

Subsequent Business Paper



Ordinary Meeting of Council

to be held at

Council Administration Centre

180 Mort Street, Lithgow

on

Monday 24 June 2024

at 6:00 PM

ORDER OF BUSINESS

1. Mayoral Minutes.....	3
1.1. Mayoral Minute - 24/06/2024 - Delegation of Authority to New General Manager & Establishment of a General Manager Performance Review Panel.....	3
2. Administration Reports.....	5
3. Council Committee Reports	7
3.1. I&E - 24/06/2024 - Economic Development Committee - 19 June 2024	7
3.2. P&P - 24/06/2024 - Environmental Advisory Committee Meeting Minutes 12 June 2024	8
3.3. F&G - 24/06/2024 - Finance Committee Meeting Minutes 18 June 2024	9

1. Mayoral Minutes

1.1. Mayoral Minute - 24/06/2024 - Delegation of Authority to New General Manager & Establishment of a General Manager Performance Review Panel

Report by Councillor Maree Statham

Recommendation

THAT:

1. Mr Ross Gurney be congratulated on his appointment as General Manager for the next 3 years.
2. All authority currently delegated to Lithgow City Council's General Manager be transferred to Mr Gurney, as General Manager, on commencement of employment.
3. Council authorise the affixing of the Council's Seal to the General Manager's contract of employment to enable that contract to be formalised.
4. Council establish a General Manager Performance Review Panel (Panel) comprising the Mayor, Deputy Mayor and two other Councillors (one of whom is to be chosen by the General Manager).
5. Council determine their Council-nominated councillor for the Panel.
6. Council engage Local Government NSW (LGNSW) to provide facilitation and advice to the Panel.
7. Council include an independent observer on the Panel.
8. The role of the Panel be -
 - To develop the performance agreement
 - To conduct performance reviews
 - To report the findings and recommendations of performance reviews to the Council
9. Councillors who are not members of the Panel be invited to contribute to the performance review process by providing feedback to the Mayor on the general manager's performance relevant to the agreed performance criteria.
10. All councillors be notified of relevant dates in the performance review cycle and be kept advised of the Panel's findings and recommendations.
11. The Panel is to report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review.

Commentary

At the Extraordinary Council Meeting held on 13 June 2024 the Council delegated authority to me, as Mayor, to make an offer of a contract of employment as General Manager to the candidate determined by the Council, subject to final security checks.

I offered the position of General Manager to Mr Ross Gurney as the next General Manager. Mr Gurney accepted the offer and he will take up the position on 1 July 2024.

There is the need for Council to provide delegations to Mr Gurney to enable him to properly discharge the responsibilities of the role. The proposed motion (recommendation) in this Minute deals with this.

I congratulate Mr Gurney on his appointment and wish him well.

Establishment of General Manager Performance Review Panel

The remainder of this Minute draws from briefings that I have received from the General Manager and the Acting Human Resources Manager. Those briefings were based on the Office of Local

Government's (OLG) document - "Guidelines for the appointment and oversight of General Managers" (which is attached to this report).

The performance of the General Manager must be reviewed at least annually against the agreed performance criteria for the position. Councillors may also choose to undertake more frequent interim reviews of the General Manager's performance. The agreed performance criteria must be set out in an agreement that is signed within three months of the commencement of the General Manager's contract.

The Council must establish a performance review panel led by the Mayor, and delegate the task of undertaking the General Manager's performance reviews to the panel. The guidelines recommend that full responsibility for the performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken, and determine the performance agreement.

Performance review panels should be made up of four Councillors and comprise the Mayor, the Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.

The Council may also consider including an independent observer on the panel.

Panel members should be trained in performance management of General Managers. The role of the review panel includes:

- Conducting performance reviews
- Reporting the findings and recommendations of review to the Council, and
- Development of the performance agreement

The Council and the General Manager may also agree on the involvement of a suitably qualified external facilitator such as a human resource professional to assist with the performance review process and the development of the new performance agreement. That person may be selected by the Council or the performance review panel.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the mayor on the general manager's performance relevant to the agreed performance criteria.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review. This should not be an opportunity to debate the results or revisit the general manager's performance review.

The proposed motion (recommendation) in this Minute has the effect that Council is following the Office of Local Government's (OLG) "Guidelines for the appointment and oversight of General Managers". The proposal is to engage Local Government NSW (LGNSW) to provide facilitation and advice to the Panel. LGNSW provide specialist employment services to councils and they are able to be promptly engaged, recognising that the performance agreement must be finalised within the first three months. The proposal is also to include an independent observer on the panel.

Attachments

1. Guidelines-for-the-appointment-and-oversight-of-general-managers [1.1.1 – 20 pages]

2. Administration Reports

2.1. I&E - 24/06/2024 - Civic Ballroom Floor Replacement

Strategic Context for this matter:

Caring for Our Community

To retain, respect and strengthen both our overall sense of community, and the unique linked communities of groups, rural areas, villages and towns that make up the Lithgow LGA.

Author: David Anderson – Building and Recreation Facilities Manager

Responsible Officer: David Anderson – Building and Recreation Facilities Manager

Executive Summary

Civic Ballroom Floor replacement.

During the wet weather events in 2021 / 2022 the Civic Ballroom had been flooded 3 to 4 times, causing extensive damage to the floor. The floor is damaged beyond repair and now requires full replacement.

The report outlines that the works have been claimed under Council's insurance. The insurer requested 3 quotes and selected their preferred contractor. This is a process outside of a tender (because it is being advanced with Council's insurer and there is a time limit for the claim which could soon lapse). A robust procurement oversight was nonetheless applied by Council's administration. The council administration is accepting of the preferred contractor based on prior work they have undertaken for Council.

There is the need for Council to provide \$100,000 budget for the repair works with \$160,900 + gst also being provided by Council's insurer.

Administration's Recommendation

THAT Council approve Westbury Construction as the principal contractor to carry out the work to the Civic Ballroom floor (cost of \$260,900 ex GST) on behalf of Lithgow City Council.

Attachments

1. CONFIDENTIAL - Lithgow Civic Ballroom Water Damage Remediation 2024 [2.1.1 – 5 pages]
2. CONFIDENTIAL - Civic Ballroom Floor Tony Luchetti Sportsground [2.1.2 – 2 pages]
3. CONFIDENTIAL - Quote - Replace Floor at Civic Ballroom [2.1.3 - 4 pages]

Reference to any relevant previous minute

NIL

Background and discussion

During the wet weather events of 21/22 the Civic Ballroom floor had sustained substantial damage causing irreversible repair to the timber flooring, this area had not seen any flooding in this building to the extent that had occurred during these weather events.

Lithgow Council notified its insurers and began the claims process. For some months after weather events continued to occur seeing water enter the building causing further damage.

As the Civic Ballroom is one of Lithgow Councils prized assets, holding many events, Council continued to engage contractors to assist in cutting sections of the floor providing temporary repair solutions, to ensure Council could continue to allow community events such as the coveted local Balls, Lithgow Show and many more events.

Council sought quotations from a local contractor to provide indicative pricing to our insurer for consideration. During this time Council's Infrastructure team worked on providing engineering solutions around the building to assist in managing high volumes of rain, this included additional drainage, diverting water away from the building, addition of a dish drainage also to manage water away from the asset, water management infrastructure to hold and divert water away from the building.

Councils Infrastructure & Economy Department have also completed a tender process to engage a civil works contractor to install substantial drainage, from the northern side of the via duct in George Coates Ave along Watsford Oval to the Farmers creek. This infrastructure will also assist in moving and managing substantial volumes of water. This council approval due to be reported to Council at the July Council meeting.

As requested by Councils insurers, a further two quotes were obtained from other contractors specialising in flooring installation. JLT insurers provided feedback on the quotes provided, choosing the lowest quote coming in at \$260,900 ex GST. The Council has previously engaged Westbury Constructions and have confidence in their ability to provide a quality outcome.

Consultation and Communication

Due to the closing timeframe for insurers to comply with payments and the lack of time available to carry out a proper tender process this is being raised at a Council level for council to agree to engage contractors selected by JLT, Council Insurers.

Policy

Nil

Legal

Nil

Risk Management

Nil

Financial

As part of Council's insurance claims policy Council will be required to provide \$100,000 budget for the repair cost with \$160,900 + gst being provided by Council's insurer. There are sufficient funds within the Land and Buildings Reserve for this expense (\$100 000).

3. Council Committee Reports

3.1. I&E - 24/06/2024 - Economic Development Committee - 19 June 2024

Strategic Context for this matter:

Strengthening Our Economy

To provide for sustainable and planned growth through the diversification of the economic base, the development of diverse job opportunities and the provision of a broad range of formal and non-formal educational services.

Author: Jonathon Edgecombe - Director of Infrastructure and Economy
Shaun Elwood – Director of People and Places

Responsible Officer: Jonathon Edgecombe - Director of Infrastructure and Economy

Executive Summary

This report overviews the matters discussed at the Economic Development Committee when it met on 19 June 2024.

Administration's Recommendation

THAT Council endorse the minutes of the Economic Development Committee meeting of 19 June 2024.

Attachments

1. DRAFT Minutes - Economic Development Committee - 19 June 2024 [3.1.1 - 5 pages]

Reference to any relevant previous minute

Nil

Background and discussion

The minutes which are included as an attachment outline all of the matters that were discussed at the meeting.

Financial

- Budget approved – N/A
- Cost centre - N/A
- Expended to date – N/A
- Future potential impact – N/A

3.2. P&P - 24/06/2024 - Environmental Advisory Committee Meeting Minutes 12 June 2024

Strategic Context for this matter:

Enhancing Our Natural Environment

To balance, protect and enhance our diverse environmental elements, both natural and built, for the enjoyment and support of both current and future generations

Author: Shaun Elwood – Director People and Places

Responsible Officer: Shaun Elwood – Director People and Places

Executive Summary

This report provides details of the minutes of the Environmental Advisory Committee held on 12 June 2024.

Administration's Recommendation

THAT Council note the minutes of the Environmental Advisory Committee held on 12 June 2024

Attachments

1. EAC Minute 12 June 2024 (1) [3.2.1 - 7 pages]

Reference to any relevant previous minute

Min 24-116 Ordinary Meeting of Council held 27 May 2024

Background and discussion

At the Environmental Advisory Committee held on 12 June 2024 the following items were discussed:

1. Lake Pillans Site Management
2. Vehicle Access Hyde Park Reserve Hartley
3. Hassans Walls Reserve Technical Reports
4. Natural Area Management officer and Land Care Coordinator Positions
5. General Business
 - Oakey Park various issues
 - Hepburn Street matters
 - Glen Alice sediment issues
 - Appreciation to staff for weed spraying and mowing on the sides of roads recently

Financial

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

3.3. F&G - 24/06/2024 - Finance Committee Meeting Minutes 18 June 2024

Strategic Context for this matter:

To provide for sustainable and planned growth through the diversification of the economic base, the development of diverse job opportunities and the provision of a broad range of formal and non-formal educational services.

Responsible Governance & Civic Leadership

To develop community confidence in the organisation by the way it is directed, controlled and managed

Author: Trinity Newton – Executive Assistant

Responsible Officer: Ross Gurney - Director Finance and Governance

Executive Summary

This report provides a summary of matters considered at the Finance Committee Meeting held on 18 June 2024 and recommends that the Council note the minutes

Administration's Recommendation

THAT Council note the minutes of the Finance Committee meeting held on 18 June 2024.

Attachments

1. Finance Committee Meeting 18 June 2024 Minutes [3.3.1 - 8 pages]

Reference to any relevant previous minute

Min 24-115 Ordinary Meeting of Council held 27 May 2024

Background and discussion

At the 18 June 2024 Finance Committee Meeting, the following reports were discussed by the Committee:

1. Policy 10.20 Leasing and Licencing
2. Investment Report for May 2024
3. Zero Based Budgeting
4. Local Government Remuneration Tribunal Determination 2024
5. Delivery Program 2022-2026 and Operational Plan 2024-2025
6. Making of Annual Rates and Charges 2024/2025

The following business paper recommendations were endorsed by the Committee:

Investment Report Mayor 2024

THAT:

1. Investments of \$80,450,000 and cash of \$1,036,301 (of which approximately \$79M is restricted) for the period ending 31 May 2024 be noted.
2. The enclosed certificate of the Responsible Accounting Officer be noted.
3. The commentary on cashflow and funding requirements for restricted reserves be noted.

Zero Based Budgeting

THAT the Finance Committee does not support the zero based budgeting.

Financial

As detailed in the Finance Committee meeting minutes.