



LITHGOW CITY COUNCIL

A CENTRE OF REGIONAL EXCELLENCE

MINUTES

EXTRA ORDINARY MEETING OF COUNCIL

HELD ON

12 AUGUST 2011

**MINUTES OF THE CITY OF LITHGOW COUNCIL EXTRA MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 12TH AUGUST 2011**

Meeting Commenced 5.00pm

Public Forum: 58

PRESENT

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

APOLOGIES

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

MOVED: Councillor H K Fisher
11-321 RESOLVED

SECONDED: Councillor R Thompson.

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

MOVED: Councillor H K Fisher
11-322 RESOLVED

SECONDED: Councillor R Thompson.

Also in attendance

Mr Roger Bailey, General Manager
Mr Andrew Muir, Group Manager Environment and Development
Mr Iain Stewart, Group Manager Operation
Mrs Carol Farnsworth, Finance Manager
Ms Suzanne Lollback, Group Manager Community and Strategy (from 5.25pm)

DECLARATION OF INTEREST

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

NIL

PUBLIC FORUM

At 5.01pm the Mayor invited Members of public gallery to participate in the Public Forum Session by confining their questions to the Extraordinary Agenda only.

PF - 22/08/11 - MS LYNNE NELSON - JONES

Mr Mayor I am alarmed at the current process for the Aquatic Centre, a project that ratepayers have fought for, for over thirty years. My main concerns are why the DA was not advertised for public comment and why has the process been cloaked in secrecy?

The Mayor advised the process has been through a Committee of Council, members of which included public representatives and the project has not be shrouded in secrecy.

PF - 22/08/11 - MR GEOFF WILSON

Mr Mayor I am from the Portland area and my question is in relation to the last page of the Deed of Variation.

Who granted the authority to Mr Bailey to sign off on the Deed?

The General Manger responded that this question is subject to the Notice of Motion before Council.

PF - 22/08/11 - MR TED LESTER

Mr Lester applauded Council for its approach and urged Council to go slowly with the current proposal. He asked Council to question the project and the dollars it will cost.

The Mayor asked Aquatic Committee Member, Clr Raymond Thompson to respond by outlining what the current proposal for Stage I of the Aquatic Centre.

Councillor Thompson advised that the Committee looked at a lot of options and that this was the most feasible. Unfortunately this means the loss of the middle pool and the Committee will look at options to allay concerns regarding platforms in the main pool.

Mr Lester questioned why Councillors Ticehurst and McGinnes were opponents to the original proposal and now want the full facility. It is a complete turn around.

PF - 22/08/11 - MS KAREN LUKA

Ms Luka identified herself as the President of the Lithgow Swimming Club.

How do the disabled currently access the pool deck, I don't mean enter the pool via the ramp but gain access from the pool entry to the pool deck?

The Group Manager Operations advised that the staff at the swimming centre currently opened gates leading onto the flat area at the level of the pool. The Development and Environmental Manager also stated that the disabled currently had great difficulty accessing the pool and that if significant improvements were to proceed than Council would be required to carry out works to make accessing the deck easier for the disabled. The requirements are that access is to be provided by the main entry point.

PF - 22/08/11 - MS DENISE PERRY

Ms Perry stated that she has been a swimming teacher at the Lithgow Pool for a number of years and is concerned with plans to relocate the amenities block and remove the wading pool. There are no plans for a new wading pool, there has been no advertising in the Lithgow Mercury and the Walrus in the current wading pool was a memorial and is concerned it will be removed and not relocated. The Walrus is a mascot of the Lithgow Swimming Club and it, and the memorial plaque should be relocated.

The Mayor advised the proposal for Stage I of the Aquatic Centre included plans to relocate the Walrus and the memorial plaque. The Group Manager Operations confirmed this.

PF - 22/08/11 - MR PETER HUNT

I just want to know how much the pool lost last year.

The General Manger answered approximately \$300,000 but this would be confirmed and a response sent to Mr Haslop.

PF - 22/08/11 - MR RODNEY GURNEY

1. Has Council considered the traffic congestion outside the pool especially when major events such as the show and Ironfest are on?

The Group Manager Operations advised that traffic matters had been considered by TALC during the process.

2. At the last Council meeting a question regarding making the current access roads, including the link road, into two way access. The statement made by the Operations Manager at this meeting was misleading. Can he clarify?

The Group Manager Operations advised that the current access roads provided two way access in the past and he could see no reason why this could not revert back this way in the future.

PF - 22/08/11 - MS JOANNE HOLMES

Ms Holmes identified herself as a member of the Swimming Club and a Lithgow resident.

Ms Holmes stated she was devastated to lose the 'learn to swim' pool but she has seen the successful use of a platform in pools many times in the past.

She advised that the pool had only been open for five months in the past season due to maintenance issues so she considered any disruption a small price to pay for all year round swimming.

The new pool will attract others so it will make it profitable.

The Mayor thanked Ms Holmes for her comments.

PF - 22/08/11 - MS MAREE EVANS

Ms Evans identified herself a swimming teacher at the pool.

Ms Evans raised concern over losing the 'learn to swim' pool and asked if the plans can be changed to keep it.

The Group Manager Operations answered 'no', the plans that have been adopted require the removal of the 'learn to swim' pool. Options were looked at and significant changes would have to be made.

PF - 22/08/11 - MR AL RITCHIE

Mr Ritchie stated that he was the Chairman of the previous pool committee and had spent a lot of time looking at other community pools in NSW. He said a need was evident for an indoor not an outdoor facility.

Indoor pools provide disability facilities and he was surprised a wading pool has been left out of the current design.

He went onto say the main issue with the Lithgow is the climate and a pool with not alter that. The focus should be on an indoor facility and the current project is not worthwhile unless it is indoor.

The Mayor thanked Mr Ritchie for his statement.

PF - 22/08/11 - MS LYNNE NELSON - JONES

Will the avenue of trees be touched or removed in any way?

The Group Manager Operations advised that the avenue of trees would not be removed.

11-323 RESOLVED

THAT an extension of time be granted to allow Public Question time to continue.

MOVED: Councillor W McAndrew

SECONDED: Councillor H Fisher

PF - 22/08/11 - MR RON MURRAY

When was the DA published and advertised?

The Group Manager Development and Environment advised that the DA had been notified to 28 property owners and advertising in the Lithgow Mercury was not required as per EPA Act. The Mayor further explained that the DA had gone through Council and that Councillor Thompson explained the 'learn to swim' plan for the future development.

PF - 22/08/11 - MS KAREN LUKA

Ms Luka asked if the users of the skate park and Watsford and Conran ovals would have access to the new kiosk / amenities at the pool?.

The Group Manager Operations answered yes that they would be able to access to the kiosk and amenities without the need to enter the pool.

PF - 22/08/11 - MRS MEG BLOWES

Mrs Blowes identified herself as a past swimming teacher at the Lithgow Swimming Pool for a number of years.

Mrs Blowes stated that she was appalled at the thought of losing the Learn to Swim pool. She advised that a child would have no confidence the main pool and with a platform you have to wait for it to be lowered. Where will the kids play?

The Group Manager Operations advised that the current plans provided for a splash pool.

PF - 22/08/11 - MRS ANNE THOMPSON

Council voted on the project years ago and she is disappointed the previous Council and previous General Manager failed to progress the project but she understood dollars were the main issue.

- 1) Can you explain why at the 11th hour do two Councillors bring up their concerns and alternative arrangements?

The Mayor advised that he could not answer this question.

- 2) Is it true Councillor McGinnes moved the Minutes of the Lithgow Indoor Aquatic Centre of 02 July 2010 at the Council meeting of 2 August 2010 noting that Council was in discussion with the Commonwealth to vary the funding deed.

The General Manager confirmed that Councillor McGinnes moved the minutes of the Committee Meeting.

PF - 22/08/11 - MRS MARGO MCGINNES

Mrs McGinnes identified herself as the wife of Councillor J McGinnes.

Mrs McGinnes highlighted the need for all those present in the chambers to act with respect.

The Mayor thanked Mrs McGinnes for her comment.

PF - 22/08/11 - MR PETER HUNT

Mr Haslop asked as a ratepayer of Lithgow how the project will affect ratepayer's rates.

The Finance Manager advised that at this stage the majority of work will utilise grant funds and Council's expenditure has been itemised in the 2011/12 Management Plan and rates determined for the financial year accordingly.

MS JOANNE HOLMES

Ms Holmes asked what allowance Council makes for sporting facilities and other facilities such as Marjorie Jackson for soccer.

The Mayor answered that Council currently maintains approximately 10 sporting facilities in the town for a number of different sports.

MR RODNEY GURNEY

Mr Gurney asked the Mayor was he aware that the local ratepayers groups may be taking action to the Courts?

The Mayor advised that he was now aware.

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NOTICE OF MOTIONS

ITEM-1 NOTICE OF MOTION - 12/08/11 - QUESTIONS OVER VARIATIONS TO THE ORIGINAL PRINCIPAL DEED OF AGREEMENT FOR THE REDEVELOPMENT OF THE INTEGRATED SPORTS AND AQUATIC CENTRE, LITHGOW - COUNCILLORS M F TICEHURST AND J J MCGINNES

MOTION

THAT the Mayor, Councillor Neville Castle provides an immediate response to the Council and Councillors at this Meeting with respect to the above Questions with Notice.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

The Council was advised that the General Manager was provided with delegations of authority by Council, see resolution O08-154, and that Council had adopted the 2010/11 Management Plan with the proposal for Stage 1, see resolution 10-245.

In addition Council had adopted the following:

- To seek an extension of time for expenditure; 09-237
- To seek a variation for the existing grant to accommodate the staged approach plus retain the full \$700,000; 09-536
- Noting that Council representatives met with the local member for the possible funding of a staged approach; 10-23
- Endorsing an application for RLCIP Funding for Stage 1; 10-31
- Noting that Stage 1 was being reduced due to the reduced funding; 10-284
- Noting that discussion were being held with the Department of Health and Ageing regarding the utilisation of the full \$700,000 for Stage 1; 10-313
- Council proceed with selective tenders for the constructions of Stage 1, plus noting that the Department of Health and Ageing confirmed that the \$7000,000 grant could be utilised for Stage 1 of the project ; 10-495

AMENDMENT

THAT Council note the Notice of Motion Questions and accept the answers provided tonight.

MOVED: Councillor W McAndrew

SECONDED: Councillor H K Fisher.

On being put the amendment became the motion.

11-324 RESOLVED

THAT Council note the Notice of Motion Questions and accept the answers provided tonight.

MOVED: Councillor W McAndrew

SECONDED: Councillor H K Fisher.

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

FOR

Councillor N L Castle
Councillor H K Fisher
Councillor C Hunter
Councillor W McAndrew
Councillor R Thompson
Councillor M F Ticehurst

AGAINST

Councillor M F Ticehurst
Councillor J J McGinnes

SUPPLEMENTARY MOTION

11-325 RESOLVED

THAT Council display plans for Stage 1 at Council Administrations building, Libraries and on its website.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor J J McGinnes.

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 6.07pm