



LITHGOW CITY COUNCIL

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

22 MARCH 2010

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 22ND MARCH 2010**

Meeting Commenced 7.00pm

Public Forum: 33

PRESENT

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

10-89 APOLOGIES

An apology was received from and leave of absence granted to Councillor W McAndrew who is out of the City on business.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

CARRIED

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, Acting Group Manager Operation Services
Mrs Carol Farnsworth, Internal Services Manager

10-90 CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 1ST March 2010 were taken as read and confirmed by Councillors W Marshall and R Thompson with the following changes:

- That the minutes reflect that Mrs Shirley Hodges read a letter on behalf of Mrs Robyn De Costa.

MOVED: Councillor W Marshall

SECONDED: Councillor R Thompson.

CARRIED

Councillors M F Ticehurst and J J McGinnes requested that their names be recorded **AGAINST** the confirmation of the minutes.

DECLARATION OF INTEREST

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

Councillor W Marshall declared a Non Pecuniary interest in items 2, 6 and 24, due to his brother being involved in these areas. He will not be vacating the Chambers and will take part in the debate.

Councillor R Thompson declared a Non Pecuniary interest in item 2, 6 and 24, due to his residential address being located near the Golf Course. He will not be vacating the Chambers.

Councillor N L Castle declared a Non Pecuniary interest in item 23, due to being an employee of Portland Central School. He will vacate the Chambers.

QUESTIONS FROM THE PUBLIC FORUM

At 7.04pm Members of public gallery were invited to participate in the Public Forum Session.

PF - 22/03/10 - PETER WATSON

1. Would Council have any objections to me recording the questions from the Public Forum?

The Mayor had no objections to the questions being recorded on the same basis as previous.

PF - 22/03/10 - MARLENE BRINKLEY

Mrs Brinkley referred to an incident at the recent meeting at Hampton with Councillors of Lithgow City.

The Mayor advised that any complaint against a staff member or a Councillor of Lithgow Council should be dealt within the proper process through the Code of Conduct and offered for Mrs Brinkley to make the complaint in writing to the General Manager.

PF - 22/03/10 - BOB TRIMING

1. Mr Mayor I wish to advise that I was supposed to be the sole negotiator between Lithgow City Council and the Lithgow Croquet Club. But from the 23rd November 2009 I resigned that position to the Club after receiving disconcerting correspondence from this Club. I attended the November Council Meeting and thanked not only the Councillors but also the Council staff for the total acceptance of my requests for alterations to the Croquet Club. I was overwhelmed with real concerns shown by Council staff and the Council as to my wellbeing after having to leave that meeting via ambulance officers. I mention this as it is a prime example of the total courtesy shown to my wife and I by this Council. The alleged actions of the Croquet Club in various situations leaves me appalled. I am appalled at having my good name dragged through the mud by an organisation I had successfully helped. Mr Mayor, You, your Councillors and the Council Staff can indeed stand proud with the way you provided a quick, total and appropriate response to my original concerns related to this Club.

PF - 22/03/10 - ROSIE WARD

1. I speak on behalf of the Portland Development Association and ask can Council please seek funding in next years budget to support the erection of the new Portland Bandstand / Rotunda in Saville Park?

This funding will also go towards helping the youth in Portland via the Portland Youth Centre, by starting up a band if possible. This will be very important to the youths in Portland.

The Mayor advised that this item will be considered at the budget meeting.

PF - 22/03/10 - ROB BIDWELL

Mr Bidwell spoke on the proposed rotunda for Portland. The previous rotunda had been demolished around 60years ago and the Portland Development Association wishes to get another one to keep the history of the bandstand going in the future.

PF - 22/03/10 - MARLENE BRINKLEY

1. Has Council changed its ruling in relation to the way petitions are treated?

The Mayor advised that nothing has changed within Council on the way that petitions are treated.

PF - 22/03/10 - SUE GRAVES

1. Mr Mayor does Council have a policy on the removal of gravel on a worksite and road sides? If not, should there be one?

The Acting Group Manager Operations advised that Council does not have this type of policy. The General Manager requested Mrs Graves to see him at the conclusion of the meeting.

2. Mr Mayor I refer to the paying of dividends in relation to usage of electricity by all and note that these have accrued over the years, up to \$16M approx, but nothing seems to have gone back into the infrastructure in the area. Is it not possible for this Council to be diligent in its complaints to the Government in relation to the dividends being ear marked and to be used in a better manner.

The Mayor advised that Council will look into this matter further.

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MAYORAL MINUTES

ITEM:1 MAYORAL MINUTE - 22/03/10 - EXPANSION TO MOUNT PIPER POWER STATION

10-91 RESOLVED

THAT:

1. The information on the expansion of the Mount Piper Power Station be received
2. Council congratulate the State Government for making the announcement and encourage the development process;
3. Council lobby the Government and the Delta Electricity to have the new power station coal fired; and
4. Council communicate with the Government in relation the amount of revenue raised as dividends by energy corporations.

MOVED: Councillor N L Castle

SECONDED: Councillor R Thompson.

MATTER ARISING

10-92 RESOLVED

THAT Council contact the Blue Mountains City Council and endeavour to have a discussion in relation to the motion put by them, as to why they oppose this decision and extension to Mount Piper.

MOVED: Councillor N L Castle

SECONDED: Councillor R Thompson.

NOTICES OF MOTION

ITEM:2 NOTICE OF MOTION - 22/03/10 - DRAFT LEASE - LITHGOW GOLF CLUB - COUNCILLOR M F TICEHURST

MOTION

THAT the General Manager provides the Council, Councillors and ratepayers with a written response to the above Question with Notice.

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

ITEM:3 NOTICE OF MOTION - 22/03/10 - HEALTH REFORMS - COUNCILLOR M F TICEHURST

**MOTION
THAT**

1. The information be noted.
2. The Council publicly state it objections to any proposed closures of either the Lithgow Health Service or the Portland Hospital under the new proposed Rudd Federal Government Health Reforms to the Federal Members, for Macquarie, Bob Debus and Calare, John Cobb.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

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

**MATTER ARISING
10-93 RESOLVED**

THAT Council:

1. Approach the State Member as a matter of urgency in relation to the withdrawal of services from the Lithgow Hospital
2. Seek a deputation to the Minister of Health on this issue. This deputation to include a representative from Nurses in the Lithgow Health System.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

**ITEM:4 NOTICE OF MOTION - 22/03/10 - COOERWULL SCHOOL HALL -
COUNCILLOR M F TICEHURST**

10-94 RESOLVED

THAT the Council seek advice from the Member for Macquarie, Mr Bob Debus MP to the Question with Notice as set out in the Notice of Motion.

“Is the Council aware of when the new \$2.5 million dollar School Hall and Covered Outdoor Learning Area (COLA) at the Coerwull Public School on Main Street, Lithgow, funded under the Federal Governments Building the Education Revolution will be officially opened?”

MOVED: Councillor M F Ticehurst

SECONDED: Councillor R Thompson.

**ITEM:5 NOTICE OF MOTION - 22/03/10 - LOCAL ENVIRONMENTAL PLAN
(LEP) - COUNCILLOR M F TICEHURST**

10-95 RESOLVED

THAT the General Manager and Senior Council staff provide the Council, Councillors, ratepayers and developers with an updated timetable and current status on the ongoing development and finalisation of the new Lithgow Local Environmental Plan (LEP) as soon as possible.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

**ITEM:6 NOTICE OF MOTION - 22/03/10 - COUNCILLOR M F TICEHURST -
DRAFT LEASE LITHGOW GOLF CLUB**

MOTION

THAT the General Manager and Senior Council staff provides the Council, Councillors, ratepayers with a written report on the above Questions with Notice to the next Ordinary Meeting of the Lithgow City Council.

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 M F Ticehurst
Councillor J J McGinnes

AGAINST

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

10-96 RESOLVED

THAT item 24, Lease for the Lithgow Golf Club be brought forward for discussion.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM:24 COMM - 22/03/10 - LEASE FOR THE LITHGOW GOLF CLUB

MOTION

THAT:

1. A lease over Lot 1 DP 840412, commonly known as the Lithgow Golf Course, be granted to the Lithgow Golf Club Limited for the purposes of public golf course, licensed club house, golf pro shop, functions and meetings, and upstairs residence and/or office;
2. The lease period be for five (5) years;
3. The rent to commence at \$5,000 and be subject to annual CPI increases; and
4. The Lithgow Golf Club be required to undertake a minimum of \$5,000 maintenance on the golf club house each year; or provide \$5,000 towards the cost of maintenance to the golf club house.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

AMENDMENT

THAT Council given the extent and content of the numerous controversial Public Submissions that were received in response to the Councils Public Exhibition of the Draft Lease for the Lithgow Golf Club as outlines, this Council report, request that the Minister for Local Government, Barbara Perry, under her authority as detailed with the Local Government Act, "call in" and formally determine the future of any formal lease by the Lithgow City Council for the Commercial use of the \$4.7 million dollar and 99 acres of the Lithgow City Council owned, Community Land and Historic Buildings asset to the public ASIC listed, liquor licensed and gaming Lithgow Golf Club Ltd for the purposes, as outlines in this report of a Commercial Public Golf Course, Commercial Licensed Club House, Commercial Golf Pro Shop, Commercial Public Functions and Meetings and Upstairs Residence and/or Office.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The **Amendment** was put and declared **LOST**

10-97 RESOLVED

THAT:

1. A lease over Lot 1 DP 840412, commonly known as the Lithgow Golf Course, be granted to the Lithgow Golf Club Limited for the purposes of public golf course, licensed club house, golf pro shop, functions and meetings, and upstairs residence and/or office;
2. The lease period be for five (5) years;
3. The rent to commence at \$5,000 and be subject to annual CPI increases; and
4. The Lithgow Golf Club be required to undertake a minimum of \$5,000 maintenance on the golf club house each year; or provide \$5,000 towards the cost of maintenance to the golf club house.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

A **DIVISION** was called by Councillors H K Fisher and M F Ticehurst.

For

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

Against

Councillor M F Ticehurst
Councillor J J McGinnes

GENERAL MANAGERS REPORTS

ITEM:7 GM - 22/03/10 - AMBULANCE SERVICES IN PORTLAND

10- 98 RESOLVED

THAT Council:

1. Note the report on a possible Community First Responder Unit at Portland;
2. Advertise in the local media for Expressions of Interest from the community to become a member of the Community First Responder Unit in Portland;
3. Investigate whether the Rural Fire Services would be interested in being members of a First Responses Unit; and
4. Contact Delta Electricity regarding the possibility of a First Responder Unit at Mount Piper or Wallerawang Power Stations.

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

ITEM:8 GM - 22/03/10 - SPONSORSHIP FOR E LEARNING COMPANY

10-99 RESOLVED

THAT Council defer this motion until further information is sought on this organisation.

MOVED: Councillor G Danaher

SECONDED: Councillor H K Fisher.

ITEM:9 GM - 22/03/10 - LITHGOW CROQUET CLUB

10-100 RESOLVED

THAT:

1. The Lithgow Croquet Club retain membership of the Lithgow City Council Sports Committee;
2. Until Mr Barnes is forthcoming with a full public apology the two delegates of the Lithgow Croquet Club to the Councils Sports Advisory Committee be suspended;
3. The Croquet Club be offered the opportunity to nominate an alternate delegate/s to replace Mr Barnes and Ms Nelson Jones place; and
4. The Lithgow City Council and the Croquet Club enter into a lease over the building and grounds.

MOVED: Councillor W Marshall

SECONDED: Councillor G Danaher

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

FOR

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

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

ITEM:10 GM - 22/03/10 - DRAFT MANAGEMENT PLAN 2010/2011 - 2012/2013

10-101 RESOLVED

THAT Council hold an Extra Ordinary Council meeting on Monday 29 March 2010 to consider the Draft 2010/11 to 2012/13 Management Plan.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM:11 GM - 22/03/10 - INTERNAL AUDIT

10-102 RESOLVED

THAT Council:

1. Note the report in relation to Internal Audit tenders;
2. Accept the tender from IAB Services for Council's internal audit services;
3. Authorise the affixing of the Council seal to any documentation necessary for the arrangement; and
4. Advise Centroc of its decision.

MOVED: Councillor W Marshall

SECONDED: Councillor G Danaher.

REGIONAL SERVICES REPORTS

ITEM:12 REG - 22/03/10 - IMPROVEMENTS TO THE ENTRANCE OF LITHGOW

10-103 RESOLVED

THAT the action of the owner to demolish unsightly structures at No.83 Chifley Road, Lithgow be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor H K Fisher.

ITEM:13 REG - 22/03/10 - TENDERS FOR WATER MAIN RENEWAL PROGRAM

10-104 RESOLVED

THAT the open tendering method be used for sourcing suitably experienced contractors for Council's 2009/2010 water main renewal program.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM:14 REG - 22/03/10 - DROUGHT MANAGEMENT

10-105 RESOLVED

THAT the information in relation to drought management issues be noted.

MOVED: Councillor H K Fisher

SECONDED: Councillor R Thompson.

**ITEM:15 REG - 22/03/10 - ACCEPTANCE OF FUNDING CONDITIONS -
COUNTRY TOWNS WATER AND SEWERAGE PROGRAM -
LITHGOW SEWERAGE SCHEME AUGMENTATION**

10-106 RESOLVED

THAT this matter be deferred to the Extra Ordinary Meeting to be held on 29th
March 2010

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson.

OPERATION SERVICES REPORTS

**ITEM:16 OPER - 22/03/10 - UPPER MACQUARIE COUNTY COUNCIL WEEDS
REPORT - DECEMBER 2009 / JANAUARY 2010**

10-107 RESOLVED

THAT the report for Upper Macquarie County Council Chief Weeds Report for December 2009 & December 2010 be noted.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

**ITEM:17 OPER - 22/03/10 - 2009/10 REGIONAL ROADS REPAIR PROGRAM
MR 531 AND FORMER MR 557**

10-108 RESOLVED

THAT that the report on the 2009/10 Regional Roads Repair Program for MR 531 and 557 be noted.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

ITEM:18 OPER - 22/03/10 - MEADOW FLAT RECREATION RESERVE

10-109 RESOLVED

THAT the report on the Meadow Flat Recreation Reserve be noted.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

**SUPPLEMENTARY MOTION
10-110 RESOLVED**

THAT Council be provided with a report on the grading of Wattle Mount Road.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM:19 OPER - 22/03/10 - EASTERN APPROACH TO LITHGOW (SCENIC HILL)

10-111 RESOLVED

THAT:

1. The action taken by Council be noted and that a further report be submitted when information is available; and
2. Council write to the State Member advising him of our actions thus far and seek his support to follow up with the relevant Minister concerned to ensure that Pacific National P/L takes immediate action on this matter.

MOVED: Councillor W Marshall

SECONDED: Councillor G Danaher.

COMMUNITY AND CORPORATE SERVICES REPORTS

ITEM:20 COMM - 22/03/10 - DRAFT CRIME PREVENTION PLAN

10-112 RESOLVED

THAT Council place the Draft Lithgow Crime Prevention Plan on public exhibition for a period of 28 days.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

ITEM:21 COMM - 22/03/10 - DRAFT CULTURAL PRECINCT STUDY

10-113 RESOLVED

THAT Council:

1. Receives the Draft Cultural Precinct Study and advertises the Study for public comment for a period of 28 days; and
2. Notes that a forum will be held for members of the public to inform them of the contents of the Cultural Precinct Study and to gain their feedback.

MOVED: Councillor C Hunter

SECONDED: Councillor W Marshall.

ITEM:22 COMM - 22/03/10 - DRAFT ECONOMIC DEVELOPMENT STRATEGY

10-114 RESOLVED

THAT Council:

1. Receives the Draft Economic Development Strategy 2010-14 and advertises the strategy for public comment for a period of 28 days;
2. Notes that a forum will be held for members of the public to inform them of the contents of the Economic Development Strategy and to gain their feedback; and
3. Seek disposable income statistics for the inclusion in the strategy

MOVED: Councillor G Danaher

SECONDED: Councillor R Thompson.

**ITEM:23 COMM - 22/03/10 - SECTION 356 - FINANCIAL ASSISTANCE TO
COMMUNITY ORGANISATIONS**

Councillor N L Castle, Mayor declared an interest and he vacated the Chambers at 8.52pm.

Councillor R Thompson, Deputy Mayor assumed the role as Chairperson.

10-115 RESOLVED

THAT:

1. Council provides financial assistance to the following organisations:

- Portland Central School to the value of \$1,000
- Lithgow Business Association to the value of \$900
- Lithgow & District Family History Society to the value of \$330

2. Council does not provide financial assistance to the following organisations:

- Violet Hills Charolais on behalf of Lithgow Show Society

3. Consider providing assistance to the Lithgow Band in the Council Budget deliberations.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

Councillor N L Castle returned to the Chambers at 8.53pm and resumed the role as Chairperson.

DELEGATES REPORTS

ITEM:27 DELEGATES REPORT - 22/03/10 - MINING RELATED COUNCIL MEETING 26TH FEBRUARY 2010

10-118 RESOLVED

THAT:

1. The information regarding the Mining Related Councils Meeting held in Newcastle be noted.
2. Lithgow City Council agree with the Western Australian Model “royalties to Regions” and convey this agreement to the Executive Officer of the Mining Related Councils towards the formation of the policy.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM:28 DELEGATES REPORT - 22/03/10 - CENTROC BOARD MEETING 25TH FEBRUARY 2010

10-119 RESOLVED

THAT the Delegates report on the Centroc Board Meeting held on 25th February 2010 be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor G Danaher.

COMMITTEE MEETINGS

ITEM:29 COMM - 22/03/10 - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

10-120 RESOLVED

THAT Council:

1. Amends the Terms of Reference as presented for the Economic Development Advisory Committee.
2. Calls for expressions of interest for a representative from the Tourism Sector.
3. Calls for expressions of interest for a representative from the manufacturing/industrial sector.

MOVED: Councillor W Marshall

SECONDED: Councillor G Danaher.

ITEM:30 OPER - 22/03/10 - SPORTS ADVISORY COMMITTEE MEETING MINUTES 22 FEBRUARY 2010

10-121 RESOLVED

THAT Council note the minutes of the Sports Advisory Committee meeting held on Monday, 22 February 2010.

MOVED: Councillor R Thompson

SECONDED: Councillor W Marshall.

ITEM:31 OPER - 22/03/10 - TRAFFIC AUTHORITY LOCAL COMMITTEE MEETING HELD ON 18TH FEBRUARY 2010

10-122 RESOLVED

THAT:

1. Minutes of the Traffic Authority Local Committee Meeting held on 18th February 2010 be noted;
2. Loading Zones in Main Street Lithgow be installed subject to the following conditions:
 - i. Wording should read “1P 11am - 6pm”
 - ii. 1 hour parking wording to be removed
3. No Stopping Signs at Main Street and Rifle Parade Lithgow be installed as per guidelines at 341a Main Street Lithgow to improve site distance and road safety for traffic exiting Rifle Parade; and
4. Council refer back to TALC the issue of urban speed limits of 50km in Hartley Vale.

MOVED: Councillor G Danaher

SECONDED: Councillor W Marshall.

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.*

Nil

The meeting closed at 9.01pm.