



MINUTES

Ordinary Meeting of Council

held at

Council Administration Centre

180 Mort Street, Lithgow

on

Wednesday 22 December 2021

at 6:00 PM

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The General Manager declared the meeting open at 06:00 pm.

NOMINATIONS FOR CHAIRPERSON

The General Manager called for nominations for Chairperson.

Councillor S Lesslie nominated Councillor M Statham as Chairperson. There was general agreement with this.

Councillor M Statham accepted the position as Chairperson and took the chair.

1. Acknowledgement of Country

The Chairperson acknowledged the traditional custodians of this land we are on here today, and paid respect to their elders both past, present and emerging.

The Chairperson went on to inform all those in attendance at this meeting, that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements concerning any person, Councillor or employee, and refrain from discussing those matters subject to Closed Council proceedings as indicated in clause 14.1 of the Code of Meeting Practice.

2. Present

Public: 36

Councillor A Bryce
Councillor C Coleman
Councillor D Goodsell
Councillor D Goodwin
Councillor S Lesslie
Councillor S McGhie
Councillor E Mahony
Councillor C O' Connor
Councillor M Statham

Also in attendance

Craig Butler, General Manager
Ross Gurney, Chief Financial and Information Officer
Michael McGrath, Director People and Services
Trinity Newton, Minutes Secretary
Ally Shelton, IT Manager

3. Apologies

All being present there were no apologies.

4. Public Forum

At 6:15 members of the public gallery were invited to participate in the Public Forum Session.

Mr Richardson congratulated the incoming Council on their election.

The Chair thanked Mr Richardson for his statement.

5. Staff Reports

5.1. General Manager's Reports

5.1.1. GM - 22/12/2021 - Oath or Affirmation of Office by Councillors

The General Manager assumed the position of returning officer and meeting chair.

The General Manager invited the Councillors to take the Oath or Affirmation in alphabetical order.

Councillor Almudena Bryce took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Bryce.

Councillor Cassandra Coleman took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Coleman.

Councillor Deanna Goodsell took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Goodsell.

Councillor Darryl Goodwin took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Goodwin.

Councillor Stephen Lesslie took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Lesslie.

Councillor Eric Mahony took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Mahony.

Councillor Stuart McGhie took the Affirmation of Office.

The General Manager thanked and congratulated Councillor McGhie.

Councillor Maree Statham took the Affirmation of Office.

The General Manager thanked and congratulated Councillor Statham.

Councillor Col O'Connor signed the Affirmation of Office.

The General Manager thanked and congratulated Councillor O'Connor.

5.1.2. GM - 22/12/2021 - Nominations for and Election for the position of Mayor for the period 2021 to September 2023

21 -281 RESOLVED

THAT Council proceed with the election of the Mayor for the period to September 2023 and use the open voting method.

CARRIED: Unanimously

Divisions

FOR: Councillor A Bryce, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S McGhie, Councillor E Mahony, Councillor S Lesslie, Councillor C O'Connor and Councillor M Statham

AGAINST: Nil

The General Manager advised that two valid nominations had been received for the position of Mayor for the two year period to September 2023:

The General Manager advised that he had received the following nominations:

- Councillor Maree Statham
- Councillor Darryl Goodwin.

The General Manager called for further nominations. No further nominations were received.

The vote for the position of Mayor was held:

Councillor A Bryce, Councillor C Coleman, Councillor S McGhie, Councillor E Mahony, Councillor S Lesslie, Councillor C O'Connor and Councillor M Statham voted for Councillor M Statham as Mayor.

Councillor D Goodsell and Councillor D Goodwin voted for Councillor D Goodwin as Mayor.

The General Manager declared Councillor M Statham as Mayor for the December 2021 – mid-September 2023 mayoral term.

Councillor M Statham assumed the chair as Mayor.

Councillor Statham made a statement, thanking those who had supported her throughout the election and expressing appreciation of her appointment to the position of the Mayor.

5.1.3. GM - 22/12/2021 - Nominations for and Election for the Position of Deputy Mayor from 2021 to September 2022

21 -282 RESOLVED

THAT Council have a position of Deputy Mayor, and the next term of that position be for the same period as the Mayor - until mid-September 2023.

MOVED: Councillor S Lesslie

SECONDED: Councillor M Statham

CARRIED:

Divisions

FOR: Councillor A Bryce, Councillor C Coleman, Councillor S McGhie, Councillor E Mahony, Councillor S Lesslie and Councillor M Statham

AGAINST: Councillor D Goodsell, Councillor D Goodwin and Councillor C O'Connor

21 -283 RESOLVED

THAT Council proceed with the election of the Deputy Mayor for the period to mid-September 2023 and use the open voting method.

MOVED: Councillor S Lesslie

SECONDED: Councillor D Goodsell

CARRIED: Unanimously

Divisions

FOR: Councillor A Bryce, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S McGhie, Councillor E Mahony, Councillor S Lesslie, Councillor C O'Connor and Councillor M Statham

AGAINST: Nil

The General Manager advised that two valid nominations were received for the position of Deputy Mayor for the period to September 2023:

- Councillor C Coleman
- Councillor D Goodwin

The General Manager called for further nominations. There were no further nominations received.

The vote for the position of Deputy Mayor was held:

Councillor A Bryce, Councillor C Coleman, Councillor S McGhie, Councillor E Mahony, Councillor S Lesslie and Councillor M Statham voted for Councillor C Coleman for the position of Deputy Mayor.

Councillor D Goodsell, Councillor D Goodwin and Councillor C O'Connor voted for Councillor D Goodwin for the position of Deputy Mayor.

The General Manager declared Councillor C Coleman as Deputy Mayor for the period until mid-September 2023.

5.1.4. GM - 22/12/2021 - Delegations to the Mayor and Deputy Mayor

21 -284 RESOLVED

THAT Council, in addition to the functions outlined in Section 226 of the New South Wales Local Government Act 1993, delegate the following:

1. To the Mayor of Lithgow City Council:
 - a. **Donations**

To approve donations up to the sum of \$250 subject to Council being informed of any such decision, provided that funds are available within the sum voted by Council for donations in the adopted Delivery Program and Operational Plan. Such donations may only be made to community based, not for profit, groups functioning in the Lithgow Local Government Area.
 - b. **Mayoral Reception**

To authorise expenditure for minor civic receptions for visitors up to a maximum of \$500 for any one reception provided that funds are available within the sum voted by Council in the adopted Delivery Program and Operational Plan.
 - c. **Temporary General Manager**

In accordance with Section 351(1)(a) of the Local Government Act, the Mayor be given the authority to appoint a temporary General Manager, either during the absence of the General Manager on leave or otherwise.
 - d. **General Manager – Leave**

Authority to approve applications for holidays and leave of absence to the General Manager.
 - e. **General Manager's Performance Review**

In conjunction with the Deputy Mayor the authority to conduct the performance reviews of the General Manager. The outcome of such reviews are to be reported to Council.
2. To the Deputy Mayor of Lithgow City Council:
 - a. **Function of the Mayor**

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

That the Deputy Mayor shall exercise the Delegation of Authority of the Mayor in those cases where the General Manager certifies that the matter is of such an urgent nature that it will not wait until the return of the Mayor.
 - b. **General Manager's Performance Review**

In conjunction with the Mayor the authority to conduct the performance reviews of the General Manager. The outcome of such reviews are to be reported to Council.

3. These delegations shall remain in force unless otherwise revoked or amended in whole or in part, as Council may from time to time determine.

MOVED: Councillor D Goodsell

SECONDED: Councillor D Goodwin

CARRIED: Unanimously

Divisions

FOR: Councillor A Bryce, Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor S McGhie, Councillor E Mahony, Councillor S Lesslie, Councillor C O'Connor and Councillor M Statham

AGAINST: Nil

5.1.5. GM - 22/12/2021 - Countbacks to fill Casual Councillor Vacancies

21 -285 RESOLVED

THAT Council, pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act), 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 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of the Council's decision within 7 days.

MOVED: Councillor D Goodsell

SECONDED: Councillor D Goodwin

CARRIED:

Divisions

FOR: Councillor C Coleman, Councillor D Goodsell, Councillor D Goodwin, Councillor E Mahony, Councillor S Lesslie and Councillor C O'Connor

AGAINST: Councillor A Bryce, Councillor S McGhie and Councillor M Statham

6. Business of Great Urgency

In accordance with Clause 241 of the Local Government Act (General) Regulations 2005 business may be transacted at a meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- a) A motion is passed to have the business transacted at the meeting; and
- b) The business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

The Mayor asked if there were any matters to be considered as matters of great urgency.

Cr D Goodsell raised the matter of the condition of Emora Park, Landa Street area and the mowing maintenance for the area. Cr Goodsell requested that the administration contact the Department of Housing urgently to have the matter of weeds, mowing, and road and footpath conditions addressed.

The Mayor declared the matter to be of great urgency in accordance with Clause 241 of the Local Government (General) Regulations.

The Mayor requested that the General Manager contact the Department of Housing as a matter of urgency.

Councillor Mahony raised the matter of the recent storm activity causing significant damage within the local area specifically the Hockey Association building. Councillor Mahony asked if there has been a pathway forward to help those affected with repairs.

The General Manager gave advice to the Council.

Councillor Statham raised the Glen Davis Bridge in disrepair, the landowners where the bridge is located are reportedly locking the gates not allowing access to residents.

Councillor Statham raised the matter the sides of the roads in Glen Davis being in need of mowing.

The General Manager gave advice to the Council on both matters.

There being no further business the Mayor declared the meeting closed at 06:55 pm.