



LITHGOW CITY COUNCIL

AGENDA

EXTRAORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

17 SEPTEMBER 2007

AT 6.15pm

AGENDA

PRESENT

QUESTIONS FROM THE PUBLIC GALLERY

DECLARATION OF INTEREST

MAYORAL MINUTES - NIL

REPORTS

General Manager Reports

COMMITTEE MEETINGS - NIL

TABLE OF CONTENTS

| <u>ITEM</u> | <u>TITLE</u> | <u>PAGE</u> |
|---------------|-----------------------------------------------------------------------------------------------------------------|-------------|
| <u>ITEM:1</u> | <u>17/09/07 - EXTRAORDINARY MEETING REQUEST</u> | <u>3</u> |
| | <u>GENERAL MANAGER REPORTS</u> | <u>4</u> |
| <u>ITEM:2</u> | <u>GM - 17/09/07 - APPOINTMENT OF RETURNING OFFICER FOR THE ELECTION OF MAYOR AND DEPUTY MAYOR</u> | <u>4</u> |
| <u>ITEM:3</u> | <u>GM - 17/09/07 - DETERMINATION OF METHOD OF VOTING FOR THE ELECTION OF MAYOR AND DEPUTY MAYOR</u> | <u>5</u> |
| <u>ITEM:4</u> | <u>GM - 17/09/07 - NOMINATIONS FOR AND ELECTIONS FOR THE POSITION OF MAYOR 2007/2008</u> | <u>6</u> |
| <u>ITEM:5</u> | <u>GM - 17/09/07 - DETERMINATION OF METHOD OF VOTING FOR THE ELECTION OF MAYOR AND DEPUTY MAYOR</u> | <u>7</u> |
| <u>ITEM:6</u> | <u>GM - 17/09/07 - COUNCIL COMMITTEES / EXTERNAL BODIES</u> | <u>8</u> |
| <u>ITEM:7</u> | <u>GM - 17/09/07 - ELECTION OF CHAIRPERSON AND/OR DEPUTY CHAIRPERSON FOR THE POLICY AND STRATEGY COMMITTEE</u> | <u>10</u> |
| <u>ITEM:8</u> | <u>GM - 17/09/07 - ELECTION OF CHAIRPERSON AND/OR DEPUTY CHAIRPERSON FOR THE FINANCE AND SERVICES COMMITTEE</u> | <u>12</u> |

ITEM:1 17/09/07 - EXTRAORDINARY MEETING REQUEST

7 September 2007

To the General Manager
Lithgow City Council

We the undersigned, Councillor Neville Castle and Councillor Barbara Moran, seek an Extraordinary Meeting of Council be called to deal with the election of the Mayor, Deputy Mayor, Chairs of Committees and appointment of Council to external bodies for the period of September 2007 to September 2008.

N. Castle

Mayor - Neville Castle

Barbara A Moran

Deputy Mayor - Barbara Moran

GENERAL MANAGER REPORTS

**ITEM:2 GM - 17/09/07 - APPOINTMENT OF RETURNING OFFICER FOR THE
ELECTION OF MAYOR AND DEPUTY MAYOR**

COMMENTARY

The purpose of this report is to inform Council of the provisions of Schedule 7 of the Local Government (General) Regulation 2005 and confirm that the General Manager will act as Returning Officer for the election required to elect the Mayor and/or Deputy Mayor, to exercise the function on behalf of Council.

Schedule 7 of the Local Government (General) Regulation 2005 provides that the General Manager (or a person appointed by the General Manager) is to be the Returning Officer for the election of Mayor or Deputy Mayor of the Council. Consequently, the General Manager will conduct any election required for the position of Mayor and/or Deputy Mayor for the 2007/2008 term.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT the advice in relation to the role of the Returning Office for the election required for the position of the Mayor and/or Deputy Mayor be received and noted.

**ITEM:3 GM - 17/09/07 - DETERMINATION OF METHOD OF VOTING FOR THE
ELECTION OF MAYOR AND DEPUTY MAYOR**

COMMENTARY

The purpose of this report is for the Council to determine the method of voting to be used in the election of Mayor and/or Deputy Mayor for the ensuing term.

Schedule 7 of the Local Government (General) Regulation 2005 provides that if only one (1) Councillor is nominated for the position of Mayor or Deputy Mayor, that Councillor is duly elected.

If more than one Councillor is nominated, the Council must resolve whether an election is to be proceeded by preferential ballot, by ordinary ballot or by open voting.

BALLOT has its normal meaning of a secret ballot and **OPEN VOTING** means voting by a show of hands or similar means.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT Council elect the Mayor and Deputy Mayor as necessary for the ensuing term by open voting.

ITEM:4 GM - 17/09/07 - NOMINATIONS FOR AND ELECTIONS FOR THE POSITION OF MAYOR 2007/2008

COMMENTARY

Purpose of this report is to call for and announce nominations received for the position of Mayor for the 12 month period of September 2007 to September 2008.

Nomination forms for the position of Mayor are coloured **BLUE** and are enclosed with the business paper and will also be available at the ExtraOrdinary Meeting of Council.

The returning officer will call for the final lodgement of nominations at the meeting. After the final call for nominations the Returning Officer will announce the names of the nominee (s). If necessary, an election will then be conducted as per the decision made on the previous report.

Section 209 (b) of the Local Government Act requires Council to hold the election for the position of Mayor by the Councillors during the month of September. By virtue of this report and the recommendation is contained therein, Council will have satisfied its requirements under the Local Government Act.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. Nomination Forms (BLUE)

RECOMMENDATION

THAT the Returning Officer call for nominations for the position of Mayor for the 12 month period, starting September 2007 and if two or more nominations are received for the position of Mayor, conduct the election.

ITEM:5 GM - 17/09/07 - NOMINATIONS FOR AND ELECTIONS FOR THE POSITION OF DEPUTY MAYOR

COMMENTARY

Purpose of this report is to call for and announce nominations received for the position of Deputy Mayor for the 12 month period beginning September 2007.

Nominations forms for the position of Deputy Mayor are coloured **GREEN** and are enclosed with the business paper and will also be available at the ExtraOrdinary Meeting of Council.

The Returning Officer will call for final lodgement of nominations at this meeting. After the final call for nominations, the Returning Officer will announce the names of nominee(s). If necessary an election will then be conducted.

Section 231 of the Local Government Act 1993 provides that the Councillors may elect a person from among their number to be the Deputy Mayor. The term may be for the Mayoral term or a shorter term. It has been common practice at Lithgow City Council for the position of Deputy Mayor to be exactly the same length of time as the position of Mayor as determined in Section 290 (b) of the Local Government Act 1993.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

1. The Nomination Forms. (GREEN)

RECOMMENDATION

THAT the Returning Officer call for nominations for the position of Deputy Mayor for the mayoral term and if two or more nominations are received conduct an election.

ITEM:6 GM - 17/09/07 - COUNCIL COMMITTEES / EXTERNAL BODIES

COMMENTARY

The purpose of this report is for Council to consider the appointment of delegates to external (Non Principle) Committees, organisations and other working groups.

Due to a number of these Committees no longer functioning and the extensive level of representation on other organisations, it is time to review the efficiency and effectiveness of the previous system. Appointment could be made to the following committees and external bodies.

| Committees | 2006/07 Representative | 2007/08 Representative |
|-----------------------------------------------|------------------------------------------------------------|-------------------------------|
| Citizens Access Committee | All Councillors | |
| Community Services Committee | Councillor Wayne McAndrew | |
| Environmental Advisory Committee | Councillor N L Castle Councillor M J Wilson (alternate) | |
| General Performance Managers Review Committee | Mayor and Deputy Mayor | |
| Lithgow Tourism Board | Councillor M M Collins | |
| Sports Advisory Committee | Councillor N L Castle Councillor A E Thompson | |
| Traffic Local Authority Committee | Councillor H K Fisher General Manager (alternate) | |
| Union Theatre Management Committee | Councillor M J Wilson | |
| Wallerawang Tidy Towns | Councillor B S Moran Councillor M M Collins | |
| Waste Management Committee | All Councillors | |
| Youth Council | No Councillors | |

External Bodies

| | | |
|-------------------------------------------------------|------------------------------------------------------|--|
| Animal Advisory Committee | Councillor H K Fisher | |
| Bells Line of Road Motoring Tri-Partite Working Party | Councillor N L Castle General Manager (alternate) | |
| Blue Mountains Tourism Limited | Mr Malcolm Wells | |
| Bush Fire Advisory Committee | Councillor B S Moran General Manager | |
| Central West Group Apprentices | Councillor M F Ticehurst | |
| Coinda Nursing Homes Management Committee | Councillor B S Moran General Manager | |

| | | |
|-------------------------------------------------------|--------------------------------------------------------------------|--|
| Lithgow Business Association | Councillor A E Thompson Councillor B S Moran General Manager | |
| Lithgow Information & Neighbourhood Centre Inc (LINC) | Councillor M J Wilson | |
| Sydney Road Links Committee | Councillor A E Thompson | |
| Tanderra Nursing Home Management Committee | Councillor B S Moran Councillor M M Collins | |
| Coleman House Portland | Councillor N L Castle | |
| Crystal Theatre Committee | Councillor N L Castle | |
| Centroc | Councillor N L Castle General Manager | |
| Tabulam Management Committee | Councillor N L Castle Councillor M M Collins | |
| Western Region Institute | Councillor M M Collins | |

Working Groups

| | | |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------|--|
| Working Group of Strategic Plan | Councillor B S Moran Councillor M J Wilson Councillor M M Collins Councillor N L Castle Councillor H K Fisher | |
| Marrangaroo Strategic Plan | Councillor B S Moran Councillor M J Wilson Councillor M M Collins Councillor N L Castle Councillor H K Fisher | |

It may be appropriate for a small working party of Councillors and Senior Officers to be established to review the need for any other committees or perhaps a Special Meeting of Council could be programmed to review the issues.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

RECOMMENDATION

THAT:

1. The information be received.
2. Council determine the appointments to be made to the Committees as listed in the report

ITEM:7 GM - 17/09/07 - ELECTION OF CHAIRPERSON AND/OR DEPUTY CHAIRPERSON FOR THE POLICY AND STRATEGY COMMITTEE

SUMMARY

The purpose of this report is for Council to consider the position of Chairperson and Deputy Chairperson for Policy and Strategy Committee.

COMMENTARY

Clause 267 of the Local Government (General) Regulations 2005 indicates that:

1. The Chairperson of each Committee of Council must be:
 - a) The Mayor, or
 - b) If the Mayor does not wish to be the chairperson of a committee - a member of the committee elected by the Council, or
 - c) If the Council does not elect such a member - a member of the committee elected by the committee
2. A Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.
3. If neither the Chairperson nor the Deputy Chairperson of a committee of Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.
4. The Chairperson is to preside at a meeting of a committee of a Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

From my discussions with the Mayor he has indicated that he wishes to be the Chairperson of the Policy and Strategy Committee, as result and in accordance with the provisions of Clause 267, the Mayor shall be the Chairperson of the Policy and Strategy Committee.

Council will need to decide and elect a person to act as Deputy Chairperson of the Policy and Strategy Committee.

Under Council's Code of Meeting Practice, Council may determine the method of voting for the position of Deputy Chairperson of the Policy and Strategy Committee. If more than one Councillor is nominated, Council must resolve whether an election is to be preceded by a preferential ballot, ordinary ballot or by open voting.

BALLOT: Has a normal meaning of secret ballot and **OPEN VOTING** - Means voting by a show of hands or similar means.

Council has in previous times opted for the use of open voting method for such elections.

In accordance with Council's adopted Code of Meeting Practice the General Manager (or other employee designated by the General Manager) shall be the returning Officer for any such elections.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT:

1. Council decide on the method to be used for the election of Deputy Chairperson of the Policy and Strategy Committee
2. The General Manager call for nominations for the Deputy Chairperson of the Policy and Strategy Committee
3. Conduct the election for the position of Deputy Chairperson of the Policy and Strategy Committee as per the resolution in Item 1, if required.

ITEM:8 GM - 17/09/07 - ELECTION OF CHAIRPERSON AND/OR DEPUTY CHAIRPERSON FOR THE FINANCE AND SERVICES COMMITTEE

REFERENCE

NIL

SUMMARY

The purpose of this report is for Council to consider the position of Chairperson and Deputy Chairperson for Finance and Services Committee.

COMMENTARY

Clause 267 of the Local Government (General) Regulations 2005 indicates that:

1. The Chairperson of each Committee of Council must be:
 - a) The Mayor, or
 - b) If the Mayor does not wish to be the chairperson of a committee - a member of the committee elected by the Council, or
 - c) If the Council does not elect such a member - a member of the committee elected by the committee
2. A Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.
3. If neither the Chairperson nor the Deputy Chairperson of a committee of Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.
4. The Chairperson is to preside at a meeting of a committee of a Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

From my discussions with the Mayor he has indicated that he wishes to be the Chairperson of the Finance and Services Committee, as result and in accordance with the provisions of Clause 267, the Mayor shall be the Chairperson of the Finance and Services Committee.

Council will need to decide and elect a person to act as Deputy Chairperson of the Finance and Services Committee.

Under Council's Code of Meeting Practice, Council may determine the method of voting for the position of Deputy Chairperson of the Finance and Services Committee.

If more than one Councillor is nominated, Council must resolve whether an election is to be preceded by a preferential ballot, ordinary ballot or by open voting.

BALLOT - Has a normal meaning of secret ballot and **OPEN VOTING** - Means voting by a show of hands or similar means.

Council has in previous times opted for the use of open voting method for such elections.

In accordance with Council's adopted Code of Meeting Practice the General Manager (or other employee designated by the General Manager) shall be the returning Officer for any such elections.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

LEGAL IMPLICATIONS

NIL

ATTACHMENTS

NIL

RECOMMENDATION

THAT:

1. Council decide on the method to be used for the election of Deputy Chairperson of the Finance and Services Committee
2. The General Manager call for nominations for the Deputy Chairperson of the Finance and Services Committee
3. Conduct the election for the position of Deputy Chairperson of the Finance and Services Committee as per the resolution in Item 1, if required.