windsor/Richmond Consultative	1 Councillor
North West Sydney Regional Economic Development Organisation	1 Councillor
Hawkesbury Waste Management Facility - Environmental Monitoring Committee	1 Councillor
Hawkesbury River County Council	1 Councillor
Westpool	1 Councillor
National Parks and Wildlife Service - Blue Mountains District Advisory Committee	1 Councillor

RECOMMENDATION:

The Committees, delegates and representatives on the various organisations be appointed.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 48 Oooo

ITEM: 49 Western Sydney Regional Organisation of Councils**FILE NUMBER:** GM001/007 PT12/GMA/ORI21SAX.G06

REPORT:

At its August meeting the Western Sydney Regional Organisation of Councils (WSROC) adopted a new constitution. WSROC is now a company with the Council Delegates becoming Directors of that company. To fulfill its requirements under the new constitution and Corporations Law, 21 (twenty one) clear days notice of the Annual General Meeting is required. With the Annual General Meeting to be held on Thursday 14 October the notice must be given by Tuesday 21 September, 1999. All member councils need to determine their two Directors to WSROC and provide notification of that as soon as possible. There is no longer a position for an alternate delegate as these positions have been abolished in the new constitution.

A protocol outlining the roles and responsibility of WSROC Member Councils and Directors is being developed, but in the interim the following advice is provided:

- WSROC is a Company Limited which means that the organisation and all its Directors are governed by the Corporations Law;
- The term of Directors will commence at the beginning of the Annual General Meeting to be held on 14 October and barring unforeseen circumstances will be for the period until the Annual General Meeting after the next Council Elections, i.e. for the full period of the four (4) year council term expiring in 2003;
- Directors will be expected to attend six (6) WSROC Board Meetings annually unless special circumstances occur that prevent them from doing so in which case they should advise their council as soon as possible so a proxy can be arranged; and
- In accepting their nomination Directors are also accepting responsibility for representing their council's views to WSROC and for reporting back to their council's the outcomes of the WSROC Board Meetings.

The 14 October Annual General Meeting (and subsequent Board Meeting) will be the first to be conducted under the new rules of constitution. There are two major items of business at the meeting:

- The formal endorsement of the accounts; and
- Election of the WSROC President, Vice President, Treasurer and three other members of the WSROC Executive Management Committee.

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All Directors nominated should attend, however, if this is not possible Councillors need to nominate a proxy to the meeting if either or both of their Directors are unable to attend. If only one of Council's Directors is able to attend Council can issue that Director with a proxy for the other Director.

The process for appointing a proxy is described in the Constitution but in summary it can be done be either a resolution of the Member Council or by the General Manager (or his/her authorised delegate). Only Director's proxies are entitled to vote at the Annual General Meeting or any other meeting.

RECOMMENDATION:

Two (2) Councillors be nominated to be Directors of the Western Sydney Regional Organisation of Councils Limited.

ATTACHMENTS:

There are no supporting documents for this report.

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ORDINARY

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Item: **50**

ITEM: 50 **Hawkesbury-Nepean Local Government and Catchment Management Reference Group**

FILE NUMBER: GR060/075 PT02/GMA/ORI21SAX.G05

REPORT:

The Hawkesbury-Nepean Catchment Management Trust have established this committee to provide Council representatives with information on a range of catchment management issues as well as the opportunity to network with other council representatives in the catchment. It also allows the Trust to identify issues of concern to catchment councils, provide opportunities to resolve these issues.

The Reference Group will meet every two months from 3.00pm to 6.00pm. The next meeting is to be held on Thursday 18 November, 1999. Sitting fees of \$91.00 for a half day and travel expenses will be paid.

A Councillor and a Council Officer have been invited by the Trust to attend the Reference Group meetings.

RECOMMENDATION:

A Councillor be nominated as its representative on the Catchment Management Reference Group.

ATTACHMENTS:

There are no supporting documents for this report.

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Item: **51**

ITEM: 51 **Remuneration for Councillors and Mayor**

FILE NUMBER: GA030/014/GMA/ORI21SCX.G04

PREVIOUS ITEM: 238, Ordinary (13.07.1999)

REPORT:

The Local Government Remuneration Tribunal places councils in categories that then have fees prescribed for Councillors and the Mayor. Hawkesbury is a Category 3 Council and the Council has resolved for the forthcoming year that the fee for Councillors will be \$11,000 (eleven thousand dollars) with the Mayoral Allowance at \$22,600 (twenty two thousand six hundred dollars) of which \$3,300 (three thousand three hundred dollars) is the fee determined for the Deputy Mayor.

RECOMMENDATION:

That the information regarding the remuneration of Councillors be received.

ATTACHMENTS:

There are no supporting documents for this report.

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