



A CENTRE OF REGIONAL EXCELLENCE

MINUTES

ORDINARY MEETING OF COUNCIL

HELD ON

13 AUGUST 2012

AT 7.00pm

**MINUTES OF THE CITY OF LITHGOW COUNCIL MEETING
HELD AT THE CIVIC CENTRE, LITHGOW ON 13 AUGUST 2012**

Meeting Commenced 7.00pm

Public: 49

PRESENT

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

APOLOGIES

12-276 RESOLVED

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

MOVED: Councillor M F Ticehurst

SECONDED: Councillor W McAndrew.

Also in attendance

Mr Roger Bailey, General Manager
Miss Rhiannan Pace, Minutes Secretary
Mr Andrew Muir, Group Manager Environment and Development
Mr Matthew Johnson, Acting Group Manager Community and Strategy
Mr Iain Stewart, Group Manager Operations
Mrs Carol Farnsworth, Finance Manager

CONFIRMATION OF MINUTES

12-277 RESOLVED

Confirmation of the Minutes of the Ordinary Meeting of Council held on the 23 July 2012 were taken as read and confirmed by Councillors R Thompson and H K Fisher

Confirmation of the Minutes of the Extra Ordinary Meeting of Council held on the 7 August 2012 were taken as read and confirmed by Councillors W McAndrew and R Thompson

DECLARATION OF INTEREST

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

Councillor N L Castle declared a Non-significant Personal interest in item 3, due to Councillor being named in the report. He will not vacate the Chambers.

Councillor H K Fisher declared a Non-significant Personal interest in item 3, due to Councillor being named in the report. He will not vacate the Chambers.

Councillor G Danaher declared a Non-significant Personal interest in item 3, due to Councillor being named in the report. He will not vacate the Chambers.

QUESTIONS FROM THE PUBLIC

At 7.02pm Members of public gallery were invited to participate in the Public Forum Session.

1. PF – 13/08/12 – MR TOM SHIRT

Mr Shirt on behalf of all of the volunteers and staff of the NSW Rural Fire Service acknowledged and thanked the Mayor, Councillor Neville Castle, for all the support he has given to them over the many years on Council.

2. PF – 13/08/12 – MR CHARLES JOHNSON

Mr Johnson a volunteer for the NSW Rural Fire Service Volunteer reiterated the thanks given to the Mayor for his support over the 25 years of service. He acknowledged the hard work and dedication that the Mayor, Councillor Neville Castle, has provided to the NSW Rural Fire Service.

3. PF – 13/08/12 – MR DAVID PETERS

Mr Peters another volunteer from the NSW Rural Fire Service thanked and presented an award to the Mayor.

The Mayor thanked the NSW Fire Service for their acknowledgement.

4. PF – 13/08/12 – MRS GLENDA ANTHES

Mrs Anthes thanked the Mayor, the Councillors and the staff for their hard work over the past four years.

Mrs Anthes announced that the Lithgow Business Association would be hosting a meet the candidates evening at the Lithgow Bowling Club on Thursday 16th August commencing at 7pm.

The Mayor thanked Mrs Anthes for her comments.

5. PF- 13/08/12 – MR JIM ROBSON

Mr Robson made a statement in relation to item 2 of the agenda and the revised Highway Upgrades between Lithgow and Katoomba. He said that the main concerns from Hartley were in relation to heritage issues. The Forty Bends was hardly mentioned at the community meetings. The State and Federal governments have already signed off on the \$120 million funding, any opposition is futile.

Mr Robson also expressed his gratitude to the three retiring Councillors (Councillors Castle, Fisher and Danaher) and thanked them for their contributions and efforts.

The Mayor thanked Mr Robson for his comments. He also advised that he is on the steering committee for the Bells Line Expressway and doesn't believe that improvements to the Bells Line Expressway will be on the table until 2033. The Mayor advised that Council's position should be requesting the additional \$50 million be spent in Hartley.

6. PF – 13/08/12 – MR LINDSEY FEATHERSTONE

Mr Featherstone requested that Council write to Local Member Paul Toole requesting that the train from Bathurst to Sydney stop over and Tarana and/or Rydal.

Mr Featherstone then advised that with the upcoming Daffodil Festival at Rydal it should be noted that there is a grader sitting on Stacks Road at Rydal and the road is not finished.

He thanked the Mayor and outgoing Councillors for their hard work.

The Mayor advised that we would write to Paul Toole and would get the operations department to look at the road in Rydal.

7. PF – 13/08/12 – MR BARRY FUNNELL

Mr Funnell thanked the Council for commencing work on Cox's River Road, though late, is still appreciated.

Mr Funnell referred to the Great Western Highway concept design stating that the purple route would remove traffic from the village of Hartley and also the CBD area of Lithgow. He asked that more thought be given to this route.

The Mayor advised that both the State and Federal Government had made up their minds on the route.

8. PF – 13/08/12 – MR CHRIS BIRD

Mr Bird commended the Mayor, Councillor Fisher and Councillor Danaher on their approach and professionalism and service to the community. He hoped that they would all come and take part in the public forum following their retirement.

The Mayor thanked Mr Bird for his words.

EXTENSION OF TIME

12-278 RESOLVED

THAT extension of time for public forum be granted.

MOVED: Councillor M Ticehurst

SECONDED: Councillor H Fisher

9. PF – 13/08/12 – MRS SUE GRAVES

Mrs Graves made a statement in relation to item 9 of the agenda – the additions and alterations at the Lithgow Shopping Centre. It is recommended in the report that a roundabout be deleted and also maintenance be deleted. I understand it is difficult but something needs to be done.

Mrs Graves also suggested a path be constructed between the shopping centre and Aldi.

Mrs Graves on behalf of Lithgow Tidy Towns thanked the Council and the RMS for cleaning up the highway. She said that Lithgow should be very of the effort they have put in.

The Group Manager Operations advised that the proposed roundabout is too difficult to construct in that location and therefore is no longer viable.

The Group Manager Environment and Development advised that the issues at the Valley Shopping Centre had been pursued previously and could be again. However, this should be separate to any condition in the modification application on tonights agenda.

10. PF – 13/08/12 – MR LEE MITCHELL

Mr Mitchell made a statement in relation to item 3 of the agenda and the recognition of the retiring Councillors referring to the objection made by the Greater Lithgow Ratepayers Association. Mr Mitchell stated that there have been many civic functions over the years for outgoing Councillors, Mayor etc and this year should not be any different.

The Mayor thanked Mr Mitchell for his comments.

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ITEM-1 QWN - 13/08/12 - CLARENCE ROAD FUNDING - COUNCILLOR C HUNTER

12-279 RESOLVED

THAT:

1. Council apply for further funding and apply to the Department of Lands to seek an access road for the effected landholder.
2. Council will fund on a 50:50 basis.
3. Council meet with representatives of Zig Zag Railway and the State Government to find a resolution to the road issue that crosses the Zig Zag Railway line at Clarence.

MOVED: Councillor C Hunter

SECONDED: Councillor H K Fisher.

ITEM-2 NOTICE OF MOTION - 13/08/12 - REVISED HIGHWAY UPGRADES BETWEEN LITHGOW AND KATOOMBA - COUNCILLOR C HUNTER

12-280 RESOLVED

THAT Lithgow Council make strong representations to the State and Federal Governments for the entire \$250 million dollars be for the upgrades and safety improvements to be completed between Mount Victoria and Lithgow.

MOVED: Councillor C Hunter

SECONDED: Councillor H K Fisher.

Councillor Ticehurst requested his name be recorded **AGAINST** to resolution.

RESCISSION MOTION – STATUS OF SLOGGETS LANE, PORTLAND

PROCEDURAL MOTION

12-281 RESOLVED

THAT Item 21 (Rescission Motion) be dealt with following Item 7.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

**ITEM-3 GM - 13/08/12 - RECOGNITION OF SERVICE FOR RETIRING
COUNCILLORS**

12-282 RESOLVED

THAT Council recognise the outstanding contributions made by Mayor Neville Castle, Deputy Mayor Howard Fisher and Councillor Grahame Danaher as it has with past Councillors and that this acknowledgement be by the way of a Council dinner with Councillors and Senior Staff.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

**ITEM-4 GM - 13/08/12 - LOCAL GOVERNMENT ASSOCIATION
CONFERENCE MOTIONS**

12-283 RESOLVED

THAT Council submit the following motion to the Annual Conference of the Local Government Association of NSW:

- *That the Association call on the various levels of government to condition mining developments, except those considered remote, so as to prevent Fly-in Fly-out/Drive-in Drive-out employment arrangements.*

MOVED: Councillor R Thompson

SECONDED: Councillor G Danaher.

**ITEM-5 GM - 13/08/12 - CENTENNIAL COAL - WESTERN PROJECTS
BRIEFING**

12-284 RESOLVED

THAT Council note the advice on the Western Projects from Centennial Coal.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

MATTER ARISING

12-285 RESOLVED

THAT A report be provided to Council in relation to the Coalpac application detailing the outcomes from Council's submission to the State Government. Also to be included in the report details of the Department of Health submission with concerns on the development.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

ITEM-6 ENVIRO - 13/08/12 - MODIFICATION OF CONSENT DA058/10 (S96 016/12) DWELLING ALTERATIONS, 4 CABINS AND A SHED, LOT 122 DP 757063, 769 JENOLAN CAVES ROAD, GOOD FOREST NSW 2790

12-286 RESOLVED

THAT:

1. The Section 96 1 (A) modification be approved and that the conditions of consent be amended as detailed in the **late** Section 79C Assessment report with access to the Development from the Crown Road.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

A **DIVISION** was called

Division (Unanimous)

MATTER ARISING

12-287 RESOLVED

THAT Council restate its concerns to the RMS in relation to the speed limit on Jenolan Caves Road from the Great Western Highway to the Duckmaloi Road turnoff.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

ITEM-7 ENVIRO - 13/08/12 - CROWN ROAD ISSUES

12-288 RESOLVED

THAT the report in relation to Crown Roads and related access matters be noted.

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

**ITEM-21 LATE ITEM - NOTICE OF RECISSION - 13/08/12 - STATUS OF
SLOGGETS LANE PORTLAND - COUNCILLORS FISHER,
TICEHURST, MCGINNES**

12-289 RESOLVED

THAT Item 2 – Status of Sloggets Lane, Portland from the 25 June 2012 Council meeting be rescinded and considered by Council at this Council meeting.

MOVED: Councillor H K Fisher

SECONDED: Councillor M F Ticehurst.

12-290 RESOLVED

THAT:

1. Council accept dedication of the Crown Road known as Sloggets Lane, Portland as a Council Public Road.
2. The relevant documentation be completed to allow dedication of the road and if necessary the Council Seal be approved to be applied to any such documentation.
3. Owners of allotments of land gaining access to Sloggets Lane be advised that whilst Council will be accepting dedication of the laneway as a public road, it has no plans for the upgrade of the road and will only be carrying out minor maintenance to the road as required.

MOVED: Councillor H K Fisher

SECONDED: Councillor M F Ticehurst.

MATTER ARISING

12-291 RESOLVED

THAT:

1. Council apply for the dedication of the section of Wattlemount Road to the end of the subdivision approximately 2.55 kilometres from Main Road 531;
2. Council authorise the affixing of the Council Seal;
3. On completion of transfer Council maintain the road; and
4. Council seek the ownership of the right of carriageway that provides access to Wattlemount Road.

MOVED: Councillor H Fisher

SECONDED: Councillor G Danaher

ITEM-8 ENVIRO - 13/08/12 - FOOD INSPECTION FEES SCHOOLS AND CHARITABLE INSTITUTIONS

MOTION

THAT:

1. The food inspection fees imposed in 2011/12 on schools and charitable organisations be waived.
2. Council advertise for a period of 28 days its intention to amend its fees and charges proposing that no food inspection fees be charged for schools or charitable institutions for their initial inspection.

MOVED: Councillor W McAndrew

Motion Lapsed due to no seconder

MOTION

THAT:

1. The food inspection fees imposed in 2011/12 on schools, not for profit organisations and charitable organisations be waived.
2. Council advertise for a period of 28 days its intention to amend its fees and charges proposing that no food inspection fees be charged for schools or charitable institutions for their initial inspection.

MOVED: Councillor M F Ticehurst

SECONDED: Councillor H Fisher

AMENDMENT

MOTION

THAT the item be deferred and a further report be provided to Council advising of all bodies being charged in relation to this fee.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew

The amendment was PUT and became the MOTION

12-292 RESOLVED

THAT the item be deferred and a further report be provided to Council advising of all bodies being charged in relation to this fee.

MOVED: Councillor G Danaher

SECONDED: Councillor W McAndrew

**ITEM-9 ENVIRO - 13/08/12 – MODIFICATION OF CONSENT DA07207
(S96024/12) ADDITIONS & ALTERATIONS – LITHGOW VALLEY
SHOPPING CENTRE – PART LOT 9 DP 1005128 – CNR BENT
STREET & LITHGOW STREET LITHGOW NSW 2790**

12-293 RESOLVED

THAT:

1. The Section 96 1 (A) modification be approved and that the conditions of consent be amended as detailed in the Section 79C Assessment report.
2. A **DIVISION** be called in accordance with the requirements of Section 375A(3) of the Local Government Act, 1993.

MOVED: Councillor W McAndrew

SECONDED: Councillor G Danaher.

A **DIVISION** was called

Division (unanimous)

MATTER ARISING

12-294 RESOLVED

THAT Council make representations to the Lithgow Valley Plaza in relation to the general condition of the premises.

MOVED: Councillor W McAndrew

SECONDED: Councillor R Thompson.

**ITEM-10 ENVIRO - 13/08/12 - GREEN PAPER ON PLANNING REFORM
RELEASED**

12-295 RESOLVED

THAT Council note the report on the green paper in respect of the proposed new planning system for NSW.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM-11 OPER - 13/08/12 - WATER REPORT JULY 2012

12-296 RESOLVED

THAT Council note the Water Report.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

ITEM-12 OPER - 13/08/12 - 2012-13 MANAGEMENT PLAN

12-297 RESOLVED

THAT the following works be adopted for completion during the 2012/13 Financial Year:

1. Portland

- (a) Williewa st approaches to crossing – 500m² - \$2,500
 - (b) Villiers St Lime to Cox – bitumen reseal - 800m² - \$4,000
 - (c) Villiers St west – bitumen reseal – 500m² - \$2,500
 - (d) Ilford St shoulders – bitumen seal – 200m² - \$2,000
 - (e) Wolgan St from Sunny Corner road to William St - bitumen seal – 500m² - \$2,500
 - (f) Laneway Ilford St to Falnash St gravel and seal 80 meters – 480 m² - \$4,800
 - (g) Laneway from Kiln St to Burton St gravel and seal 150 metres – 900m² - \$9,000
 - (h) Laneway behind Commonwealth Road gravel and seal– 150 metres – 900m² - \$9,000
 - (i) Laneway behind Wallerawang Rd between William and Bell St – 100 meters – 600m² - \$6,000
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- (j) Vale St bitumen reseal – 1800m² – \$9,000
- (k) Tramway Ave bitumen reseal – 1200m² - \$6,000

Total area – 8380m² Total cost - \$57,300

2. Wallerawang

- (a) Brays lane reconstruction – 3000m² - \$30,000
- (b) Cripps Ave bitumen reseal – 2800 m² - \$14,000

Total area – 4800 m² Total cost - \$44,000

3. Lithgow

- (a) Davy street and Stephenson St – Bitumen Reseal - 4600m² - \$23,000
- (b) Fullagar Ave – Bitumen Reseal - 6824m² - \$34,120
- (c) Durie St and laneway – Bitumen reseal - 1343m² - \$6,715
- (d) Longworth St - reconstruction – 1430m² - \$14,300
- (e) Lithgow St – heavy patching – 200m² - \$40,000
- (f) Methven St heavy patching – 250m² - \$50,000
- (g) Geordie St approaches to crossing – reseal – 1000m² - \$9,000
- (h) King St lane reconstruction - 600m² - \$6,000
- (i) Second St dead end reseal - 500m² - \$5,000
- (j) Bikestop laneway reseal – 500m² - \$2,500
- (k) Enfield Ave laneway southern end reseal – 1300m² - \$6,500

Total area – 18547 m² Total cost – \$197,135

4. RURAL ROADS

- (a) Back Cullen road - bitumen seal – 13600m² - \$68,000
- (b) Willowvale lane – bitumen seal - 7000m² - \$70,000

Total area – 20600m² Total cost - \$138,000

MOVED: Councillor R Thompson

SECONDED: Councillor W McAndrew.

MATTER ARISING

12-298 RESOLVED

THAT Council contact the RMS and express its concerns over the quality of the sealing of the Castlereagh Highway near Springvale Mine.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

**ITEM-13 OPER - 13/08/12 - TENDERING FOR SUPPLY AND INSTALLATION
OF TWO (2) NEW SEWAGE PUMP STATIONS AT SOUTH
LITTLETON AND SOUTH BOWENFELS**

12-299 RESOLVED

THAT Council use the Selective Tender Method for the installation and supply of 2 new sewage pump stations and associated pipelines, consistent with section 166 of the Local Government (General) Regulation 2005.

MOVED: Councillor R Thompson

SECONDED: Councillor G Danaher.

**ITEM-14 OPER - 13/08/12 - VARIATIONS TO CONTRACT WITH GHD FOR
ENVIRONMENTAL ASSESSMENT AND DESIGN OF THE CLARENCE
COLLIERY WATER TRANSFER SYSTEM**

12-300 RESOLVED

THAT Council accept the following variations totalling \$104,500 excluding GST:

1. Pumping Station design and Rising Main design - \$44,500
2. Ecological Study - \$19,120
3. Amending existing Draft REF - \$22,080
4. Tender package documentation - \$18,800

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

**ITEM-15 COMM - 13/08/12 - MOBILE DEVICE APPLICATIONS FOR
REPORTING ISSUES TO COUNCIL**

12-301 RESOLVED

THAT:

1. The feedback page of Council's website be amended to include links to both the iPad and android apps and to state "Please complete the form below. Alternatively you can use an iPad/android app like Send, Snap, Solve".
 2. Council accepts emails created by apps such as Snap, Send, Save in the same manner as any email request.
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3. The Snap, Send, Solve app be placed on the Councillor iPads to be provided to Councillors in September following the Local Government elections to aid in their reporting of issues to Council staff.

MOVED: Councillor R Thompson

SECONDED: Councillor H K Fisher.

ITEM-16 OPER - 13/08/12 - TALC MINUTES - 2 AUGUST 2012

12-302 RESOLVED

THAT:

1. Council notes the minutes of the Traffic Authority Committee held on 2 August 2012.
 2. Council approve the RMS recommendation that the speed zone on Reserve Road Marrangaroo remain at 80km/h.
 3. Council approve the RMS recommendation that the speed limit on Magpie Hollow Road at Southbowenfels remain unchanged commencing from the Great Western Highway in the east through to a point 2.11 kilometres west where the speed changes to 100km/h
 4. Council approve the RMS recommendation that the 80km/h speed zone on Cox's River Road commencing at the Great Western Highway is extended to the Duddawarra Bridge over Cox's River in the south.
 5. Council approve the RMS recommendation for the speed limit to be reduced on the sealed section of Thompson's Creek Road at Portland to 80km/h from the existing 100km/h and that the unsealed section of road is sign posted with Reduce speed to conditions.
 6. Council approve the installation of;
 - A 40 km/h speed zone on George Coates Avenue
 - A shared 10km/h pedestrian and vehicle speed zone on Barton Street
 - The installation of two speed humps in Barton Avenue
 - Realignment to the corner of George Coates Avenue and Barton Street
 - No Stopping zones on both sides of George Coates Avenue
 - The installation of a pedestrian refuge on George Coates Avenue
 - Two disabled parking spaces and drop off/pick up parking spaces on the aquatic centre site
 - Fifty car parking spaces to be installed on either side of Barton Street
 - That Council place on public exhibition for 14 days the 8 dot points relating to proposed traffic changes for the new Lithgow Aquatic Centre and advise same in writing to all nearby ratepayers and residents.
 7. Council approve the development application for the University of Western Sydney in Mort Street Lithgow in relation to the car parking and traffic entry/exit point proposed for the University.
-

8. Council install No Stopping signage in Main Street Wallerawang commencing at the Black Bridge and continuing down Main Street to cover the entire car park adjacent to the bakery

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

ITEM-17 OPER - 13/08/12 - LITHGOW INDOOR AQUATIC CENTRE ADVISORY COMMITTEE MEETING

12-303 RESOLVED

THAT Council note the discussions of the Lithgow Indoor Aquatic Centre Advisory Committee held on Thursday, 2 August 2012.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

ITEM-18 COMM - 13/08/12 - YOUTH COUNCIL COMMITTEE MEETING MINUTES - 31 JULY 2012

12-304 RESOLVED

THAT Council notes the minutes of the Youth Council meeting held 31 July 2012.

MOVED: Councillor H K Fisher

SECONDED: Councillor G Danaher.

ITEM-19 COMM - 13/08/12 – YOUTH COUNCIL COMMITTEE MINUTES – 26 JUNE 2012

12-305 RESOLVED

THAT Council notes the minutes of the Youth Council meeting held 26 June 2012.

MOVED: Councillor H K Fisher

SECONDED: Councillor W McAndrew.

**ITEM-20 OPER - 13/08/12 - SPORTS ADVISORY COMMITTEE MINUTES 30
JULY 2012**

12-306 RESOLVED

THAT:

1. Council provide a donation of \$430.00 to the NSW Rural Fire Service toward the Cadet Graduation Display (equivalent to the hire fees);
2. Council note the minutes of the Sports Advisory Committee meeting held on Monday, 30 July 2012.

MOVED: Councillor H K Fisher

SECONDED: Councillor R Thompson.

**ITEM-21 LATE ITEM - NOTICE OF RECISSION - 13/08/12 - STATUS OF
SLOGGETS LANE PORTLAND - COUNCILLORS FISHER,
TICEHURST, MCGINNES**

Item 21 was dealt with earlier in the meeting.

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

There being no further business the meeting concluded at 9.12pm
