



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

EXTRA ORDINARY MEETING OF COUNCIL

TO BE HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

31 OCTOBER 2016

AT 6.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 31 OCTOBER 2016**

Meeting Commenced 6.00pm

ACKNOWLEDGEMENT OF COUNTRY

Public: 6

PRESENT

His Worship the Mayor
Councillor S Lesslie
Councillor M F Ticehurst
Councillor C Coleman
Councillor G Cox
Councillor W McAndrew
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor R Thompson

APOLOGIES

Nil

Also in attendance

Mr Andrew Muir, Acting General Manager
Mrs Trinity Newton, Minutes Secretary
Mr Jim Nichols, Acting Group Manager Environment and Development
Mr Matthew Johnson, Acting Group Manager Corporate and Community
Mr Iain Stewart, Group Manager Operations

DECLARATION OF INTEREST

His Worship the Mayor called for Declarations of Interest on any matter before the Meeting.

Nil

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MAYORAL MINUTE

**ITEM-1 CONFIDENTIAL – CLOSED COUNCIL - MAYORAL MINUTE –
31/10/16 - CONSIDERATION OF LEGAL ADVICE**

16 – 277 RESOLVED

THAT Council consider the report on legal advice provided by LeFevre and Co in Closed Council pursuant to Section 10A(2)(a) and 10A(2)(g) of the Local Government Act 1993.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew.

CARRIED

CLOSED COUNCIL

The Mayor asked if there were any objections from the Public with regards to the confidential reports being in closed Council.

There were Nil objections.

MAYORAL MINUTE

**ITEM-1 CONFIDENTIAL – CLOSED REPORT - MAYORAL MINUTE –
31/10/16 - CONSIDERATION OF LEGAL ADVICE**

16 – 278 RESOLVED

THAT Council move into Closed Council to consider the confidential report.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew

CARRIED

At 6.05pm the Council moved into Closed Council.

16 – 279 RESOLVED

THAT Council consider the legal advice provided by LeFevre and Co in relation to the procedure at its Extraordinary Meeting of 19 October 2016 and implement action as outlined on page 5, Option (b) of that advice.

MOVED: Councillor S Lesslie

SECONDED: Councillor W McAndrew.

CARRIED

UB – 31/10/16 – Councillor Ticehurst

16 – 280 RESOLVED

THAT, being business of great urgency, the matter concerning the contract of employment of Mr Roger Bailey be considered without notice.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor S Ring

CARRIED

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

16 – 281 RESOLVED

THAT Council

1. That under Point 10.3.5 of the contract of employment between the Lithgow City Council and the General Manager expiring on the 21 September 2017, Council terminate the G.Ms contract immediately by paying under Point 11.3. the appropriate remuneration to the General Manager.
2. That under Section 351 (1) of the Local Government Act 1993, Mr Andrew Muir, the Council's Group Manager of Planning and Environment, is immediately appointed temporarily to the position of General Manager, Lithgow City Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor S Ring

CARRIED

A **DIVISION** was called by Councillors M F Ticehurst and S Ring.

Divisions -

FOR

Councillor C Coleman
Councillor G Cox
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor M F Ticehurst

AGAINST

Councillor S Lesslie
Councillor R Thompson
Councillor W McAndrew

At 6:21pm the Council resolved to refer to open Council and announce the resolutions of Closed Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J Smith

CARRIED

The Mayor announced the resolution of Council being:

16 – 281 RESOLVED

THAT Council

1. That under Point 10.3.5 of the contract of employment between the Lithgow City Council and the General Manager expiring on the 21 September 2017, Council terminate the G.Ms contract immediately by paying under Point 11.3. the appropriate remuneration to the General Manager.
2. That under Section 351 (1) of the Local Government Act 1993, Mr Andrew Muir, the Council's Group Manager of Planning and Environment, is immediately appointed temporarily to the position of General Manager, Lithgow City Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor S Ring

CARRIED

A **DIVISION** was called by Councillors M F Ticehurst and S Ring.

Divisions -

FOR

Councillor C Coleman
Councillor G Cox
Councillor S Ring
Councillor J Smith
Councillor M Statham
Councillor M F Ticehurst

AGAINST

Councillor S Lesslie
Councillor R Thompson
Councillor W McAndrew

There being no further business the Extra Ordinary Meeting of Council was closed at 6:23pm.