



LITHGOW CITY COUNCIL

A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

13 DECEMBER 2010

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 13th DECEMBER 2010**

Meeting Commenced 7.00pm

Public Forum: 22

PRESENT

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

APOLOGIES

NIL

Also in attendance

Mr Roger Bailey, General Manager
Miss Casey Clarke, Minutes Secretary
Mr Andrew Muir, Group Manager Regional Services
Ms Suzanne Lollback, Group Manager Community and Corporate Services
Mr Iain Stewart, Group Manager Operation Services
Mrs Carol Farnsworth, Internal Services Manager

CONFIRMATION OF MINUTES

10-508 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 22nd November 2010 were taken as read and confirmed by Councillors G Danaher and W McAndrew

DECLARATION OF INTEREST

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

Councillor W McAndrew declared a Pecuniary Conflict of Interest in item 10, due to his wife being an employee of the Lithgow Golf Club. He will vacate the Chambers.

Councillor W Marshall declared a Non Pecuniary Interest in item 10, due to his brother being a board member on the Lithgow Golf Club. He will not vacate the Chambers and will take part in the debate.

QUESTIONS FROM THE PUBLIC FORUM

At 7.01pm Members of public gallery were invited to participate in the Public Forum Session.

PF - 13/12/10 - BARRY SMYTHE

Mr Smythe made a statement in relation to the water quality in the Local Government Area. He referred to a statement made in August 2010 by Alan Jones in relation to the water quality and is concerned at how this is portraying Lithgow. On August 7th testing was done and further testing took place later in the year. Some of the information provided in relation to these tests seems to be incorrect, for eg, when they were reported to the Department etc. Where and how were the original samples that were collected on the 7th August taken or kept? Is it correct that to date Council has not received certification from the results taken in August?

PF - 13/12/10 - DIANA ROWLINSON

Mr Mayor in relation to the Railway Line from the State Mine Museum to the State Line, is it correct that this will be reused for tourist stream train runs? I do not believe that this is acceptable. Mrs Rowlinson lives in the area and does not wish to live in the area that this may take place. How many trains are allowed to run on this line? Has a DA been made to increase the number etc?

The Mayor advised that Council was awaiting information to put to the public on the recent proposal. The Group Manager Regional Services advised that there had been an application in the past and works done but would have to investigate further.

PF - 13/12/10 - JULIE WILLIAMS

Mr Mayor I refer to Item 4 and have been advised of a meeting with Access Industries and ask Council to please confirm that this meeting will take place? How will residents be notified that this meeting will take place?

The Mayor confirmed that this meeting will be taking place and that residents will be notified by phone.

10-509 RESOLVED

THAT Council bring forward a Business of Great Urgency that the Lithgow City Council, its ratepayers and residents, extends its sincerest sympathies to the many families and friends of the 29 victims of the recent Pike River Coal Mine tragedy in New Zealand, including the two Australian Coal Miners, William Joynson and Joshua Ufer.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor H K Fisher.

10-510 RESOLVED

THAT given that Lithgow City Council's proud past Coal Mining Heritage and its current vast Coal Mining workings, that this Council Meeting immediately observe one minutes silence in solemn remembrance of the victims of the recent Pike River Mining tragedy in New Zealand.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor R Thompson.

The Council held a Minute silence at 7.13pm.

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MAYORAL MINUTES

ITEM:1 MAYOR MINUTE - 13/12/10 - NSW TIDY TOWNS SUCCESS

10-511 RESOLVED

THAT the report on the Tidy Town Success be noted.

MOVED: Councillor N L Castle

SECONDED: Councillor G Danaher.

ITEM:2 MAYORAL MINUTE - 13/12/10 - BRANDING

10-512 RESOLVED

THAT

1. Council endorses in principle the concept designs for branding for Lithgow as presented in Concept 3.
2. Council endorses in principle the development of a logo for Lithgow based upon Concept 3B which depicts three 'hill' shapes.
3. Council endorses in principle the use of the five colours for general use in the branding strategy as described in Concept 3.
4. Council seek public interest on the above concept for the logo for Lithgow

MOVED: Councillor N L Castle

SECONDED: Councillor R Thompson.

NOTICES OF MOTION

ITEM:3 NOTICE OF MOTION - 13/12/10 - COUNCILLOR ACCESS TO INFORMATION - COUNCILLOR M F TICEHURST

MOTION

THAT the General Manager provides the Council, Councillors and ratepayers with a formal report in response to issues raised in Department of Local Government Circular 10 – 30.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

AMENDMENT

THAT the Notice of Motion on Access to Information be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor W Marshall.

10-513 RESOLVED

THAT the Notice of Motion on Access to Information be noted.

MOVED: Councillor W McAndrew

SECONDED: Councillor W Marshall.

A **DIVISION** was called by councillors M F Ticehurst and J J McGinnes
FOR

Councillor N L Castle
Councillor G Danaher
Councillor H K Fisher
Councillor C Hunter
Councillor W Marshall
Councillor R Thompson

AGAINST

Councillor J J McGinnes
Councillor M F Ticehurst

10-514 SUPPLEMENTARY MOTION

RESOLVED THAT:

1. Council review the Code of Meeting Practice in relation to agendas and attention to be placed on Notices of Motion and the use of the Public Forum.
2. Council report back in relation to the DLG Promoting Better Practice Review.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew.

A **DIVISION** was called by councillors M F Ticehurst and J J McGinnes

FOR

Councillor N L Castle
Councillor G Danaher
Councillor H K Fisher
Councillor W Marshall
Councillor W McAndrew
Councillor R Thompson

AGAINST

Councillor J J McGinnes
Councillor M F Ticehurst
Councillor C Hunter

**ITEM:4 NOTICE OF MOTION - 13/12/10 - DEVELOPMENT APPLICATION
FOR ACCESS INDUSTRIES - COUNCILLOR M F TICEHURST**

MOTION

THAT the General Manager provides the Council, Councillors and ratepayers with a response to the above Question with Notice at this Ordinary Meeting of Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

AMENDMENT

THAT the information on Access Industries be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

10-515 RESOLVED

THAT the information on Access Industries be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

ITEM:5 NOTICE OF MOTION - 13/12/10 - SOUTH LITTLETON HALL - COUNCILLOR M F TICEHURST

MOTION

THAT the General Manager provide the Council, Councillors and ratepayers with a response to the above Question with Notice at this Ordinary Meeting of Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

AMENDMENT

THAT the information on South Littleton Hall be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor M F Ticehurst.

10-516 RESOLVED

THAT the information on South Littleton Hall be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor M F Ticehurst.

ITEM:6 NOTICE OF MOTION - 13/12/10 - LITHGOW RAILWAY INTERCHANGE - COUNCILLOR M F TICEHURST

10-517 RESOLVED

THAT:

1. Council write to the current Premier and Opposition Leader, the State Members for Bathurst and the Blue Mountains and endorsed candidates to seek their commitment to retaining the Lithgow Railway Station and Western Countrylink Interchange at the end of the Western Passenger Railway Line?
2. Council seek a Deputation to the Minister of Transport as a matter of urgency.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor H K Fisher.

A **DIVISION** was called by Councillors H K Fisher and G Danaher and was passed **UNANIMOUS**

**ITEM:7 NOTICE OF MOTION - 13/12/10 - HARTLEY VALE SPEED LIMIT -
COUNCILLOR M F TICEHURST**

10-518 RESOLVED

THAT the information on the Hartley Vale speed limit be noted

MOVED: Councillor M F Ticehurst

SECONDED: Councillor C Hunter.

**ITEM:8 NOTICE OF MOTION - 13/12/10 - WASTE AND RECYCLING
CONTRACT - COUNCILLOR M F TICEHURST**

10-519 RESOLVED

THAT the General Manager provide the Council, Councillors and ratepayers with a response to the above Question with Notice:

Given that Lithgow City Councils current waste and recycling contract with JR Richards and Sons has already expired and has now over run by nearly 18 months; and with the current decision of the Lithgow City Council to extend the life of the Lithgow Waste Depot; and the likelihood that the proposed commissioning of the Blackmans Flat Waste Management Facility will now be substantially long-term, could the General Manager provide an updated report to the Council on a proposal for the re-tendering of the Lithgow City Councils waste and recycling contract under Section 55 of the Local Government Act?

MOVED: Councillor M F Ticehurst

SECONDED: Councillor H K Fisher.

**ITEM:9 NOTICE OF MOTION - 13/12/10 - LAND AND ENVIRONMENT COURT
- COUNCILLOR M F TICEHURST**

MOTION

THAT the General Manager provide the Council, Councillors and ratepayers with a response to the following Question with Notice:

- Q. Could the General Manager provide the Council, Councillors, ratepayers and residents with a response to the Councils involvement as a current defendant in legal proceedings in the Land and Environment Court involving a matter in the Capertee Valley?*
- Q. Is it correct that the Council has pleaded guilty to the alleged serious offence and that the matter has been finalised subject to issue of a formal and final financial penalty?*
- Q. Has this matter ever been formally reported to an Ordinary Meeting of the Council and if not, why not?*
- Q. Was this matter, which has been ongoing for some years, formally reported in the Lithgow City Councils recent 09/10 Annual Report? If not, why not?*
- Q. Given the Lithgow City Councils plea of guilty, is it correct that it is expected that the financial penalty handed down will be up to \$50,000?*

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The **MOTION** was put and declared **LOST**

**ITEM:10 NOTICE OF MOTION - 13/12/10 - LEASE FINANCIAL EXPENDITURE
- COUNCILLOR M F TICEHURST**

Councillor McAndrew declared an interest and vacated the Chambers at 7.58pm.

MOTION

THAT the information on the lease financial expenditure be noted

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The **MOTION** was put and declared **LOST**

A **DIVISION** was called by councillors M F Ticehurst and J J McGinnes
FOR

Councillor J J McGinnes
Councillor M F Ticehurst

AGAINST

Councillor N L Castle
Councillor G Danaher
Councillor H K Fisher
Councillor C Hunter
Councillor W Marshall
Councillor W McAndrew
Councillor R Thompson

Councillor W McAndrew returned to the Chambers at 7.59pm.

ITEM:11 NOTICE OF MOTION - 13/12/10 - COUNCIL PLANS OF MANAGEMENT - COUNCILLOR M F TICEHURST

RESOLVED

THAT the General Manager provide a formal updated report to the Lithgow City Council, Councillors, ratepayers and residents on the matters raised in this Question with Notice and why the Lithgow City Council continues to be substantially in breach of the stated legislative requirements under Chapter 6 Part 2 Division 2 'Use and management of Community Land' of the Local Government Act, 1993?

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

AMENDMENT

THAT the information on Council Plans of Management be noted

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson.

10-520 RESOLVED

THAT the information on Council Plans of Management be noted

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson.

A **DIVISION** was called by councillors M F Ticehurst and J J McGinnes

FOR

Councillor N L Castle
Councillor G Danaher
Councillor H K Fisher
Councillor C Hunter
Councillor W Marshall
Councillor W McAndrew
Councillor R Thompson

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

ITEM:12 NOTICE OF MOTION - 13/12/10 - LITHGOW COUNCIL RLCIP GRANTS - COUNCILLOR M F TICEHURST

MOTION

THAT the General Manager provide Council, Councillors and ratepayers with a written response to the above Question with Notice at this Ordinary Meeting of Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

AMENDMENT

THAT the information on Lithgow Council RLCIP Grants be noted

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

10-521 RESOLVED

THAT the information on Lithgow Council RLCIP Grants be noted

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

ITEM:13 NOTICE OF MOTION - 13/12/10 - COUNCIL RESOLUTIONS OUTSTANDING - COUNCILLOR M F TICEHURST

10-522 RESOLVED

THAT the General Manager provide the Council, Councillors and ratepayers with a response to the above Question with Notice at this Ordinary Meeting of Council of when the above two Council resolutions will be reported back to the Council as a whole.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

**ITEM:14 NOTICE OF MOTION - 13/12/10 - HARTLEY RHYOLITE QUARRY -
COUNCILLOR IM F TICEHURST**

MOTION

THAT the General Manager provides the Council, Councillors and ratepayers with a response to the above Question with Notice at this Ordinary Meeting of Council.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The **MOTION** was put and declared **LOST**

GENERAL MANAGERS REPORTS

ITEM:15 GM - 13/12/10 - SUBMISSION TO THE LOCAL GOVERNMENT REMUNERATION TRIBUNAL FOR COUNCILLORS AND MAYORAL FEES

10-523 RESOLVED

THAT Council note the Tribunals request for a submission to the remuneration payable to the Mayor and Councillors by 18 February 2011.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM:16 GM - 13/12/10 - INGLENOOK EXPLORATION COMMUNITY LIAISON COMMITTEE

10-524 RESOLVED

THAT:

1. The report on the Inglenook Exploration Community Liaison Committee be noted; and,
2. Council nominate a representative on the Inglenook Exploration Community Liaison Committee.

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

10-525 RESOLVED

THAT Councillor Thompson be the Council representative on the Inglenook Exploration Community Liaison Committee.

MOVED: Councillor W Marshall

SECONDED: Councillor H K Fisher.

REGIONAL SERVICES REPORTS

**ITEM:17 REG - 13/12/10 - ROAD NAMING PROBLEMS / SIMILARITIES /
DUPLICATE NAMING - LITHGOW LOCAL GOVERNMENT AREA**

10-526 RESOLVED

THAT:

1. The information in relation to road naming issues be received by Council.
2. Possible names for Edye Street, Lithgow; Hassan Street, South Bowenfels; and Reservoir Street, Portland be referred to Council's Recognition Committee for suggestions prior to commencing the formal process of intention to re-name the streets under Council's Road Naming Policy
3. Possible names for roads with 'destination names' be referred to Council's Recognition Committee for suggestions prior to seeking feedback from potentially affected residents.
4. Comments from residents of Park Avenue and Park View Avenue be sought prior to any further action being taken.
5. The known 'problem roads' as attached be referred to emergency services and Australia Post for comment with an invitation to provide comment on any other known problem roads. Feedback also be sought from potentially affected residents of the currently known 'problem roads'.

MOVED: Councillor W McAndrew

SECONDED: Councillor G Danaher.

**ITEM:18 REG - 13/12/10 - BRIDGESTONE TYRE SERVICE - 307 MAIN
STREET, LITHGOW**

10-527 RESOLVED

THAT the report on actions being undertaken in relation to concerns with the operation of Bridgestone Tyre Service, Main St, Lithgow be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew.

**ITEM:19 REG - 13/12/10 - CLARENCE COAL - MINING FOR FIRST
WORKINGS OF CLARENCE NO. 2 DAM - DAM SAFETY COMMITTEE
APPROVAL**

10-528 RESOLVED

THAT:

1. The report on Proposal for Mining in the vicinity of Lithgow No. 2 Dam be noted.
2. An agreement be entered into that imposes an obligation on Clarence Colliery to undertake rectification works and pay for any potential damage caused by mining activities in the vicinity of the Lithgow No. 2 Dam
3. The affixing of the Common Seal be authorised for any documentation.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

Councillor Fisher left the meeting at 8.19pm.

**ITEM:20 REG - 13/12/10 - DRAFT AGREEMENT WITH SYDNEY CATCHMENT
AUTHORITY FOR ONGOING OPERATIONAL COSTS TO UV
DISINFECTION PLANTS - LITHGOW AND WALLERAWANG
SEWERAGE TREATMENT PLANTS**

10-529 RESOLVED

THAT:

1. Subject to minor rewording, Council enter into the agreement for the ongoing operating costs for the UV Disinfection Units at Lithgow and Wallerawang Sewerage Treatment Plants in accordance with the attached document.
2. The agreement also specifically reflects the SCA's commitment to reimburse all capital costs including design, project management and contract management.
3. Council authorise affixing the Common Seal to the agreement.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew.

**ITEM:21 REG - 13/12/10 - ESKBANK STATION - CUSTODY AND
MANAGEMENT RAILCORP**

10-530 RESOLVED

THAT:

1. Council enter into a Custody Management Agreement with Railcorp in relation to the Eskbank Station and surrounding precinct.
2. A separate partnership be entered into with the Eskbank Rail Heritage Centre so that the respective roles are defined so this group may be actively involved in planning and carrying out restoration works on the facilities.
3. In conjunction with the Management Agreement, an application be made to Railcorp for funding for the restoration the facilities.
4. The Common Seal be authorised to be attached to any documentation in relation to the Custody Management Agreement.

MOVED: Councillor C Hunter

SECONDED: Councillor W Marshall.

**ITEM:22 REG - 13/12/10 - APPROVAL TO CALL TENDERS FOR THE SUPPLY
AND CONSTRUCTION OF PERMANENT STANDBY GENERATOR AT
SPS NO 1 AND PORTABLE STANDBY GENERATOR AT LITHGOW
STP**

10-531 RESOLVED

THAT Council use the Open Tender method for the procurement of a suitable contractor for the supply and construction of permanent standby generator at SPS No1 and portable standby generator at Lithgow STP, persistent with section 166 of the Local Government (General) Regulation 2005

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM:23 REG - 13/12/10 - MAIN STREET LITHGOW AWNING IMPROVEMENT PROGRAM

10-532 RESOLVED

THAT the information on progress with the Lithgow Main Street awning improvement program be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

ITEM:24 REG - 13/12/10 - NEWNES KAOLIN SAND QUARRY COMMUNITY CONSULTATIVE COMMITTEE

10-533 RESOLVED

THAT the matter be deferred to the Council Meeting in January 2011 with a clarification of the status of the two nominated community members.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew.

ITEM:25 REG - 13/12/10 - ROAD NAMING - 56/06DA - JOHN GRANT DRIVE

10-534 RESOLVED

THAT in accordance with Council's Policy for the naming of roads, Council advertise the road name 'John Grant Drive' as shown on the attached plan in the Lithgow Mercury calling for submissions to be made for the statutory period of twenty-eight (28) days.

MOVED: Councillor R Thompson

SECONDED: Councillor G Danaher.

**ITEM:26 REG - 13/12/10 - COOPER CLOSE - 362/01DA - OFF VALLEY VIEW
DRIVE - CEEDIVE**

10-535 RESOLVED

THAT:

1. Council support the name 'Cooper Close' for the road adjoining Valley Drive, Lithgow as indicated on the attached plan and proceed to notification of the proposed road naming including advice to Emergency Services and the Government Gazette.
2. In accordance with Council's Policy for the naming of roads, Council advertise the road name 'Mantle Street' as indicated on the attached plan in the Lithgow Mercury calling for submissions to be made for the statutory period of twenty-eight (28) days.

MOVED: Councillor R Thompson

SECONDED: Councillor W Marshall.

ITEM:27 REG - 13/12/10 - WATER REPORT

10-536 RESOLVED

THAT:

1. The information in relation to water management issues be noted.
2. A report comes back to Council on comparative information about other Council water authorities on the rainwater tanks subsidies and their take up rates.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew.

OPERATION SERVICES REPORTS

ITEM:28 OPER - 13/12/10 - CREATION OF 40KM/PH PRECINCT CBD - MAIN STREET LITHGOW

10-537 RESOLVED

THAT Council accept the conditions associated with the grant for the installation of a 40km/ph precinct in the Main Street Lithgow from Bridge Street to Lithgow Street.

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson.

ITEM:29 OPER - 13/12/10 - SPEED ZONE REVIEW NO. WSZ1011, JENOLAN CAVES ROAD, HARTLEY TO JENOLAN CAVES

10-538 RESOLVED

THAT Council support and be involved in the proposed speed zone review of the Jenolan Caves Road.

MOVED: Councillor G Danaher

SECONDED: Councillor C Hunter.

COMMUNITY AND CORPORATE SERVICES REPORTS

**ITEM:30 COMM - 13/12/10 - 2010/11 NON-RECURRENT SECTION 356
FINANCIAL ASSISTANCE TO COMMUNITY ORGANISATIONS**

10-539 RESOLVED

THAT Council provides Round 2 Non-Recurrent Financial Assistance to the following organisations.

| FINANCIAL ASSISTANCE REQUESTS | AMOUNT RECOMMENDED |
|--|--------------------|
| Lithgow Information & Neighbourhood Centre | |
| Lithgow Adolescent and Family Counselling Service | \$2,585 |
| Central West Families NSW Supported Playgroups | \$2,700 |
| Lithgow Community Projects, including YouthWorx | |
| Community youth events including band nights etc. | \$2,500 |
| Cinema under the stars | \$2,300 |
| Art for youth Program | \$1,000 |
| Portland Pool Community Mural | \$2,100 |
| Gumnut House Outdoor Area Upgrade | \$4,000 |
| Mingaan Aboriginal Corporation | \$3,000 |
| Lithgow District & district Poultry Club Display Pens | \$1,000 |
| Glen Alice Community Assn Inc Renovation of tennis Court | \$5,000 |
| Portland Golf Club Ltd Open Championships | \$800 |
| The Sail Program skills about independent living | \$2,000 |
| Hartley District Progress Association Blue Mountain Crossing Bicentenary | \$500 |
| Vale Ladies Club Hall floor refurbishment | \$2,000 |

| FINANCIAL ASSISTANCE REQUESTS | AMOUNT RECOMMENDED |
|---|---------------------------|
| First Australian Muzzle Loading Club Rates reimbursement | \$632.61 |
| Rydal H&P Society Show Society Sponsorship | \$1,000 |
| Mitchell Conservatorium Student Sponsorship | \$1,150 |
| Lithgow Family Support Service Support for disadvantaged families | \$3,000 |
| Zig Zag Railway | \$3,200 |
| Total | \$40,467.61 |

MOVED: Councillor C Hunter

SECONDED: Councillor W McAndrew.

ITEM:31 COMM - 13/12/10 - PROMOTING OUR REGIONAL TOWNS AND SHIRES PROPOSAL

10-540 RESOLVED

THAT:

1. Council supports in principle the establishment of the "Promoting Our Regional Towns and Shires" project.
2. Council endorses the Group Manager Community and Corporate as Council's representative on the Promoting Our Regional Towns and Shires working party that will investigate the establishment of the PORTS project and look at options for taking the project forward.
3. A report be brought back to Council for its consideration on the proposal once further developed.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

ITEM:32 COMM - 13/12/10 - HERITAGE DEVELOPMENT CONTROL PLAN STUDY 2010

10-541 RESOLVED

THAT Council:

1. Supports, as recommended in the Draft Heritage DCP Study, the fundamental approach to management of the Lithgow LGA heritage inventory, through:
 - o Identification of Heritage Conservation areas
 - o Development Control Plan provisions
 - o Local Environmental Plan standard heritage provisions.
2. Endorses the Draft Heritage Development Control Plan Study to allow it to be publicly exhibited at the same time as the Draft Land Use Strategy.

MOVED: Councillor C Hunter

SECONDED: Councillor W Marshall.

ITEM:33 COMM - 13/12/10 - SOLID FUEL REBATE PROGRAM

10-542 RESOLVED

THAT:

1. Council increases the amount of the solid fuel rebate to \$1,000 and \$1,400 for pensioners with the commercial rebate to remain unchanged at \$2,000.
2. Council establishes a sunset date of 31 December 2013.
3. Following the sunset date, Council to issue smoke abatement notices where there are community complaints about coal smoke.
4. Where there are significant smoke impacts from coal heaters in the meantime, Council also to issue smoke abatement notices.
5. Additional funding of \$4,715 is to be considered as part of the next quarterly review.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew.

INTERNAL SERVICE REPORTS

**ITEM:34 INTS - 13/12/10 - COUNCIL INVESTMENTS HELD TO 30 NOVEMBER
 2010**

10-543 RESOLVED

THAT Investments of \$17,967,992.59 for the period ending 30 November 2010 be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew.

ITEM:35 INTS - 13/12/10 - REVIEW OF ELECTRICITY CHARGES

10-544 RESOLVED

THAT the information be received and electricity usage and accounts be monitored.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor G Danaher.

COMMITTEE MEETINGS

**ITEM:36 COMM - 13/12/10 - YOUTH COUNCIL MINUTES OF MEETING HELD
ON 3RD NOVEMBER 2010**

10-545 RESOLVED

THAT Council:

1. Notes the minutes of the Youth Council meeting held 3 November 2010.
2. Accepts the Youth Council nomination from Joshua Beale.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

10-546 SUPPLEMENTARY MOTION

RESOLVED THAT a report be provided to Council in relation to Council providing funding for the Matthew Sharp Foundation.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

**ITEM:37 COMM - 13/12/10 - AGEING STRATEGY ADVISORY COMMITTEE
MINUTES - 21ST OCTOBER AND 18TH NOVEMBER 2010**

10-547 RESOLVED

THAT Council notes the minutes of the Ageing Strategy Committee meetings held 21 October and 18 November 2010.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

**ITEM:38 COMM - 13/12/10 - LITHGOW FLASH GIFT COMMITTEE MEETING
MINUTES - 18TH NOVEMBER 2010**

10-548 RESOLVED

THAT Council notes the minutes of the Lithgow Flash Gift Committee held on 18 November 2010.

MOVED: Councillor W McAndrew

SECONDED: Councillor W Marshall.

**ITEM:39 OPER - 13/12/10 - TRAFFIC AUTHORITY LOCAL COMMITTEE
MINUTES - 4TH NOVEMBER 2010**

10-549 RESOLVED

THAT Council:

1. Note the minutes of the Traffic Authority Local Committee held on 4 November 2010.
2. Consult the community in regards to the possible removal of the pedestrian crossing in Methven Street Lithgow as concern has been expressed over the lack of people utilising this crossing.
3. Requests the RTA to consider a reduction in the speed limit on Thompsons Creek Road from the current 100km/h to 80km/h.
4. Install additional 5Tonne load limit signage on Thompson Creek Road.
5. Install a traffic mirror in the Ferro Street laneway between Hassans Walls Road and Ferro Street.
6. Install a traffic mirror directly opposite Bulkeley Lane to improve site distance for vehicles exiting Bulkeley Lane onto Wallerawang-Rydal Road.

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson.

**ITEM:40 REG - CRYSTAL THEATRE MANAGEMENT COMMITTEE MINUTES
 19TH OCTOBER 2010**

10-550 RESOLVED

THAT Council note the minutes of the Crystal Theatre Management Committee Meeting held on 19 October 2010.

MOVED: Councillor C Hunter

SECONDED: Councillor G Danaher.

DELEGATES REPORTS

ITEM:41 DELEGATES REPORT - 13/12/10 - LOCAL AREA COMMAND (LAC) COMMUNITY SAFETY PRECINCT MEETING HELD ON 15TH NOVEMBER 2010

10-551 RESOLVED

THAT Council note the report on the Local Area Command (LAC) Community Safety Precinct Meeting held on 15th November 2010.

MOVED: Councillor W Marshall

SECONDED: Councillor W McAndrew.

ITEM:42 DELEGATES REPORT - 13/12/10 - MINING RELATED COUNCILS MEETINGS

10-552 RESOLVED

THAT:

1. Council note the report on the Mining Related Council Meeting held on 12th November 2010.
2. Council congratulates the General Manager and staff involved in the preparation of the submission on the Maldon DomBarton Railway Line.

MOVED: Councillor N L Castle

SECONDED: Councillor W McAndrew.

ITEM:43 DELEGATES REPORT - 13/12/10 - CENTROC MEETING HELD ON 25TH NOVEMBER 2010

10-553 RESOLVED

THAT the report on the Centroc Meeting held on 25th November 2010 be noted.

MOVED: Councillor N L Castle

SECONDED: Councillor R Thompson.

CLOSED REPORT

ITEM:44 REG - 13/12/10 - CONFIDENTIAL REPORT - TENDERS FOR THE ENGAGEMENT OF CONSULTANTS FOR ENVIRONMENTAL ASSESSMENT AND DESIGN OF THE CLARENCE COLLIERY WATER TRANSFER SYSTEM

10-554 RESOLVED

THAT Council consider this report in closed Council pursuant to Section 10A(2)(D)(1) of the Local Government Act 1993.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew.

CLOSED COUNCIL

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

There were NIL objections.

10-555 RESOLVED

At 9.07pm the Council resolved to move into Closed Council.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew

Closed Council started at 9.07pm.

CLOSED REPORT

ITEM:44 REG - 13/12/10 - CONFIDENTIAL REPORT - TENDERS FOR THE ENGAGEMENT OF CONSULTANTS FOR ENVIRONMENTAL ASSESSMENT AND DESIGN OF THE CLARENCE COLLIERY WATER TRANSFER SYSTEM CONFIDENTIAL

10-556 RESOLVED

THAT:

1. Subject to the formal approval of the Commonwealth Department of Environment, Water, Heritage and the Arts, Council accept the tender amount of \$249,700 submitted by GHD for tender TEN 06/10 for Environmental Assessment and Design for the Clarence Colliery Water Transfer System; and
2. The use of the Common Seal be authorised for the relevant contract documentation.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

10-557 RESOLVED

At 9.09pm the Council resolved to refer to open Council and recommend the resolution of Closed Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor G Danaher

The General Manager announced the recommendation of the Closed Council.

10-558 RESOLVED

THAT Council adopt the recommendation of the closed Council.

MOVED: Councillor W McAndrew

SECONDED: Councillor G Danaher

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 - 13/12/10 - COUNCILLOR DANAHER

Mr Mayor I refer to the Aged Care Assessors positions at Lithgow Distric Hospital and advised that this position is currently vacant and is to be filled via Lawson. I believe the loss of this position will be detrimental to the Lithgow LGA. Can Council please look into this matter?

10-559 RESOLVED

THAT the matter of the Aged Care Assessors position be declared as urgent and dealt with at this meeting.

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson

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

10-560 RESOLVED

THAT Council make representations to the appropriate Health Authorities and the State Member expressing concerns about the lack of replacement of the ACAT position in Lithgow.

MOVED: Councillor W McAndrew

SECONDED: Councillor G Danaher

The meeting closed at 9.16pm.