



LITHGOW CITY COUNCIL

“A Centre of Regional Excellence”

MINUTES

EXTRA ORDINARY MEETING OF COUNCIL

HELD AT

THE ADMINISTRATION CENTRE, LITHGOW

ON

29 JUNE 2009

AGENDA

**MINUTES OF THE LITHGOW CITY COUNCIL EXTRA ORDINARY MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 29TH JUNE 2009**

Meeting Commenced 7.00pm

Public Gallery: 1

PRESENT

His Worship the Mayor
Councillor Neville Castle
Councillor J J McGinnes
Councillor M F Ticehurst
Councillor W McAndrew
Councillor H K Fisher
Councillor C Hunter
Councillor R Thompson
Councillor W Marshall
Councillor G Danaher

APOLOGIES

NIL

Also in attendance

General Manager, Mr Roger Bailey
Group Manager Regional Services, Mr Andrew Muir
Group Manager Community and Corporate Services, Ms Suzanne Lollback
Acting Operations Manager, Mr Chris Schumacher

DECLARATION OF INTEREST

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

NIL

The Mayor advised the Public that Council will now consider the Closed Confidential report. The report is confidential in nature due to:

ITEM:1 GM - 29/06/09 - WOLGAN GAP ROCK STABILITY

Reason for Confidentiality

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councilors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councilors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or

09-279 RESOLVED

THAT Council consider the reports in Closed Council pursuant to Section 10A(2)(d)(i) of the Local Government Act.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew

CARRIED

Moved into closed council at 7.03pm

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GENERAL MANAGER REPORTS

ITEM:1 GM - 29/06/09 - WOLGAN GAP ROCK STABILITY

REPORT FROM: ROGER BAILEY - GENERAL MANAGER

REFERENCE

Min No 008-224: Council Meeting of 15 December 2008

Min No 09-188: Council Meeting of 11 May 2009

SUMMARY

This report provides an update of the action taken in relation to the Council decision made at the May 11, 2009 Council meeting and now recommends that works proceed immediately to rectify the safety issues to the Wolgan Road at the Wolgan Gap.

09-280 RESOLVED

THAT:

1. Council note the report on the Wolgan Road Rock Stability;
2. Immediately make the necessary arrangements for the remedial works to the Wolgan Gap to be carried out;
3. Accept the funding of \$145,000 plus GST and conditions from the State Government subject to the conditions of consent for the Emirates development being complied with;
4. Thank local member, Mr Gerard Martin, for his assistance in securing this funding;
5. Thank the Minister for Regional Development, the Hon Philip Costa, for his assistance; and
6. Allocate \$145,000 from the Roads to Recovery Program as Council's share of the estimate for the completion of these stability works.

MOVED: Councillor H K Fisher
CARRIED

SECONDED: Councillor W McAndrew

09-281 RESOLVED

At 7.40pm the Council resolved to refer back to open Council and recommend the resolutions of closed Council.

MOVED: Councillor R Thompson
CARRIED

SECONDED: Councillor H K Fisher

The General Manager announced the recommendation of the Closed Council.

09-282 RESOLVED

THAT Council adopt the recommendations of the closed Council.

MOVED: Councillor R Thompson

SECONDED: Councillor H K Fisher

CARRIED

BUSINESS OF GREAT URGENCY

In accordance with Clause 241 of the Local Government (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 of:

- 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.

UB - 29/06/09 - COUNCILLOR W MCANDREW

Mr Mayor I refer to the kidney dialysis machine at the local hospital and ask that Council inquire if these machines are working or not. Some people have had to travel long distances for this treatment to be done.

09-283 RESOLVED

THAT the concerns of Councillor McAndrew in relation to the kidney dialysis machines at the local hospital be considered urgent and dealt with at this meeting.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall

CARRIED

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

09-284 RESOLVED

THAT Council contact the State Member, Gerard Martin, as a matter of urgency to determine the situation in relation to the kidney dialysis machines at the Lithgow Hospital.

MOVED: Councillor W McAndrew

SECONDED: Councillor W Marshall

CARRIED

The meeting closed at 7.46pm.